

November 14, 2018

The meeting was called to order by Chairman Snyder.

The invocation was given by Rev. leFeber.

The Attendance Roll Call disclosed all Legislators present.

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CHAIRMAN SNYDER noted that the minutes of the October 24, 2018 session stand approved as presented.

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COMMUNICATIONS:

Catharine M. Young, NYS Senator, 57th District: Acknowledging receipt of Act 86-2018, Act 152-2018, Act 153-2018 and Act 248-2018.

Susan M. Labuhn, Chairman, Finance Committee: Apportionment of Mortgage Taxes for the six-month period from April 1, 2018 through September 30, 2018. (see report on page 534).

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APPOINTMENTS:

CATTARAUGUS COUNTY PLANNING BOARD

Term to expire July 31, 2019

Dan Newbury
76 North Main Street
Limestone, New York 14753,
to fill the vacancy created by the resignation of Florence Fuller.

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PUBLIC HEARING:

CHAIRMAN SNYDER announced this is the time and place called for a public hearing regarding the Community Development Block Grant application to the New York State Office of Community Renewal to fund housing rehabilitation, well and septic replacements, and lateral connecting assistance that primarily benefit low and moderate income persons, and that anyone wishing to speak relative to this application may now do so.

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

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CHAIRMAN SNYDER called up **Act No. 471-2018**, Authorizing the Chair to Execute Contract with Cattaraugus Community Action, Inc., for Non-Residential Services for Victims of Domestic Violence, and asked that it be read.

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

Adopted November 14, 2018 by voice vote.

To: The Chairman and Legislature of Cattaraugus County:							
I, the Chairman of the Finance Committee, which committee has charge of Apportionment of Mortgage Taxes, respectfully report that the amount to be apportioned for the six-month period from April 1, 2018 through September 30, 2018 is \$372,784.70 and recommend that the amounts opposite the names of the cities/towns be paid to the fiscal officers of that city/town, and amounts in the column headed villages, be paid to the treasurers of the respective villages.							
				Respectfully submitted,			
				Susan M. Labuhn, Chairman			
				Finance Committee			
APPORTIONMENT OF MORTGAGE TAXES							
	ROW 1	ROW 2	ROW 3	ROW 4	ROW 5	ROW 6	ROW 7
	CITY/TOWN	DOUBLE	VILLAGE	VILLAGE	TOTAL AMOUNT		CITY/
	ASSESSED	CITY/TOWN	ASSESSED	PERCENTAGE	MORTGAGE TAX	VILLAGE	TOWN
	VALUATION	VALUATION	VALUATION	SHARE	DISTRIBUTED	SHARE	SHARE
ALLEGANY	317,117,418	634,234,836	68,735,359	0.10837525	23,739.71	2,572.80	21,166.91
ASHFORD	76,220,287	152,440,574		0.00000000	10,432.08	0.00	10,432.08
CARROLLTON	75,626,996	151,253,992		0.00000000	7,189.57	0.00	7,189.57
COLDSRING	64,945,021	129,890,042		0.00000000	2,400.73	0.00	2,400.73
CONEWANGO	32,885,674	65,771,348		0.00000000	3,438.59	0.00	3,438.59
DAYTON	64,088,584	128,177,168	15,128,633	0.11802908	3,429.40	404.77	3,024.63
EAST OTTO	84,851,656	169,703,312		0.00000000	6,276.54	0.00	6,276.54
ELLCOTTVILLE	596,781,012	1,193,562,024	131,308,365	0.11001386	35,856.80	3,944.74	31,912.06
FARMERSVILLE	65,139,172	130,278,344		0.00000000	3,917.30	0.00	3,917.30
FRANKLINVILLE	83,303,721	166,607,442	31,789,801	0.19080661	9,490.32	1,810.82	7,679.50
FREEDOM	117,316,617	234,633,234		0.00000000	11,710.84	0.00	11,710.84
GREAT VALLEY	173,509,814	347,019,628		0.00000000	7,047.71	0.00	7,047.71
HINSDALE	117,537,566	235,075,132		0.00000000	7,742.11	0.00	7,742.11
HUMPHREY	82,656,266	165,312,532		0.00000000	4,641.46	0.00	4,641.46
ISCHUA	40,320,665	80,641,330		0.00000000	4,235.80	0.00	4,235.80
LEON	46,460,465	92,920,930		0.00000000	1,937.70	0.00	1,937.70
LITTLE VALLEY	46,992,899	93,985,798	18,945,366	0.20157690	5,189.96	1,046.18	4,143.78
LYNDON	45,641,499	91,282,998		0.00000000	1,019.18	0.00	1,019.18
MACHIAS	140,707,763	281,415,526		0.00000000	12,399.72	0.00	12,399.72
MANSFIELD	116,813,541	233,627,082		0.00000000	9,349.02	0.00	9,349.02
NAPOLI	56,075,799	112,151,598		0.00000000	2,347.85	0.00	2,347.85
NEW ALBION	56,934,558	113,869,116	21,107,512	0.18536643	5,494.73	1,018.54	4,476.19
OLEAN,CITY	490,157,772	980,315,544		0.00000000	61,613.70	0.00	61,613.70
OLEAN, TOWN	81,988,460	163,976,920		0.00000000	11,898.29	0.00	11,898.29
OTTO	54,203,340	108,406,680		0.00000000	4,064.24	0.00	4,064.24
PERRYSBURG	55,402,010	110,804,020		0.00000000	8,173.04	0.00	8,173.04
PERSIA	57,738,966	115,477,932	40,082,721	0.34710286	32,967.93	11,443.26	21,524.67
PORTVILLE	133,167,895	266,335,790	27,361,066	0.10273147	14,481.38	1,487.69	12,993.69
RANDOLPH	83,173,544	166,347,088		0.00000000	12,305.43	0.00	12,305.43
RED HOUSE	126,426,599	252,853,198		0.00000000	221.07	0.00	221.07
SALAMANCA, CITY	15,819,162	31,638,324		0.00000000	14,271.19	0.00	14,271.19
SALAMANCA, TOWN	27,918,490	55,836,980		0.00000000	1,323.73	0.00	1,323.73
SOUTH VALLEY	31,257,315	62,514,630		0.00000000	14,414.32	0.00	14,414.32
YORKSHIRE	28,867,365	57,734,730	5,822,393	0.10084732	17,763.26	1,791.38	15,971.88
TOTALS	3,688,047,911		360,281,216		372,784.70	25,520.18	347,264.52

ACT NO. 493-2018 by Mr. Giardini and Mr. Helmich

**BID ACCEPTANCE FOR GASOLINE FOR ONOVILLE MARINA
(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 purchase of unleaded 91 Octane gasoline for the Onoville Marina, according to bid specifications and general information provided by the Public Works Committee, and

WHEREAS, the only bid received meeting specifications was the bid of NOCO Energy Corp., 2440 Sheridan Drive, Tonawanda, New York 14150, at a cost of \$3.2141 per gallon, based on the October 11, 2018 Rack Price of \$2.5328 per gallon, plus a firm differential of \$0.0945 per gallon and tax of \$0.5868 per gallon, now, therefore, be it

RESOLVED, that the bid of NOCO Energy Corp. be, and the same hereby is, accepted, for a term commencing January 1, 2019 and terminating December 31, 2019, 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.

Five sets of specifications were sent out.

One bid was received.

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

Adopted November 14, 2018 by voice vote.

ACT NO. 494-2018 by Mr. Giardini and Mr. Helmich

**BID ACCEPTANCE FOR HVAC IMPROVEMENTS
FOR LITTLE VALLEY CIVIL DEFENSE AREA
(Department of Public Works)**

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

WHEREAS, the Clerk of the Legislature was authorized to advertise for sealed bids for HVAC improvements in the Civil Defense area located in the County Building at 303 Court Street, Little Valley, according to specifications provided by the Public Works Committee, and

WHEREAS, the lowest responsible bid received meeting specifications for HVAC improvements in the Civil Defense area of the Little Valley County Center was the bid of Chautauqua Mechanical II, LLC, 2587 Third Avenue, Falconer, New York 14733, in the amount of \$37,277.00, and

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

RESOLVED, that the bid of Chautauqua Mechanical II, LLC be, and the same hereby is, accepted, for a term to commence within ten (10) days of the effective date of the contract and work to be completed on or before January 31, 2019 or within ninety (90) days from the Notice to Proceed, whichever is shorter, 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.

Five sets of specifications were sent out.

Five bids were received meeting specifications.

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

Adopted November 14, 2018 by voice vote.

ACT NO. 495-2018 by Mr. Helmich, Mr. Higgins, Mr. Koch and Mrs. Labuhn

**BID ACCEPTANCE FOR CONTROLLED DEMOLITION AND REMOVAL OF MULTIPLE STRUCTURES
AND ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
(Department of Public Works)**

Pursuant to Section 103 of the General Municipal Law and
Sections 215, 363 and 366 of the County Law.

WHEREAS, the County has title to certain parcels of property that need to be demolished, and upon completion of the demolition, the County shall transfer the titles to the properties to the Cattaraugus County Land Bank Corporation (Land Bank), and

WHEREAS, pursuant to Act 353-2017, the Land Bank shall reimburse the County for all costs associated with the demolition of the subject properties, and

WHEREAS, the Clerk of the Legislature was authorized to advertise for sealed bids for the controlled demolition and removal of multiple structures on six (6) lots throughout Cattaraugus County, according to specifications provided by the Public Works Committee, and

WHEREAS, the lowest responsible bid received meeting specifications for the demolition and removal of the three (3) structures listed below was the bid of Empire Building Diagnostics, Inc., 786 Terrace Boulevard, Suite 1, Depew, New York 14043, in the total amount of \$89,410.00, as follows:

215 West Green Street, Olean, NY (Tax Map No. 94.073-5-17)	\$21,240.00
214 East Pine Street, Olean, NY (Tax Map No. 94.041-1-14)	\$21,170.00
535 Main Street, Carrollton, NY (Tax Map No. 101.079-1-16)	\$47,000.00,

and

WHEREAS, the lowest responsible bid received meeting specifications for the demolition and removal of the three (3) structures listed below was the bid of Wargo Enterprises, Inc., 5055 Havens Road, Akron, New York 14001, in the total amount of \$63,484.00, as follows:

6010 Toad Hollow Road, Mansfield, NY (Tax Map No. 54.001-3-14)	\$21,650.00
211 Adams Street, Olean, NY (Tax Map No. 94.073-7-12)	\$17,346.00
3353 Hazelmere Avenue, Machias, NY (Tax Map No. 21.020-3-5)	\$24,488.00,

and

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

RESOLVED, that the bid of Empire Building Diagnostics, Inc., be, and the same hereby is, accepted, for a term to commence upon Notice to Proceed with work to be completed before December 31, 2018, and be it further

RESOLVED, that the bid of Wargo Enterprises, Inc. be, and the same hereby is, accepted, for a term to commence upon Notice to Proceed with work to be completed before December 31, 2018, and be it further

RESOLVED, sufficient funds are included in the 2018 budget to cover the costs of the aforementioned services, and be it further

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

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

Increase Appropriation Account:

A.132.1364.0000.44401	Building Repair and Maintenance	\$60,034.00
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Increase Estimated Revenue Account:

A.132.1364.0000.1051	Gain from Sale of Property	\$60,034.00.
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No State Bid.

Six sets of specifications were sent out.

Four bids were received meeting specifications.

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

Adopted November 14, 2018 by voice vote.

ACT NO. 496-2018 by Mr. Giardini and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACTS WITH
LOCAL MUNICIPALITIES FOR 2018-2019 SNOW AND ICE CONTROL**

Pursuant to Section 135-a of the Highway Law and
Section 450 of the County Law.

WHEREAS, Act 502-2017 authorized contracts with various local municipalities for snow and ice control for the 2017-2018 snow seasons, the terms of which expired May 31, 2018, and

WHEREAS, contracts have been negotiated with the Towns of Allegany, Salamanca, and the Village of Cattaraugus for the 2018-2019 snow season, and

WHEREAS, additional contracts may also be negotiated for one year terms, and

WHEREAS, the County shall pay for snow and ice control services as follows:

	<u>Year</u>	<u>Length of Road</u>	<u>Payment Per Mile</u>	<u>Total Payment</u>
Town of Allegany	2018-2019	2 Miles	\$4,733.06	\$9,466.12
Town of Salamanca	2018-2019	.90 Mile	\$4,733.06	\$4,259.75
Village of Cattaraugus	2018-2019	.90 Mile	\$4,733.06	\$4,259.75

and

WHEREAS, the County shall make lump sum payments to the aforementioned municipalities, in two (2) installments, for services provided during the term of the contract, and

WHEREAS, the aforementioned amounts are based on 100 trips per season with a trip constituting one (1) run over the designated route centerline mileage; if more than 100 trips are necessary for proper snow and ice control of the roads, then the County will pay the Towns/Village on a pro-rata basis calculated as follows:

$$\frac{\text{Season Rate}}{100} \times \text{number of additional trips} = \text{additional payment}$$

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 contracts, on behalf of Cattaraugus County, with local municipalities for snow and ice control for the 2018-2019 snow season for a term commencing November 7, 2018 and terminating May 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 November 14, 2018 by voice vote.

ACT NO. 497-2018 by Mr. Giardini and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
GREENMAN-PEDERSEN, INC. FOR
ENGINEERING CONSULTANT SERVICES FOR
2019 BRIDGE PAINTING PROGRAM**

Pursuant to Section 450 of the County Law.

WHEREAS, the County Department of Public Works is in need of engineering consultant services for the 2019 Bridge Painting Program, and

WHEREAS, Greenman-Pedersen, Inc., 4950 Genesee Street, Buffalo, New York 14225, can provide the aforementioned engineering consultant services for an amount not to exceed \$37,000.00, to be paid periodically on a percent-of-completion basis as determined by the Department of Public Works, and

WHEREAS, sufficient funds are included in the 2018 budget to cover the cost of the aforementioned services provided in 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 Greenman-Pedersen, 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 in 2019, for a term commencing November 15, 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 Public Works Committee.

Adopted November 14, 2018 by voice vote.

ACT NO. 498-2018 by Mr. Giardini and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH
WENDEL WD, ARCHITECTURE, ENGINEERING, SURVEYING & LANDSCAPE ARCHITECTURE, P.C.
FOR ENGINEERING SERVICES FOR HANDICAP ACCESSIBILITY ACTION PLAN
(Olean Office Facility – Bidding Documents & Construction Phase Services)**

Pursuant to Sections 215 and 450 of the County Law and
the Americans with Disabilities Act.

WHEREAS, Act 603-2017 authorized a contract with Wendel WD, Architecture, Engineering, Surveying & Landscape Architecture, P.C. (Wendel WD), Centerpointe Corporate Park, 375 Essjay Road, Suite 200, Williamsville, New York 14221, for the provision of engineering services necessary to provide a Handicap Accessibility Action Plan for the Little Valley County Center and the Olean Office Facility for compliance with the Americans with Disabilities Act, the term of which expires December 31, 2018, and

WHEREAS, the aforementioned contract should be amended to include for the preparation of bidding documents and construction phase services for the Olean Office Facility, and extend the term to December 31, 2019, and

WHEREAS, Wendel WD can prepare the bidding documents and provide construction phase services for the Olean Office Facility for an additional amount of \$51,000.00, plus reimbursable expenses not to exceed \$800.00, to be paid on a percent-of-completion basis, as invoiced, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute an amended contract, on behalf of Cattaraugus County, with Wendel WD, Architecture, Engineering, Surveying & Landscape Architecture, P.C., for the provision of the above-described engineering services, contingent upon and subject to the inclusion in the 2019 budget of sufficient funds to cover the costs of the aforementioned services, to amend the original contract which commenced January 1, 2018 to terminate 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 November 14, 2018 by voice vote.

ACT NO. 499-2018 by Mr. Klancer and Mr. Marsh

**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 438-2017 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, 2018, 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 \$247,504.00 for the period October 1, 2018 through September 30, 2019, 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, 2018 and terminating September 30, 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 November 14, 2018 by voice vote.

ACT NO. 500-2018 by Mr. Klancer

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

Pursuant to Sections 450 and 722 of the County Law.

WHEREAS, Act 475-2015 authorized a contract with The Legal Aid Bureau of Buffalo, Inc., 290 Main Street, Buffalo, New York 14202, for the provision of appellate representation for a maximum of 24 individuals convicted of crimes or violations in the courts of Cattaraugus County in an effort to reduce costs involved with the representation of indigent criminals in the Appellate Division, the term of which expired September 30, 2018, and

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

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

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with The Legal Aid Bureau of Buffalo, Inc., for the provision of the above-described indigent appellate legal services, 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 7 members of the County Operations/Public Safety Committee.

Adopted November 14, 2018 by voice vote.

ACT NO. 501-2018 by Ms. Vickman

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

Pursuant to Section 205 of the County Law.

WHEREAS, Act 609-2017 authorized a contract with Employee Services, Inc., 55 Chamberlain Street, Wellsville, New York 14895, for the provision of an Employee Assistance Program, the term of which expires December 31, 2018, and

WHEREAS, Employee Services, Inc., has advised the County that a new rate of \$28.00 per non-public safety employee and \$39.62 per public safety employee will be charged effective January 1, 2019, for a total not to exceed \$31,789.10, based on the number of covered employees, to be paid as invoiced, and

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

WHEREAS, in the event more than three (3) sessions are necessary for any uninsured employee, then the County will pay an amount of \$100.00 per additional session, and

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

WHEREAS, if the number of covered employees increases or decreases by more than five percent (5%), then the total agreement value may be revised quarterly to reflect the changes in employees covered, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Employee Services, 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 5 members of the Labor Relations Committee.

Adopted November 14, 2018 by voice vote.

ACT NO. 502-2018 by Ms. Vickman

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
PROACT, INC., FOR MANAGED PRESCRIPTION DRUG PROGRAM**

Pursuant to Section 92-a of the General Municipal Law
and Section 450 of the County Law.

WHEREAS, Act 72-2014 authorized a contract with PROACT, Inc., for the provision of prescription drug benefits, including pharmacy network management, claims processing, mail service pharmacy, specialty injectables, formulary development and rebate management for the Cattaraugus County Health Plan, the term of which expires December 31, 2018, and

WHEREAS, it is in the best interest of Cattaraugus County to have PROACT, Inc., manage the County's prescription drug program, and

WHEREAS, a contract is necessary in order to continue 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 PROACT, Inc., for the provision of the above-described managed prescription drug program, for a term commencing January 1, 2019 and terminating December 31, 2020, with the option to continue the contract in full force and effect for additional one-year terms unless terminated by either party, according to the above-described terms.

Approved by 6 members of the Finance Committee and 5 members of the Labor Relations Committee.

Adopted November 14, 2018 by voice vote.

ACT NO. 503-2018 by Mr. VanRensselaer and Mr. Koch

**AUTHORIZING THE CHAIR TO EXECUTE LOAN DOCUMENTS
WITH ANNE COE D/B/A CUPCAKED FOR
RELOCATION AND RENOVATION PROJECT**

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

WHEREAS, Act 369-2017 authorized a loan in the amount of \$42,000.00 to Anne Coe d/b/a Cupcaked located at 22 Monroe Street, Ellicottville, New York 14731, a retail bakery, and

WHEREAS, Anne Coe d/b/a Cupcaked proposes to hire 2-5 FTE new employees and needs working capital for training of the new employees, and

WHEREAS, Anne Coe d/b/a Cupcaked has requested a new loan in the amount of \$55,000.00, out of which the current loan will be paid off and the remainder of the loan will be used as working capital, and

WHEREAS, the County has \$55,000.00 in its economic development program, using casino funds for economic development projects in the County, and

WHEREAS, it is proposed that the County loan to Anne Coe d/b/a Cupcaked the sum of \$55,000.00, at a 5% fixed interest rate per annum, to be repaid in monthly installments over a seven (7) year period, as follows:

- Payments for months 1(one) through 84 (eight-four) shall be principal and interest,

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 Anne Coe d/b/a Cupcaked 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 6 members of the Development and Agriculture Committee.

Adopted November 14, 2018 by voice vote.

ACT NO. 504-2018 by Mr. Helmich, Mr. Higgins, Mr. Koch and Mrs. Labuhn

**AUTHORIZING TRANSFER OF TAX FORECLOSURE PROPERTY TO
CATTARAUGUS COUNTY LAND BANK CORPORATION**

Pursuant to Section 450 of the County Law.

WHEREAS, pursuant to Act 679-2014, as amended, Cattaraugus County established the Cattaraugus County Land Bank Corporation, which is now an authorized land bank corporation in New York State, and

WHEREAS, New York State's land bank legislation was enacted to address the negative impacts of distressed or at-risk structures and abandoned vacant property in New York's communities, and

WHEREAS, vacant and abandoned properties present a danger to the health and safety of local residents, result in costs and loss of revenues to local governments, and discourage further investment in the community, and

WHEREAS, land banks allow municipalities to acquire, redevelop and improve tax delinquent, vacant or abandoned property, thereby providing a mechanism for municipalities to acquire blighted properties and convert them to productive uses, and

WHEREAS, the Cattaraugus County Land Bank Corporation is able to acquire properties through a variety of means, which include properties obtained through the in rem tax foreclosure process, as well as donated properties, now, therefore, be it

RESOLVED, the Chairman of the Legislature, upon approval of the County Treasurer, is hereby authorized to transfer the County-owned property listed below to the Cattaraugus County Land Bank Corporation for rehabilitation:

Location: 421 Court Street, Village of Little Valley
(known as Tax Map No. 54.063-2-10),

and be it further

RESOLVED, that the Cattaraugus County Treasurer hereby agrees to waive any and all taxes, liens or other fees that may be due on the property being transferred to the Cattaraugus County Land Bank, and be it further

RESOLVED, that the Cattaraugus County Clerk is hereby authorized and directed to waive all recording fees and transfer taxes for property transferred to the Cattaraugus County Land Bank Corporation.

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

Adopted November 14, 2018 by voice vote.

ACT NO. 505-2018 by Mr. VanRensselaer and Mr. Koch

**AUTHORIZING THE CONTRIBUTION OF A GRANT MATCH
TO THE TOWN OF ASHFORD FOR ASHFORD BOAT LAUNCH PROJECT**

Pursuant to Section 450 of the County Law.

WHEREAS, the Town of Ashford is desirous of revitalizing the waterfront and increasing access to outdoor recreation opportunities in the Town by developing two (2) boat launch sites in locations to be determined by the Town, and

WHEREAS, the Town of Ashford, while applying for funding for the aforementioned Project, is required to provide a \$37,500.00 match, and

WHEREAS, the Town of Ashford lacks the funds available to cover the match and has requested assistance from Cattaraugus County, in the amount of \$18,750.00, and

WHEREAS, the Cattaraugus County Legislature created a Municipal Grant Program to provide support to municipalities who are applying for state, federal or Foundation funding and need assistance with securing required matching funds, and

WHEREAS, it serves a County purpose to assist with the development of recreational opportunities within Cattaraugus County, and

WHEREAS, in the event that the Town of Ashford is awarded a funding in the amount of \$37,000.00, then Cattaraugus County shall provide up to \$18,750.00 to the Town of Ashford to assist with the matching contributions requirement, and

WHEREAS, in the event that the Town of Ashford is not awarded the aforementioned funding, then the County will not contribute any amount to the Town of Ashford, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature shall provide up to \$18,750.00 as a grant match to the Town of Ashford, so that the Town may apply for funding for the above-described Boat Launch Project.

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

Adopted November 14, 2018 by voice vote.

ACT NO. 506-2018 by Mrs. Labuhn

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
SYSTEMS EAST, INC. FOR
APPLICATION SOFTWARE AND SUPPORT SERVICES FOR
REAL PROPERTY TAX MANAGEMENT**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 481-2017 authorized a contract with Systems East, Inc., 6 Locust Avenue, Cortland, New York 13045, for the provision of application maintenance and support services for the Total Collection Solution (TCS.web) for an amount of \$22,500.00, the term of which expires December 31, 2018, and

WHEREAS, the Treasurer's Office is desirous of continuing annual application maintenance and support services, and

WHEREAS, Systems East, Inc., can provide application maintenance and support services for an amount of \$1,900.00 per month for a total contract amount of \$22,800.00, for the period January 1, 2019 through December 31, 2019, 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 East, Inc., for the provision of the above-described application maintenance and support services, contingent upon and subject to 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 November 14, 2018 by voice vote.

ACT NO. 507-2018 by Ms. Vickman and Mr. Snyder, Jr.

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
HEALTHY COMMUNITY ALLIANCE, INC. FOR MANAGEMENT OF
DEPARTMENT OF AGING SENIOR WELLNESS AND NUTRITION PROGRAM SITE**

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

WHEREAS, Act 504-2017 authorized a lease and staffing agreement with Healthy Community Alliance, Inc., Academy Place, 1 School Street, Suite 100, Gowanda, New York 14070, for the management of a Senior Wellness and Nutrition Program (SWAN) site in the Gowanda area for the Department of Aging, the term of which expires December 31, 2018, and

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

WHEREAS, Healthy Community Alliance, Inc., shall continue providing for the management of, and part-time personnel to staff, the Gowanda SWAN site for an amount not to exceed \$22,561.00, to be paid on a quarterly basis, as invoiced, and

WHEREAS, this program is 90% federal (CFDA #93.045) and 10% County funded, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Healthy Community Alliance, Inc., for the management of the Gowanda SWAN site, contingent upon and subject to 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, and be it further

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

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

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

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

Adopted November 14, 2018 by voice vote.

ACT NO. 508-2018 by Ms. Vickman and Mr. Snyder, Jr.

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
MEDATRITION, LLC FOR PROFESSIONAL DIETICIAN SERVICES FOR
DEPARTMENT OF AGING**

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

WHEREAS, Act 613-2017 authorized a contract with Medatrition, LLC, 1656 Haskell Road, Olean, New York 14760, for professional dietician services for clients participating in any of the Aging nutrition programs, the term of which expires December 31, 2018, and

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

WHEREAS, Medatrition, LLC, has agreed to continue providing professional dietician services at a rate of \$55.00 per hour for an amount not to exceed \$22,880.00 to be paid on a monthly basis, as invoiced, and

WHEREAS, this program is 57% federal (CFDA #93.045), 37% state and 6% county funded, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Medatrition, LLC, for the provision of the above-described professional dietician 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, and be it further

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

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

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

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

Adopted November 14, 2018 by voice vote.

ACT NO. 509-2018 by Ms. Vickman and Mr. Snyder, Jr.
and Mr. Koch and Mrs. Labuhn¹

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

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

WHEREAS, Act 538-2017 authorized a contract with Cattaraugus Community Action, Inc., 25 Jefferson Street, Salamanca, New York 14779, for the coordination of home-delivered meals in the Salamanca area, the term of which expires December 31, 2018, and

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

WHEREAS, Cattaraugus Community Action, Inc., can provide for the coordination of the home-delivered meals program, volunteer coordination and transportation reservations in the Salamanca area for an annual amount not to exceed \$10,081.00 for two (2) hours per day of operation, which includes all wages, fringe benefits, travel, phone and administration costs, to be paid on a monthly basis as invoiced, and

WHEREAS, this program is 90% federal (CFDA #93.045) and 10% County funded, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, with Cattaraugus Community Action, Inc., for the provision of the above-described services, contingent upon and subject to 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, 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.

¹The following Legislators requested their names be listed as additional sponsors: "Mr. Koch and Mrs. Labuhn".

Adopted November 14, 2018 by voice vote.

ACT NO. 510-2018 by Ms. Vickman and Mr. Snyder, Jr.

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

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

WHEREAS, Act 503-2017 authorized lease agreements with various entities for the leasing of County Department of Aging Senior Wellness and Nutrition Program sites in the County, the terms of which expire December 31, 2018, and

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

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

<u>Site</u>	<u>Address</u>	<u>2019 Rate</u>
Delevan	Jeff Buncy 2206 Chaney Drive, #459 Ruskin, Florida 33570 <i>or</i> 10086 Blue Street Delevan, New York 14042	\$360/mo. plus \$175/mo. for utilities
Franklinville	First Baptist Church 27 South Main Street Franklinville, New York 14737	\$500/mo.
South Dayton	Free Methodist Church 327 Pine Street, P.O. Box 261 South Dayton, New York 14138	\$250/mo.
Portville	Portville Lodge #579 F.& A.M. 14 Temple Street Portville, New York 14770	\$446/mo.
Gowanda	Healthy Community Alliance Academy Place 1 School Street Gowanda, New York 14070	\$478/mo.
Randolph	Town of Randolph Municipal Building 72 Main Street Randolph, New York 14772	\$507/mo.
West Valley	St. Paul's United Methodist Church 9372 Route 240 West Valley, New York 14171	\$353/mo.
Allegany	Cattaraugus Rehabilitation Center, Inc. 1439 Buffalo Street Olean, New York 14760	\$361/mo.
Cattaraugus	Village of Cattaraugus 14 Main Street Cattaraugus, New York 14719,	\$287/mo.

and

WHEREAS, this program is 50% federal (CFDA #93.045), 44% state and 6% county funded, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute lease agreements, on behalf of Cattaugus County, with the above-listed various entities, for the leasing of Senior Wellness and Nutrition Program sites, contingent upon and subject to inclusion in the 2019 budget of sufficient funds to cover the costs of the aforementioned lease payments, for a term commencing January 1, 2019 and terminating 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 7 members of the Human Services Committee.

Adopted November 14, 2018 by voice vote.

ACT NO. 511-2018 by Ms. Vickman and Mr. Snyder, Jr.

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH
HEALTHCARE SERVICES GROUP, INC., FOR
THE PINES HEALTHCARE AND REHABILITATION CENTERS
LAUNDRY SERVICES**

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

WHEREAS, Act 27-2016, as amended by Act 178-2016, authorized a contract with Healthcare Services Group, Inc., 27 Meriden Avenue, Suite 3B, Southington, Connecticut 06489, for the provision of laundry services for The Pines Healthcare and Rehabilitation Center – Olean and Machias Campuses, the term of which expires January 14, 2020, with the option to renew for an additional two-year period at the accepted bid prices, and

WHEREAS, the bid specifications contain the option for providing additional services, and

WHEREAS, the Department of Nursing Homes is desirous of obtaining resident personal linen and linen distribution services for the Machias facility, and

WHEREAS, Healthcare Services Group, Inc., has agreed to provide personal laundry services for the Machias facility, according to the accepted bid specifications contained in the contract dated August 9, 2016, as amended, for an additional amount of \$2,484.85 per month, and

WHEREAS, a contract amendment is necessary to include the additional resident personal linen and linen distribution services for the Machias facility, 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 Cattaugus County, with Healthcare Services Group, Inc., for the provision of the above-described personal laundry services, contingent upon and subject to

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 January 14, 2020, with the option to renew for an additional two-year period at the accepted bid prices.

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

Adopted November 14, 2018 by voice vote.

ACT NO. 512-2018 by Ms. Vickman and Mr. Snyder, Jr.

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT EXTENSION WITH
BUFFALO PHARMACIES, INC. FOR
DEPARTMENT OF NURSING HOMES PRESCRIPTION SERVICES**

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

WHEREAS, Act 501-2012 authorized the acceptance of a bid for prescription services for the Cattaraugus County Department of Nursing Homes at The Pines Healthcare and Rehabilitation Centers-Olean and Machias Campuses, according to specifications provided by the Senior Services Committee, and

WHEREAS, the term of the aforementioned contract expires December 2, 2018 and should be extended in order to allow for time to rebid the services, now, therefore, be it

RESOLVED, that the contract with Buffalo Pharmacies, Inc., be, and the same hereby is, extended to December 31, 2018, under the same rates, terms and conditions.

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

Adopted November 14, 2018 by voice vote.

ACT NO. 513-2018 by Ms. Vickman

**LOCAL LAW NUMBER 9 - 2018
COUNTY OF CATTARAUGUS, NEW YORK**

Pursuant to Section 10 of the Municipal Home Rule Law.

**A LOCAL LAW ESTABLISHING FEES FOR DEPARTMENT OF NURSING HOMES
RESIDENT PRIVATE PAY RATES AND REPEALING ACT 584-2016**

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 increase the resident private pay rate for the Department of Nursing Homes.

SECTION 2. Resident Private Pay Rate. Effective January 1, 2019, the resident private pay rate for the County Department of Nursing Homes shall be as follows:

Olean Facility – semi-private room	\$277.50 per day
Olean Facility – private room	\$289.50 per day
Machias Facility – semi-private room	\$305.50 per day
Machias Facility – private room	\$317.50 per day.

SECTION 3. Severability. If any provision of this Local Law shall be adjudged by any court of competent jurisdiction to be invalid, then such adjudication, shall not effect, impair or invalidate the remainder thereof, but shall be confined in its operation to the particular provision directly involved in the controversy in which such judgment shall have been rendered.

SECTION 4. Statutory Repeal. Effective January 1, 2019, Act No. 584-2016, Local Law Number 11-2016 (Intro Number 11-2016), entitled “A Local Law Establishing Fees for Department of Nursing Homes Resident Private Pay Rates”, is hereby repealed.

SECTION 5. Effective Date. This Local Law shall take effect immediately.

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

No further action taken at this time.

ACT NO. 514-2018 by Ms. Vickman

AUTHORIZING PUBLIC HEARING ON LOCAL LAW NUMBER 9 - 2018

Pursuant to Section 20 of the Municipal Home Rule Law.

WHEREAS, there has been duly presented and introduced at a meeting of this Legislature held on November 14, 2018, a proposed Local Law entitled "A Local Law Establishing Fees for Department of Nursing Homes Resident Private Pay Rates and Repealing Act 584-2016", 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 12th day of December, 2018, at 4:02 p.m. at the Legislature's Chambers, County Center, 303 Court Street, Little Valley, New York, and that at least five days' notice of such hearing shall be given by the Clerk by the due posting thereof upon the bulletin board of each County Court House within the County and by publishing such notice at least once in the official newspapers of the County.

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

Adopted November 14, 2018 by voice vote.

ACT NO. 515-2018 by Ms. Vickman and Mr. Snyder, Jr.

**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 426-2017 authorized contracts with various entities for the utilization of space for the Health Department's WIC Program, the terms of which expire December 31, 2018, 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>2018 Rate</u>	<u>2019 Rate</u>
Franklinville Free Methodist Church 41 South Main Street Franklinville, New York 14737	\$300/year	\$300/year
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 2019 budget of sufficient funds to cover the costs of the aforementioned space, for a term commencing January 1, 2019 and terminating 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 7 members of the Human Services Committee.

Adopted November 14, 2018 by voice vote.

ACT NO. 516-2018 by Ms. Vickman and Mr. Snyder, Jr.

**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 420-2017 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, 2018, 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>2018 Rate</u>	<u>2019 Rate</u>
Occupational Therapist	\$76.00 per visit	\$77.52 per visit
Occupational Therapy Assistant	\$76.00 per visit	\$77.52 per visit
Attendance at Meetings	\$31.00 per hour	\$31.62 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	\$61.20 per visit
per short visit - (less than 15 minutes)	\$40.00 per visit	\$40.80 per visit
Office Visit Evaluations	\$75.40 per visit	\$76.91 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 2019 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 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, and be it further

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

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

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

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

Adopted November 14, 2018 by voice vote.

ACT NO. 517-2018 by Ms. Vickman and Mr. Snyder, Jr.

**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 417-2017 authorized a contract with Brian Garipey, 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 Home Health Care Program, the term of which expires December 31, 2018, and

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

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

<u>Service</u>	<u>2018 Rate</u>	<u>2019 Rate</u>
Physical Therapist	\$75.40 per visit	\$75.40 per visit
Evaluations	\$75.40 per evaluation	\$75.40 per evaluation
PT only admission visit	\$102.00 per visit	\$102.00 per visit
Attendance at Meetings	\$28.56 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 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, and be it further

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

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

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

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

Adopted November 14, 2018 by voice vote.

ACT NO. 518-2018 by Ms. Vickman and Mr. Snyder, Jr.

**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 412-2017 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, 2018, 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 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 Human Services Committee.

Adopted November 14, 2018 by voice vote.

ACT NO. 519-2018 by Ms. Vickman and Mr. Snyder, Jr.
*and Mr. Koch and Mrs. Labuhn*¹

**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 423-2017 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, 2018, 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, 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 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, 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.

¹The following Legislators requested their name be listed as additional sponsors: "Mr. Koch and Mrs. Labuhn".

Adopted November 14, 2018 by voice vote.

ACT NO. 520-2018 by Ms. Vickman and Mr. Snyder, Jr.

**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 432-2017 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, 2018, 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 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, and be it further

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

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

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

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

Adopted November 14, 2018 by voice vote. Mrs. Labuhn abstained from the vote.

ACT NO. 521-2018 by Ms. Vickman and Mr. Snyder, Jr.

**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 425-2017 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, 2018, 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

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 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, and be it further

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

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

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

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

Adopted November 14, 2018 by voice vote.

ACT NO. 522-2018 by Ms. Vickman and Mr. Snyder, Jr.

**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 428-2017 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, 2018, 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 home care therapy 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 Human Services Committee.

Adopted November 14, 2018 by voice vote. Mr. Padlo abstained from the vote.

ACT NO. 523-2018 by Ms. Vickman and Mr. Snyder, Jr.

**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 427-2017 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, 2018, 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, 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 Human Services Committee.

Adopted November 14, 2018 by voice vote.

ACT NO. 524-2018 by Ms. Vickman and Mr. Snyder, Jr.

**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 418-2017 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, 2018, 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>2018 Rate</u>	<u>2019 Rate</u>
Physical Therapist	\$77.68/visit	\$77.68/visit
Occupational Therapist	\$77.68/visit	\$77.68/visit
Speech Therapist	\$77.68/visit	\$77.68/visit
Certified Occupational Therapy Assistant	\$77.68/visit	\$77.68/visit
Attendance at Meetings	\$30.61/hour	\$31.07/hour
Evaluations	\$76.53/visit	\$77.68/visit
PT only admission visit	\$107.18/visit	\$108.79/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 2019 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 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, and be it further

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

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

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

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

Adopted November 14, 2018 by voice vote.

ACT NO. 525-2018 by Ms. Vickman and Mr. Snyder, Jr.

**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 413-2017 authorized a contract with Carolyn C. Ruffner, P.T., 4421 Hammocks Drive, Geneseo, New York 14454, 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, 2018, 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>2018 Rate</u>	<u>2019 Rate</u>
Physical Therapist	\$75.40 per visit	\$76.40 per visit
Evaluations	\$75.40 per evaluation	\$76.40 per evaluation
PT only admission visit	\$102.00 per visit	\$103.00 per visit
Attendance at Meetings	\$28.56 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 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, and be it further

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

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

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

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

Adopted November 14, 2018 by voice vote.

ACT NO. 526-2018 by Ms. Vickman and Mr. Snyder, Jr.

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
CAROLINE J. WOODHEAD PAINTER, M.S. CCC-SLP, FOR
HEALTH DEPARTMENT SPEECH THERAPY SERVICES**

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

WHEREAS, 107-2018 authorized a contract with Caroline J. Woodhead, M.S. CCC-SLP, 13 Temple Street, P.O. Box 136, Portville, New York 14770, for the provision of speech therapy services for the patients of the Health Department Home Health Care Program, the term of which expires December 31, 2018, and

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

WHEREAS, Caroline J. Woodhead Painter, M.S. CCC-SLP, has agreed to continue providing speech therapy services to Cattaraugus County Health Department patients at the rate of \$72.83 per visit, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Caroline J. Woodhead Painter, M.S. CCC-SLP, 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, and be it further

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

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

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

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

Adopted November 14, 2018 by voice vote.

ACT NO. 527-2018 by Ms. Vickman and Mr. Snyder, Jr.

**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
Section 450 of the County Law.

WHEREAS, Act 430-2017 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, 2018, 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 \$65,364.00, 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 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, and be it further

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

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

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

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

Adopted November 14, 2018 by voice vote.

ACT NO. 528-2018 by Ms. Vickman and Mr. Snyder, Jr.

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
WILLCARE, INC. D/B/A ALMOST FAMILY, INC.
FOR HOME HEALTH CARE SERVICES**

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

WHEREAS, Act 416-2017 authorized a contract with Willcare, Inc., for the provision of home health care services, the term of which expires December 31, 2018, and

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

WHEREAS, Willcare, Inc., d/b/a Almost Family, Inc., 901 Hugh Wallis Road South, Lafayette, Louisiana 70508, with a local address at 346 Delaware Avenue, Buffalo, New York 14202, 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>2018 Rates**</u>	<u>2019 Rates**¹</u>
Home Attendant/Housekeeper (Personal Care 1)	\$19.30/hr.	\$19.98/hr.
Personal Care Aide (Personal Care 2)	\$19.80/hr.	\$20.50/hr.
Shared Aide –1/4 hour (Personal Care 1)	\$4.82/¼ hr.	\$4.99/¼ hr.
Shared Aide –1/4 hour (Personal Care 2)	\$4.96/¼ hr.	\$5.14/¼ hr.
Certified Home Health Aide	\$20.38/hr.	\$21.10/hr.
Registered Nurse (RN) (Health Dept)	\$38.05/hr.++	\$39.39/hr.++
Registered Nurse (RN) (DSS)	\$26.52/hr.	\$27.45/hr.
Licensed Practical Nurse (LPN) (Health Dept)	\$26.78/hr.++	\$27.72/hr.++
Licensed Practical Nurse (LPN) (DSS)	\$21.42/hr.	\$22.17/hr.
Nursing Supervision Visit	\$66.07/hr.	\$68.39/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 2019 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., d/b/a Almost Family, Inc., for the provision of the above-described services, contingent upon and subject to 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, 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.

¹MS. VICKMAN moved, seconded by Mr. Breton, to amend as follows: In the Third Whereas, delete the 2019 Rates and replace with updated 2019 Rates. Carried.

Adopted, as amended, November 14, 2018 by voice vote.

ACT NO. 529-2018 by Ms. Vickman and Ms. Hastings

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
SWN COMMUNICATIONS, INC., D/B/A ONE CALL NOW FOR
AUTOMATED TELEPHONE MESSAGE DELIVERY SERVICES
FOR THE HEALTH DEPARTMENT**

Pursuant to Sections 215 and 450 of the County Law.

WHEREAS, Act 519-2017 authorized a contract with SWN Communications, Inc., d/b/a One Call Now, 6450 Poe Avenue, Suite 500, Dayton, Ohio 45414, for the provision of a telephone

message delivery service for the County Health Department, the term of which expires December 31, 2018, and

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

WHEREAS, SWN Communications, Inc., d/b/a One Call Now, can provide a telephone message delivery service for the Health Department for an amount not to exceed \$1,436.87 per year, 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 SWN Communications, Inc., d/b/a One Call Now, for the provision of the above-described telephone message delivery service, contingent upon and subject to inclusion in the 2019 budget of sufficient funds to cover the costs of the aforementioned services, for a term commencing January 10, 2019 and terminating January 9, 2020, according to the above-described terms.

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

Adopted November 14, 2018 by voice vote.

ACT NO. 530-2018 by Ms. Vickman and Mr. Snyder, Jr.

**AUTHORIZING ACCEPTANCE OF FUNDING FROM
NEW YORK STATE OFFICE OF MENTAL HEALTH FOR
VETERAN PEER-TO-PEER SUPPORT PILOT PROGRAM FUNDING**

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

WHEREAS, funding in the amount of \$135,000.00 has been awarded on the 2018 State Aid Letter through the New York State Office of Mental Health for a Veteran Peer-to-Peer Support Pilot Program in Cattaraugus County for veterans suffering from post-traumatic stress syndrome and/or other related combat stress disorders, using individual and small group peer-to-peer support methods, and

WHEREAS, the aforementioned funding will be passed through to an agency in Cattaraugus County to provide the aforementioned pilot program, and

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

RESOLVED, that the Cattaraugus County Legislature hereby authorizes, on behalf of Cattaraugus County, the acceptance of funding from the New York State Office of Mental Health, according to the above-described terms, and be it further

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

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

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

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

Adopted November 14, 2018 by voice vote.

ACT NO. 531-2018 by Ms. Vickman and Mr. Snyder, Jr.

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

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

WHEREAS, Act 477-2017 authorized a contract with Jamestown Psychiatric, P.C., for the provision of medical director services to oversee the provision of medical services in the Department of Community Services mental health clinics, the term of which expires December 31, 2018, and

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

WHEREAS, Jamestown Psychiatric, P.C., 305 East Fairmount Avenue, Lakewood, New York 14750, through Israr Abbasi, M.D., shall provide the services of Medical Director for the Department of Community Services mental health clinics for an annual amount of \$16,000.00, to be paid on a monthly basis, as invoiced, and

WHEREAS, the cost of these services are provided through a combination of state aid, billable insurance, and federal funds (CFDA #93.778), now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, between the Cattaraugus County Community Services Board and Jamestown Psychiatric, P.C., to signify the County's approval, for the provision of the above-described services, contingent upon and subject to 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, and be it further

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

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

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

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

Adopted November 14, 2018 by voice vote.

ACT NO. 532-2018 by Ms. Vickman and Mr. Snyder, Jr.

**APPROVING CONTRACT BETWEEN CATTARAUGUS COUNTY COMMUNITY
SERVICES BOARD AND KIMBERLY CONROY, RN, MS, CS, NPP
FOR DEPARTMENT OF COMMUNITY SERVICES
PSYCHIATRIC NURSE PRACTITIONER SERVICES FOR CLIENTS
IN THE PROS PROGRAM**

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

WHEREAS, Act 479-2017 authorized a contract with Kimberly Conroy, RN, MS, CS, NPP, 2656 West State Street, Suite 502, Olean, New York 14760, for the provision of psychiatric nurse practitioner services for clients in the PROS Program, the term of which expires December 31, 2018, and

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

WHEREAS, Kimberly Conroy, RN, MS, CS, NPP, an independent contractor, can provide psychiatric nurse practitioner services to clients in the PROS Program for an amount of \$120.00 per direct care hour, for a maximum of 286 hours annually, not to exceed a total contract amount of \$34,320.00, to be paid on a monthly basis, as invoiced, and

WHEREAS, the cost of these services are provided through a combination of state aid, billable insurance, and County funds, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, between the Cattaraugus County Community Services Board and Kimberly Conroy, RN, MS, CS, NPP, to signify the County's approval, for the provision of the above-described services, contingent upon and subject to 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, and be it further

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

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

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

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

Adopted November 14, 2018 by voice vote.

ACT NO. 533-2018 by Ms. Vickman and Mr. Snyder, Jr.

**APPROVING CONTRACT BETWEEN CATTARAUGUS COUNTY COMMUNITY
SERVICES BOARD AND KIMBERLY CONROY, RN, MS, CS, NPP
FOR DEPARTMENT OF COMMUNITY SERVICES
PSYCHIATRIC NURSE PRACTITIONER SERVICES FOR CLIENTS
IN THE MENTAL HEALTH CLINIC**

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

WHEREAS, Act 478-2017 authorized a contract with Kimberly Conroy, RN, MS, CS, NPP, 2656 West State Street, Suite 502, Olean, New York 14760, for the provision of psychiatric nurse practitioner services for clients in the mental health clinic, the term of which expires December 31, 2018, and

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

WHEREAS, Kimberly Conroy, RN, MS, CS, NPP, an independent contractor, can provide psychiatric nurse practitioner services to clients in the mental health clinic for an amount of \$120.00 per direct care hour, for a maximum of 416 hours annually, not to exceed a total contract amount of \$49,920.00, to be paid on a monthly basis, as invoiced, and

WHEREAS, the cost of these services are provided through a combination of state aid, billable insurance, and County funds, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, between the Cattaraugus County Community Services Board and Kimberly Conroy, RN, MS, CS, NPP, to signify the County's approval, for the provision of the above-described services, contingent upon and subject to 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, and be it further

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

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

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

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

Adopted November 14, 2018 by voice vote.

ACT NO. 534-2018 by Ms. Vickman and Mr. Snyder, Jr.

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

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

WHEREAS, Act 525-2017 authorized a contract with Advance Practice Solutions, 305 East Fairmount Avenue, Lakewood, New York 14750, for the provision of scribe support staff to assist psychiatric professionals with clinical documentation in the Department of Community Services mental health clinic and PROS Program, the term of which expires December 31, 2018, and

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

WHEREAS, Advance Practice Solutions can provide scribe support staff to assist psychiatric professionals with clinical documentation in the Department of Community Services mental health clinic and PROS Program, for a maximum of 2,730 hours at \$10.00 per hour, for an amount not to exceed \$27,300.00, to be paid on a monthly basis, as invoiced, and

WHEREAS, the funding for these services are provided through a combination of state aid, billable insurance, and County funds, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, between the Cattaraugus County Community Services Board and Advance Practice Solutions, to signify the County's approval, for the provision of the above-described services, contingent upon and subject to 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, and be it further

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

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

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

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

Adopted November 14, 2018 by voice vote.

ACT NO. 535-2018 by Ms. Vickman and Mr. Snyder, Jr.

**APPROVING CONTRACT BETWEEN CATTARAUGUS COUNTY COMMUNITY
SERVICES BOARD AND ACCUMEDIC COMPUTER SYSTEMS, INC. FOR
DEPARTMENT OF COMMUNITY SERVICES ACCUMED SOFTWARE SYSTEM**

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

WHEREAS, Act 475-2017, as amended by Act 171-2018, authorized a contract with Accumedic Computer Systems, Inc., for the provision of the AccuMed Software System, including licenses for the AccuMed System and the Scheduler and Patient Accounts modules, customer support and training, the term of which expires November 30, 2018, and

WHEREAS, the Department of Community Services is desirous of continuing the annual customer support and maintenance for a total of 60 licenses, and

WHEREAS, Accumedic Computer Systems, Inc., 11 Grace Avenue, Suite 401, Great Neck, New York 11021, can provide the following:

Customer Support & Maintenance for AccuMed Software System	Total of 60 licenses	\$25,744.50
Electronic Prescribing Fees	Not to Exceed	\$ 6,300.00
	TOTAL COST Not to Exceed	\$32,044.50

and

WHEREAS, the aforementioned services are 50% state and 50% federally funded (CFDA #93.778), 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, between the Cattaraugus County Community Services Board and Accumedic Computer Systems, Inc., to signify the County's approval, to cover the electronic prescribing component for a term commencing December 1, 2018 and terminating November 30, 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, 7 members of the County Operations/Public Safety Committee and 7 members of the Human Services Committee.

Adopted November 14, 2018 by voice vote.

ACT NO. 536-2018 by Ms. Vickman and Mr. Snyder, Jr.

**APPROVING CONTRACT BETWEEN CATTARAUGUS COUNTY COMMUNITY
SERVICES BOARD AND HEALTHCARE SOLUTIONS WNY, LLC FOR
DEPARTMENT OF COMMUNITY SERVICES BILLING AND ACCOUNTS
RECEIVABLE MANAGEMENT SERVICES**

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

WHEREAS, Act 522-2017 authorized approval for a contract with Healthcare Solutions WNY, LLC, 3719 Union Road, Suite 218, Cheektowaga, New York 14225, for the provision of billing-related services and cash receipt reconciliation and contractual allowance management for the Department of Community Services clinic operations, the term of which expires December 31, 2018, and

WHEREAS, the County Department of Community Services is desirous of continuing the aforementioned billing-related and cash receipt reconciliation services, and

WHEREAS, Healthcare Solutions WNY, LLC, can provide billing and accounts receivable management services and manage the authorization-for-payment process, for an amount not to exceed \$157,666.00 based upon billable units of service not to exceed 26,000 units of service at a rate of \$5.83333 per unit, and perform monthly cash receipt reconciliation for \$6,000.00, and

WHEREAS, this program is funded through a combination of state aid, billable insurance, and federal (CFDA# 93.778) and local funds, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, between the Cattaraugus County Community Services Board and Healthcare Solutions WNY, LLC, to signify the County's approval, for the provision of the above-described services, contingent upon and subject to 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, and be it further

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

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

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

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

Adopted November 14, 2018 by voice vote.

ACT NO. 537-2018 by Ms. Vickman and Mr. Snyder, Jr.

**AUTHORIZING THE CHAIR TO EXECUTE ATTESTATION
CONFIRMING THAT 3.25% FUNDING INCREASES WILL BE USED TO
SUPPORT SALARY AND SALARY-RELATED FRINGE BENEFIT COSTS OF
CERTAIN STAFF INCLUDING NYS LABOR LAW MINIMUM WAGE RATE INCREASES**

Pursuant to Part Q of Chapter 57 of the Laws of 2017.

WHEREAS, the 2017-2018 enacted NYS budget included funding for the provision of a 3.25% increase in annual salary and salary-related fringe benefit costs for Direct Support (CFR 100 series titles) and Direct Care (CFR 200 series titles) staff effective January 1, 2018, and

WHEREAS, additionally, the statute provides for an additional 3.25% increase for the aforementioned staff effective April 1, 2018, as well as a 3.25% increase for Clinical staff (CFR 300 series titles) effective April 1, 2018, and

WHEREAS, Article 19 of the NYS Labor Law establishes minimum wage benchmarks for which funding has been provided, and

WHEREAS, the statute requires each provider to submit an attestation confirming that the funding increases will be used solely to support salary and salary-related fringe benefit increases, including minimum wage increases, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute an attestation certifying that Workforce Salary Enhancement & Minimum Wage State-aid funding provided to Cattaraugus County will be used solely to provide salary increases and salary-related fringe benefit increases for direct care staff and direct support professionals as defined by the Commissioner of Mental Health.

Approved by 6 members of the Finance Committee, 7 members of the Human Services Committee and 5 members of the Labor Relations Committee.

Adopted November 14, 2018 by voice vote.

ACT NO. 538-2018 by Mr. Klancer and Mr. Marsh

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
MOTOROLA SOLUTIONS, INC. FOR
E911 TECHNICAL SUPPORT AND MONITORING SERVICES**

Pursuant to Sections 308 and 450 of the County Law.

WHEREAS, Act 466-2017 authorized a contract with Motorola Solutions, Inc., 1301 East Algonquin Road, Schaumburg, Illinois 60196, for the provision of on-site and remote technical support, service and monitoring services for the E911 telephone system, the term of which expires November 30, 2018, and

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

WHEREAS, Motorola Solutions, Inc., can provide the aforementioned on-site and remote technical support, service and monitoring services for an amount of \$57,912.00 per year, to be paid as invoiced, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Motorola Solutions, Inc., for the provision of the above-described services, contingent upon and subject to inclusion in the 2019 budget of sufficient funds to cover the costs of the aforementioned services, for a term commencing December 1, 2018 and terminating November 30, 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 November 14, 2018 by voice vote.

ACT NO. 539-2018 by Mr. Giardini and Mr. Helmich

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

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

WHEREAS, Act 95-2007, as amended by Acts 646-2008, 549-2010, 505-2011, 74-2013, 623-2014, 579-2015, 535-2016 and 193-2017, authorized a contract with Stantec Consulting Services, Inc., 61 Commercial Street, Suite 100, Rochester, New York 14614, for the provision of engineering services for the New Albion Bridge No. 35 Replacement Project located on Tannery Street over Tributary South Branch Cattaraugus Creek, BIN 3-32281-0, in the Town of New Albion, the term of which expires December 31, 2018, and

WHEREAS, the Department of Public Works is desirous of extending the term of the aforementioned contract to December 31, 2019, in order to complete the aforementioned project, at no additional cost to the County, and

WHEREAS, Stantec Consulting Services, Inc., has agreed to complete the aforementioned project by December 31, 2019, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract extension, on behalf of Cattaraugus County, with Stantec Consulting Services, Inc., for the provision of the above-described services, to extend the term of the contract which commenced February 15, 2007 to terminate 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 November 14, 2018 by voice vote.

ACT NO. 540-2018 by Mr. Giardini and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT EXTENSION
WITH ERDMAN, ANTHONY AND ASSOCIATES, INC. FOR
ASHFORD BRIDGE NO. 37 (COUNTY ROAD NO. 12) ENGINEERING DESIGN SERVICES**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 106-2015, as amended by Acts 409-2016 and 258-2017, authorized a contract with Erdman, Anthony and Associates, Inc., 8608 Main Street, Buffalo, New York 14221, for the provision of engineering design services for the Ashford Bridge No. 37 Rehabilitation Project, located on County Road No. 12 (Edies Road) over Cattaraugus Creek, in the Town of Ashford, the term of which expires December 31, 2018, and

WHEREAS, the Department of Public Works is desirous of extending the term of the aforementioned contract to April 30, 2019, in order to complete the aforementioned project, at no additional cost to the County, and

WHEREAS, Erdman, Anthony and Associates, Inc., has agreed to complete the aforementioned project by April 30, 2019, 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 Erdman, Anthony and Associates, Inc., for the provision of the above-described services, which had an original commencement date of March 11, 2015 to terminate April 30, 2019, according to the above-described terms.

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

Adopted November 14, 2018 by voice vote.

ACT NO. 541-2018 by Mr. Giardini and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT EXTENSION WITH
GREENMAN-PEDERSEN, INC. FOR CONSTRUCTION INSPECTION SERVICES
FOR ASHFORD BRIDGE NO. 37 (COUNTY ROAD NO. 12) FEDERAL-AID PROJECT**

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

WHEREAS, Act 259-2017 authorized a contract with Greenman-Pedersen, Inc. (GPI), 4950 Genesee Street, Suite 100, Buffalo, New York 14225, for the provision of construction inspection services for the Ashford Bridge No. 37 Rehabilitation Project, located on County Road No. 12 (Edies Road) over Cattaraugus Creek, in the Town of Ashford, the term of which expires December 31, 2018, and

WHEREAS, the Department of Public Works is desirous of extending the term of the aforementioned contract to April 30, 2019, in order to complete the aforementioned project, at no additional cost to the County, and

WHEREAS, Greenman-Pedersen, Inc. (GPI), has agreed to complete the aforementioned project by April 30, 2019, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract extension, on behalf of Cattaraugus County, with Greenman-Pedersen, Inc. (GPI), for the provision of the above-described construction inspection services, which had an original commencement date of June 12, 2017 to terminate April 30, 2019, according to the above-described terms.

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

Adopted November 14, 2018 by voice vote.

ACT NO. 542-2018 by Mr. Giardini and Mr. Helmich

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

Pursuant to Section 450 of the County Law.

WHEREAS, Act 421-2008 authorized the County to participate in the County Road No. 6 (Leon Bridge No. 7) federal-aid project administered by the New York State Department of Transportation, and

WHEREAS, Act 161-2011, as amended by Acts 554-2013, 631-2014, 576-2015, 31-2017, 575-2017 and 128-2018, authorized a contract with Watts Architecture and Engineering, P.C., 95 Perry Street, Suite 300, Buffalo, New York 14203, for the provision of engineering design and construction administration services for the Leon Bridge No. 7 replacement project, and

WHEREAS, the Department of Public Works is desirous of extending the term of the aforementioned contract to April 30, 2019, in order to complete the aforementioned project, at no additional cost to the County, and

WHEREAS, Watts Architecture and Engineering, P.C., has agreed to complete the aforementioned project by April 30, 2019, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract extension, on behalf of Cattaraugus County, with Watts Architecture and Engineering, P.C., for the provision of the above-described construction administration services, to amend the original contract which commenced April 13, 2011 and terminates April 30, 2019, according to the above-described terms.

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

Adopted November 14, 2018 by voice vote.

ACT NO. 543-2018 by Mr. Snyder, Sr.
and Mrs. Labuhn¹

**SUPPORTING GRANT APPLICATION FOR
WESTERN REGIONAL OFF-TRACK BETTING CORPORATION**

Pursuant to Section 153 of the County Law.

WHEREAS, the Western Regional Off-Track Betting Corporation ("Western OTB") is owned by the following fifteen (15) western New York counties and two (2) cities: Cattaraugus, Cayuga, Chautauqua, Erie (and the City of Buffalo), Genesee, Livingston, Monroe (and the City of Rochester), Niagara, Orleans, Oswego, Schuyler, Seneca, Steuben, Wayne and Wyoming as enabled by state law, and

WHEREAS, the start-up costs of Western OTB were funded solely by the initiating municipalities from their own treasuries of taxpayer money and represented no state money nor allowed for any state sharing of this purely local venture, and

WHEREAS, the participating municipalities of Western OTB, as its shareholders, have a pro-rata financial interest in the financial investments in Western OTB's corporately-owned branch facilities and the track and casino at Batavia Downs, and

WHEREAS, the Batavia Downs facility presently serves as host for a variety of events, including concerts, weddings, and corporate meetings, and such events serve to draw in those from both inside and outside the region, and

WHEREAS, improvements to the existing food and beverage facilities as well as the track clubhouse are needed in order to maintain energy efficiency and support the facility's growing number of events, and

WHEREAS, increasing the number of events the facility can host will increase revenue, draw in additional visitors, and create new jobs for the region, and

WHEREAS, Western OTB contributes significantly to the regional economy through direct employment and tax contributions, and

WHEREAS, the project will cost an estimated \$667,486.00, much of which will be supported by Western OTB, and

WHEREAS, Western OTB seeks a contribution from Empire State Development in the amount of \$133,497.00 in order to fully fund the project, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature hereby supports the Western OTB project to expand the venue base and improve energy efficiency at the Batavia Downs facility, and be it further

RESOLVED, that the Cattaraugus County Legislature hereby encourages Empire State Development to approve the grant application and the requested funding for Western OTB.

Approved by 6 members of the Finance Committee.

¹The following Legislator requested her name be listed as an additional sponsor: "Mrs. Labuhn".

Adopted November 14, 2018 by voice vote.

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MR. MARSH moved, seconded by Mr. Hale, to waive Rule 12, pursuant to Rule 33.1, regarding Act No. 544-2018 through Act No. 546-2018, inclusive. Carried.

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ACT NO. 544-2018 by Public Works Committee:
Mr. Giardini, Mr. Helmich, Mr. Boberg, Mr. Breton,
Mr. Klancer, Mr. Snyder, Jr. and Mr. Koch
who ask immediate consideration

**REJECTING CERTAIN DEPARTMENT OF PUBLIC WORKS BIDS FOR
ISCHUA 5 PLUNGE POOL REHABILITATION 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 Ischua 5 Plunge Pool Rehabilitation 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 November 2, 2018, 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 Ischua 5 Plunge Pool Rehabilitation project for the Department of Public Works, and requests permission to rebid after further clarification of specifications.

Adopted November 14, 2018 by voice vote.

ACT NO. 545-2018 by Ms. Vickman and Mr. Snyder, Jr.
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE RELEASE AND AGREEMENT WITH
NEW YORK STATE DEPARTMENT OF HEALTH, OFFICE OF THE MEDICAID INSPECTOR GENERAL
FOR SPECIAL APPEALS FUND ALLOCATION FOR DEPARTMENT OF NURSING HOMES AND
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
(Department of Nursing Homes)**

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

WHEREAS, Act 691-2015 authorized the Chairman to execute a Universal Settlement Agreement with the New York State Department of Health, Office of the Medicaid Inspector General, for Medicaid reimbursement for the Department of Nursing Homes, the term of which expires March 31, 2019, and

WHEREAS, under the aforementioned Universal Settlement Agreement, the Cattaraugus County Department of Nursing Homes receives Medicaid reimbursement payments from the State, and

WHEREAS, the nursing homes Universal Settlement created a Special Appeals Fund to be allocated to certain eligible nursing homes for the purpose of adjudicating specific rate appeals, and

WHEREAS, The Pines Healthcare and Rehabilitation Center-Olean Campus is eligible for and elected to participate in the Special Appeals Fund, and

WHEREAS, it is necessary to execute a Release and Agreement in order to receive a Special Appeals Fund allocation in the amount of \$61,069.92, and

WHEREAS, the documents must be executed and received by New York State no later than November 23, 2018, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute the Release and Agreement and other required documentation, on behalf of Cattaraugus County, with New York State Department of Health, Office of the Medicaid Inspector General, in order to receive the Special Appeals Fund allocation, according to the above-described terms, and be it further

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

Increase Estimated Revenue Account:

EF.453.4530.0000.2770.02	Miscellaneous Revenue	\$61,092.92
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Increase Appropriation Account:

EF.909.0000	Fund Balance	\$61,092.92.
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Adopted November 14, 2018 by voice vote.

ACT NO. 546-2018 by Ms. Vickman and Mr. Snyder, Jr.
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
NEW YORK STATE DEPARTMENT OF HEALTH FOR
EVIDENCE BASED CANCER SERVICES PROGRAM GRANT AND
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
(Health Department-Senate Initiative SFY-2018-2019)**

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

WHEREAS, the County Health Department has been awarded a grant in the amount of \$50,000.00, which is available through the New York State Department of Health for the Evidence Based Cancer Services Program, and

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

WHEREAS, the Evidence Based Cancer Services Program is 100% State funded through NYS Object Code #T34481GG, and

WHEREAS, various appropriation and revenue accounts must be adjusted in order to accommodate the aforementioned grant funding, 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 New York State Department of Health, in order to accept and receive the aforementioned grant funding, for a term commencing November 1, 2018 and terminating March 31, 2019, according to the above-described terms, and be it further

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

Increase Estimated Revenue Account:

A.401.4015.4021.3450.11	State Aid, Cancer Screening	\$20,000.00
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Increase Appropriation Account:

A.401.4015.4021.41603	Contracted Services	\$20,000.00.
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Adopted November 14, 2018 by voice vote.

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MR. HALE moved, seconded by Mr. Padlo, to adjourn until November 20, 2018 at 4:00 p.m.
Carried.

Meeting adjourned at 4:32 p.m.

Ann M. Giglio
Journal Clerk