

December 10, 2008

The meeting was called to order by Chairman Crystal J. Abers.

The invocation was given by Rev. Piatt.

The Attendance Roll Call disclosed one Legislator absent - Mr. Boser.

MR. SNYDER moved, seconded by Mr. Ellis that the minutes of the November 25, 2008 session be approved. Carried.

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COMMUNICATIONS:

Assembly Member Giglio: Letter acknowledging receipt of Act Nos. 616-2008, 618-2008 and 619-2008.

New York State Association of Counties: Letter acknowledging receipt of Act No. 501-2008.

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CHAIRMAN ABERS granted privilege of the floor to Dawn Miller, Director of Community Services, and Legislators Snyder and McClune. Ms. Miller introduced Theresa K. Simon. Chairman Abers presented her with a special recognition for her outstanding on behalf of mental health consumers.

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CHAIRMAN ABERS announced this is the time and place called for a public hearing on **Act No. 610-2008**, Local Law Number 16-2008, A Local Law Expanding Boundaries of Cattaraugus Empire Zone as Redesignated by Local Law Number 17-2005 (Intro Number 17-2005), asked that it be read and anyone wishing to speak for or against this local law, may now do so.

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

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

The following Legislators requested their names be listed as additional sponsors: "Mr. Murphy and Mr. Vecchiarella".

CHAIRMAN ABERS requested a Roll Call Vote to adopt Act No. 610-2008 which disclosed as follows:

Ayes: Aiello 0.8772, Burrell 1.0915, Ellis 1.0875, Giardini 1.0094, Hebdon 1.0915, Marsh 1.0843, McClune 0.8834, McLarney 1.0632, Murphy 1.0875, Neal 1.0843, O'Brien 1.0632, Padlo 0.8772, Snyder 0.8772, Sprague 1.0530, Teachman 0.8772, Vecchiarella 0.8834, Vickman 1.0915, Ward 1.0043, Witte 0.8772, Abers 1.0265 - 19.9905.

Nays: none.

Act No. 610-2008, having received the majority vote of the Legislature, was declared Adopted.

CHAIRMAN ABERS announced this is the time and place called for a public hearing on **Act No. 614-2008**, Local Law Number 17-2008, A Local Law Establishing Salary for County Clerk for the Year 2008, asked that it be read and anyone wishing to speak for or against this local law, may now do so.

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

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

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

CHAIRMAN ABERS requested a Roll Call Vote to adopt Act No. 614-2008 which disclosed as follows:

Ayes: Aiello 0.8772, Burrell 1.0915, Ellis 1.0875, Giardini 1.0094, Hebdon 1.0915, Marsh 1.0843, McClune 0.8834, McLarney 1.0632, Murphy 1.0875, Neal 1.0843, O'Brien 1.0632, Padlo 0.8772, Snyder 0.8772, Sprague 1.0530, Teachman 0.8772, Vecchiarella 0.8834, Vickman 1.0915, Ward 1.0043, Witte 0.8772, Abers 1.0265 - 19.9905.

Nays: none.

Act No. 614-2008, having received the majority vote of the Legislature, was declared Adopted.

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ACT NO. 644-2008 by Public Works Committee:

Mr. Giardini, Mr. Ellis, Mr. Aiello, Mr. Burrell, Mr. Marsh,
Mr. O'Brien, Mr. Boser, Mr. Hebdon and Mr. McClune

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH WENDEL DUCHSCHERER
ARCHITECTS & ENGINEERS, P.C. FOR PROFESSIONAL SERVICES FOR
DEPARTMENT OF NURSING HOMES CAPITAL IMPROVEMENT PROJECTS**

Pursuant to Sections 215 and 450 of the County Law and
Section 103(4) of the General Municipal Law.

WHEREAS, Act 512-2006, as amended by Acts 162-2007, 314-2007 and 107-2008, authorized a contract with Wendel Duchscherer Architects & Engineers, P.C., 140 John James Audubon Parkway, Suite 201, Amherst, New York 14228, for the provision of professional services for capital improvement projects at the Pines Healthcare and Rehabilitation Center - Olean Campus, and

WHEREAS, the County Department of Public Works is desirous of completing Phase 3 of the aforementioned capital improvement program at the Pines Healthcare and Rehabilitation Center - Olean Campus, which includes the design and construction services for the following year three project elements:

Upgrade D-wing AHU to include air conditioning and heat recovery,
Replace D-wing roof,
Replace garage roof,
Upgrade lighting in B and C wings,
Heat recovery in the laundry, and
Clean and inspect sewer line,

and

WHEREAS, Wendel Duchscherer Architects & Engineers, P.C., can provide engineering services for the aforementioned Phase 3 design and construction services for a lump sum fee of \$60,000, plus expenses not to exceed \$3,000, and

WHEREAS, sufficient funds are included in the 2009 budget to cover the cost of the aforementioned projects, 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 Duchscherer Architects & Engineers, P.C., for the provision of the above-described services, for a term commencing December 11, 2008 and terminating December 31, 2009, according to the above-described terms.

Approved by 9 members of the Finance Committee.

Adopted December 10, 2008 by voice vote.

ACT NO. 645-2008 by Mr. Giardini
and Mr. Burrell, Mr. Ellis, Mr. Marsh, Mr. O'Brien,
Mr. Boser, Mr. Hebdon and Mr. McClune

**AUTHORIZING THE CHAIR TO EXECUTE QUIT-CLAIM DEEDS
TO ABANDON HIGHWAY PROPERTY IN THE TOWN OF NAPOLI**

Pursuant to Section 118-a of the Highway Law and
Section 450 of the County Law.

WHEREAS, Cattaraugus County has title to various parcels in the Town of Napoli which were required for the reconstruction of County Road No. 7, and

WHEREAS, the aforementioned properties are no longer necessary for road reconstruction purposes, and

WHEREAS, the Highway Law provides that the Legislature, upon recommendation of the County Commissioner of Public Works, can abandon property to an abutting landowner, and

WHEREAS, the Commissioner of Public Works has recommended such abandonment to the property owners listed below, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a Quit-Claim Deed, on behalf of Cattaraugus County, for the following described parcel to Thomas Halterman, 9771 Pigeon Valley Road, Little Valley, New York 14755:

All that parcel of land, situate in the Town of Napoli, County of Cattaraugus, State of New York, being part of Lots 23 and 31 of Town 3, Range 8 of the Holland Land Company's Survey, bounded and described as follows:

Parcel MNA-3

BEGINNING at a point lying at the northwest corner of Lot 23, also being the northwest corner of lands of Thomas Halterman as described in a deed recorded in the Cattaraugus County Clerk's Office in Liber 864 of Deeds at Page 277;

THENCE S 00°-27'-53" W along the west bounds of Lot 23, a distance of 66.10 feet to a point;

THENCE S 29°-46'-21" E through the lands of Halterman, a distance of 112.08 feet to a point;

THENCE in a generally southerly direction through the lands of Halterman, following a curve to the right having a radius of 93.58 feet and an arc length of 107.77 feet to a point;

THENCE S 36°-12'-45" W through the lands of Halterman a distance of 88.22 feet to a point lying on the westerly bounds of Lot 23;

THENCE S 00°-27'-53" W along the westerly bounds of Lot 23, a distance of 42.36 feet to a point, said point lying on the centerline of County Road No. 7 as it existed prior to 1962;

THENCE S 36°-12'-45" W along the former centerline of County Road No. 7, a distance of 170.07 feet to a point;

THENCE S 30°-44'-35" West along the former centerline of County Road No. 7, a distance of 73.61 feet to a point at the intersection of said centerline and the south bounds of lands of Halterman as described in a deed recorded in the Cattaraugus County Clerk's Office in Liber 769 of Deeds at Page 186;

THENCE S 83°-40'-10" E along the lands of Halterman, a distance of 27.18 feet to a point;

THENCE N 30°-44'-35" E through the lands of Halterman, a distance of 61.20 feet to a point;

THENCE N 36°-12'-45" E through the lands of Halterman, a distance of 291.50 feet to a point;

THENCE in a generally northerly direction through the lands of Halterman following a curve to the left having a radius of 143.08 feet and an arc length of 164.78 feet to a point;

THENCE N 29°-46'-21" W through the lands of Halterman, a distance of 159.73 feet to a point lying on the northerly bounds of Lot 23;

THENCE N 89°-31'-33" W along the northerly bounds of Lot 23, a distance of 18.77 feet to the point of beginning, containing 25,599.47 square feet (0.588 acres) of land, more or less.,

and be it further

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a Quit-Claim Deed, on behalf of Cattaraugus County, for the following described parcel to Dana F. Allen and Mary Allen, 9745 Pigeon Valley Road, Little Valley, New York 14755:

All that parcel of land, situate in the Town of Napoli, County of Cattaraugus, State of New York, being part of Lots 24, 31 and 32 of Town 3, Range 8 of the Holland Land Company's Survey, bounded and described as follows:

Parcel MNA-1

BEGINNING at a point lying at the southwest corner of Lot 24, also being the northwest corner of Lot 23 and the northwest corner of lands of Thomas Halterman, as described in a deed recorded in the Cattaraugus County Clerk's Office in Liber 864 of Deeds at Page 277;

THENCE S 89°-31'-33" E along the south bounds of Lot 24 (the north bounds of Lot 23 and also the southerly bounds of the lands of Dana F. and Mary Allen (reputed owners) as described in a deed recorded in the Cattaraugus County Clerk's Office in Liber 795 of Deeds at Page 463), a distance of 18.77 feet to a point;

THENCE N 29°-46'-21" W through the lands of Allen, a distance of 33.58 feet to a point;

THENCE in a generally northerly direction following a curve to the right having a radius of 281.34 feet and an arc length of 347.80 feet to a point lying at the intersection of the southeasterly bounds of County Road No. 7 and the northeasterly bounds of the lands of Allen;

THENCE southwesterly along the southeasterly bounds of County Road No. 7 following a curve to the left having a radius of 723.46 feet and an arc length of 130.15 feet to a point;

THENCE S 48°-39'-08" E along the highway bounds, a distance of 7.00 feet to a point;

THENCE southwesterly along the southeasterly bounds of County Road No. 7 following a curve to the left having a radius of 533.00 feet and an arc length of 53.88 feet to a point;

THENCE in a generally southerly direction through the lands of Allen following a curve to the left having a radius of 322.75 feet and an arc length of 227.55 feet to a point;

THENCE S 29°-46'-21" E through the lands of Allen, a distance of 81.24 feet to a point lying on the easterly bounds of Lot 31 (also the westerly bounds of Lot 23);

THENCE N 00°-27'-53" E along the easterly bounds of Lot 31, a distance of 66.10 feet to the point of beginning, containing 16,297.12 square feet (0.374 acres) of land, more or less.

PARCEL MNA-2

COMMENCING at a point at the southwest corner of Lot 24, also being the northwest corner of Lot 23 and the northwest corner of lands of Thomas Halterman as described in a deed recorded in the Cattaraugus County Clerk's Office in Liber 864 of Deeds at Page 277;

THENCE S 00°-27'-53" W along the east bounds of Lot 31 (the west bounds of Lot 23 and also the easterly bounds of the lands of Dana F. and Mary Allen (reputed owners) as described in a deed recorded in the Cattaraugus County Clerk's Office in Liber 795 of Deeds at Page 463), a distance of 336.32 feet to the point of beginning;

THENCE S 36°-12'-45" W through the lands of Allen, a distance of 205.64 feet to a point;

THENCE S 30°-44'-35" W through the lands of Allen, a distance of 257.44 feet to a point lying on the easterly bounds of County Road No. 7;

THENCE S 6°-08'-35" W along the easterly bounds of County Road No. 7, a distance of 6.60 feet to a point;

THENCE in a generally southerly direction along the easterly bounds of County Road No. 7 following a curve to the right having a radius of 606.00 feet and an arc length of 160.08 feet to a point;

THENCE N 30°-44'-35" E through the lands of Allen a distance of 352.49 feet to a point, said point lying on the south bounds of Halterman;

THENCE N 83°-40'-1-" W along the south bounds of Halterman, a distance of 27.18 feet to a point lying on the centerline of County Road No. 7 as it existed prior to 1962;

THENCE N 30°-44'-35" E along the former centerline of County Road No. 7, a distance of 73.61 feet to a point;

THENCE N 36°-12'-45" E along the former centerline of County Road No. 7, a distance of 170.07 feet to a point lying on the easterly bounds of Lot 31;

THENCE N 00°-27'-53" E along the easterly bounds of Lot 31, a distance of 42.36 feet to the point of beginning, containing 18,960.22 square feet (0.435 acres) of land, more or less.

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

MR. MARSH moved, seconded by Mr. Ellis to postpone action on Act No. 645-2008. Carried.

ACT NO. 646-2008 by Mr. Giardini
and Mr. Ellis
and Mr. Murphy¹

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT 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 authorized a contract with Stantec Consulting Services, Inc., 2250 Brighton-Henrietta Town Line Road, Rochester, New York 14623-2706, for the provision of engineering services for the New Albion Bridge No. 35 Replacement Project located on Tannery Street over Tributary South Branch Cattaraugus Creek, BIN 3-32281-0, in the Town of New Albion, the term of which expires December 31, 2008, and

WHEREAS, additional services are necessary in order to complete the aforementioned project, and

WHEREAS, Stantec Consulting Services, Inc., has agreed to provide the additional engineering services needed for the replacement of New Albion Bridge No. 35, for an amount not to exceed \$50,308, as follows:

<u>Task</u>	<u>Description</u>	<u>Total</u>
Section 2.2311	Conceptual Foundation Design	\$ 9,557.00
Section 2.2312	Additional Geotechnical Testing	\$ 2,438.00
Section 2.5127	Revised Hydraulics	\$ 4,679.00
Section 2.5128	Hydraulics - Plan Revisions	\$ 1,175.00
Section 3.4311	Profile Evaluations	\$ 5,089.00
Section 3.4312	Profile - Plan Revisions	\$ 4,457.00
Section 3.4313	Cost Estimating	\$ 1,336.00
Section 3.4600	ROW Incidentals	\$ 1,042.00
Section 3.4700	Revise Design Approval Document	\$ 4,596.00
	Labor subtotal	\$ 34,369.00
	Reimbursable Costs (additional soil borings & testing)	\$ 15,939.00
	Supplemental No. 1 Total NTE	\$ 50,308.00
	Original Contract Amount NTE	\$219,137.00
	New Contract Amount NTE	\$269,445.00

and

WHEREAS, sufficient funds are included in the 2009 budget to cover the costs of the aforementioned services, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Stantec Consulting Services, Inc., for the provision of the above-described additional services, for a term commencing December 11, 2008 and terminating December 31, 2010, according to the above-described terms.

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

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

Adopted December 10, 2008 by voice vote.

ACT NO. 647-2008 by Mr. Burrell

**BID ACCEPTANCE AND AUTHORIZING THE CHAIR TO
EXECUTE CONTRACT FOR SALE OF TIMBER**

Pursuant to Sections 219 and 450 of the County Law.

WHEREAS, the Clerk of the Legislature was authorized to advertise for sealed bids for the sale of timber from Property #25 located in the Towns of Persia and New Albion, according to specifications provided by the Development and Agriculture Committee, and

WHEREAS, the highest bid received meeting specifications was the bid of Gutches Lumber Co., Inc., PO Box 5478, McLean Road, Cortland, New York 13045 in the amount of \$20,142, and

WHEREAS, the County Forestry Consultant has indicated that the price offered is fair and reasonable and should therefore be accepted, 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 Gutches Lumber Co., Inc., for the above-described sale of timber.

100 sets of specifications were sent out.

Other bids received meeting specifications are on file with the County Forestry Consultant.

Approved by 7 members of the Finance Committee and 6 members of the Development and Agriculture Committee.

Adopted December 10, 2008 by voice vote. Mr. Hebdon, Mr. McClune, Mr. Padlo, Mr. Sprague and Mr. Ward voting no.

ACT NO. 648-2008 by Mr. Burrell

**BID ACCEPTANCE AND AUTHORIZING THE CHAIR TO
EXECUTE CONTRACT FOR SALE OF TIMBER**

Pursuant to Sections 219 and 450 of the County Law.

WHEREAS, the Clerk of the Legislature was authorized to advertise for sealed bids for the sale of timber from Property #3-6 located in the Town of Humphrey, according to specifications provided by the Development and Agriculture Committee, and

WHEREAS, the highest bid received meeting specifications was the bid of David Girod, d/b/a Valley Hardwood, 10353 County Road 23, Fillmore, New York 14735 in the amount of \$18,675, and

WHEREAS, the County Forestry Consultant has indicated that the price offered is fair and reasonable and should therefore be accepted, 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 David Girod, d/b/a Valley Hardwood, for the above-described sale of timber.

100 sets of specifications were sent out.

Other bids received meeting specifications are on file with the County Forestry Consultant.

Approved by 8 members of the Finance Committee and 6 members of the Development and Agriculture Committee.

CHAIRMAN ABERS requested a Roll Call Vote to adopt Act No. 648-2008 which disclosed as follows:

Ayes: Aiello 0.8772, Burrell 1.0915, Ellis 1.0875, Giardini 1.0094, Marsh 1.0843, McLarney 1.0632, Murphy 1.0875, Neal 1.0843, O'Brien 1.0632, Snyder 0.8772, Teachman 0.8772, Vecchiarella 0.8834, Vickman 1.0915, Abers 1.0265 - 14.2039.

Nays: Hebdon 1.0915, McClune 0.8834, Padlo 0.8772, Sprague 1.0530, Ward 1.0043, Witte 0.8772 - 5.7866.

Act No. 648-2008, having received the majority vote of the Legislature, was declared Adopted.

ACT NO. 649-2008 by Mr. Burrell

**BID ACCEPTANCE AND AUTHORIZING THE CHAIR TO
EXECUTE CONTRACT FOR SALE OF TIMBER**

Pursuant to Sections 219 and 450 of the County Law.

WHEREAS, the Clerk of the Legislature was authorized to advertise for sealed bids for the sale of timber from Property #17-20 located in the Town of South Valley, according to specifications provided by the Development and Agriculture Committee, and

WHEREAS, the highest bid received meeting specifications was the bid of Sugar Grove Hardwood, Inc., 720 Cobham Park Road, Warren, Pennsylvania 16365 in the amount of \$10,437, and

WHEREAS, the County Forestry Consultant has indicated that the price offered is fair and reasonable and should therefore be accepted, 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 Sugar Grove Hardwood, Inc., for the above-described sale of timber.

100 sets of specifications were sent out.

Other bids received meeting specifications are on file with the County Forestry Consultant.

Approved by 8 members of the Finance Committee and 6 members of the Development and Agriculture Committee.

CHAIRMAN ABERS requested a Roll Call Vote to adopt Act No. 649-2008 which disclosed as follows:

Ayes: Aiello 0.8772, Burrell 1.0915, Ellis 1.0875, Giardini 1.0094, Marsh 1.0843, McLarney 1.0632, Murphy 1.0875, Neal 1.0843, O'Brien 1.0632, Snyder 0.8772, Teachman 0.8772, Vecchiarella 0.8834, Vickman 1.0915, Abers 1.0265 - 14.2039.

Nays: Hebdon 1.0915, McClune 0.8834, Padlo 0.8772, Sprague 1.0530, Ward 1.0043, Witte 0.8772 - 5.7866.

Act No. 649-2008, having received the majority vote of the Legislature, was declared Adopted.

ACT NO. 650-2008 by Finance Committee:

Mr. O'Brien, Mrs. Witte, Mr. Burrell, Mr. Ellis, Mr. McLarney,
Mr. Snyder, Mr. Vecchiarella, Mr. Giardini and Mr. Sprague

**AUTHORIZING PURCHASE OF ACCESS CONTROL SYSTEM
FOR COUNTY OFFICE FACILITIES IN LITTLE VALLEY AND OLEAN
AND TRANSFER OF FUNDS
(Contingent Fund - Capital Projects Fund)**

Pursuant to Section 104 of the General Municipal Law and
Sections 363, 365 and 450 of the County Law.

WHEREAS, the County is desirous of updating and improving its security system in the County Office Facilities in Little Valley and Olean, and

WHEREAS, an access control system is available on State Bid through Linstar, 430 Lawrence Bell Drive, Suite 1, Buffalo, New York 14221-7085, and

WHEREAS, Linstar can provide and install an access control system in the Little Valley County Building and the Olean Office Facility for an amount not to exceed \$59,836.10, and

WHEREAS, a transfer of funds is necessary to cover the cost of the aforementioned access control system, now, therefore, be it

RESOLVED, that the County Department of Information Services is authorized and directed to purchase the above-described access control system from State Bid #PT63106, and be it further

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

Decrease Appropriation Account:

A.1990.445	Contingent Fund	\$ 59,837.00
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Increase Appropriation Accounts:

A.9522.954	Transfer to Capital Projects	\$ 59,837.00
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H.1997.235	Access Control System	\$ 59,837.00
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Increase Estimated Revenue Account:

H.2810	Transfer from General Fund	\$ 59,837.00.
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Approved by 9 members of the Public Works Committee.

Adopted December 10, 2008 by voice vote.

**ACT NO. 651-2008 by Mr. Ellis and Mr. Murphy
SALE OF TAX TITLE PROPERTY TO VILLAGE OF CATTARAUGUS AND
WAIVING RULE 40 OF THE RULES OF ORDER**

Pursuant to Section 215 of the County Law, Rule 33 of the Rules of Order of the Cattaraugus County Legislature, and Section 72-h of the General Municipal Law.

WHEREAS, Cattaraugus County has tax title to certain property in the Village of Cattaraugus described as follows:

Parcel 201: being part of Lot 22, Town 04, Range 08, about 1.26 Acres, Acct. No. 1012, TM #44.025-1-28, MAIN ST & THIRD ST, and

WHEREAS, the Village of Cattaraugus has offered to purchase the property for the following amounts:

		Back Taxes
		Penalties, Interest
		and other Charges
<u>Parcel No.</u>	<u>Tax Map No.</u>	<u></u>
201	44.025-1-28	\$17,431.30,

and

WHEREAS, that amount has been tendered by the Village of Cattaraugus to the County Treasurer, and

WHEREAS, the property should be conveyed to the Village of Cattaraugus, now, therefore, be it

RESOLVED, that the County Treasurer is hereby authorized to convey the aforementioned parcel to the Village of Cattaraugus, by the issuance of a County Treasurer's Deed, and be it further

RESOLVED, that Rule 40 of the Rules of Order of the Cattaraugus County Legislature is hereby waived for this sale.

Approved by 8 members of the Finance Committee and 7 members of the County Operations Committee.

Adopted December 10, 2008 by voice vote.

ACT NO. 652-2008 by Mr. Marsh

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

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

WHEREAS, Acts 240-2007 and 241-2007 authorized contracts with Systems Development Group, Inc., 441 Trenton Avenue, Utica, New York 13502, for the provision of imaging software and services for the County Real Property Services Department online support and GIS support, and

WHEREAS, the County Real Property Services Department is desirous of continuing the aforementioned technical support for both the Image Mate online and the Image Mate GIS, and

WHEREAS, Systems Development Group, Inc., can provide the necessary online support of the Image Mate Online System for an amount of \$7,000, and

WHEREAS, sufficient funds are included in the 2009 budget to cover the costs of the aforementioned services, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Systems Development Group, Inc., for the provision of the above-described services, for a term commencing January 1, 2009 and terminating December 31, 2009, according to the above-described terms.

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

Adopted December 10, 2008 by voice vote.

ACT NO. 653-2008 by Mr. Marsh and Mr. Padlo

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
SYSTEMS DEVELOPMENT GROUP, INC. FOR
COUNTY CLERK IMAGING SYSTEM TECHNICAL SUPPORT**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 108-2008 authorized a contract with Systems Development Group, Inc., 441 Trenton Avenue, Utica, New York 13502, for the provision of imaging system software for the County Clerk's Office, the term of which expires December 31, 2008, and

WHEREAS, the County Clerk's Office is desirous of continuing the aforementioned contract, and

WHEREAS, Systems Development Group, Inc., can provide Image Mate Enterprise Software Licensing, technical support and software maintenance for an amount of \$2,288 per month, which is the same as the current rate, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Systems Development Group, Inc., for the provision of the above-described services, for a term commencing January 1, 2009 and terminating December 31, 2010, according to the above-described terms.

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

Adopted December 10, 2008 by voice vote.

ACT NO. 654-2008 by Mr. Marsh, Mr. Padlo and Mr. Sprague

**AUTHORIZING THE CHAIR TO EXECUTE LEASE AGREEMENT
WITH DELEVAN VOLUNTEER FIRE DEPARTMENT FOR**

MOTOR VEHICLE OFFICE SPACE

Pursuant to Sections 215 and 450 of the County Law.

WHEREAS, Act 73-2008 authorized a lease agreement with the Delevan Volunteer Fire Department for the County's Motor Vehicle Office, the term of which expires December 31, 2008, and

WHEREAS, the County is desirous of renewing the aforementioned lease agreement, and

WHEREAS, the Delevan Volunteer Fire Department, 1006 North Main Street, Delevan, New York 14042, has agreed to lease the aforementioned space for an amount as follows:

January 1, 2009 - December 31, 2009	\$1,400/month
January 1, 2010 - December 31, 2010	\$1,500/month
January 1, 2011 - December 31, 2011	\$1,600/month,

and

WHEREAS, sufficient funds are included in the 2009 budget to cover the 2009 costs of the aforementioned services, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a lease agreement, on behalf of Cattaraugus County, with the Delevan Volunteer Fire Department, for the leasing of the above-described space, for a term commencing January 1, 2009 and terminating December 31, 2011, according to the above-described terms.

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

Adopted December 10, 2008 by voice vote.

ACT NO. 655-2008 by Mr. O'Brien

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT
WITH SYSTEMS DEVELOPMENT GROUP, INC.
FOR TREASURER'S OFFICE IMAGE MATE ONLINE SYSTEM**

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

WHEREAS, the County Treasurer's Office is desirous of purchasing the enhanced Image Mate online system for the web based deployment of real property information, and

WHEREAS, Systems Development Group, Inc., 441 Trenton Avenue, Utica, New York 13502, can provide the necessary Image Mate Online System for an amount of \$2,000 plus software support for modifications for an amount of \$500, and

WHEREAS, sufficient funds are included in the 2008 budget to cover the costs of the aforementioned services, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Systems Development Group, Inc., for the provision of the above-described services, for a term commencing December 1, 2008 and terminating November 30, 2009, according to the above-described terms.

Approved by 9 members of the Finance Committee.

Adopted December 10, 2008 by voice vote.

ACT NO. 656-2008 by Mr. Marsh, Mr. Neal, Mr. Teachman, Ms. Vickman,
Mr. Vecchiarella, Mr. Padlo and Mr. Sprague

**AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACT
WITH NTS DATA SERVICES, LLC, FOR BOARD OF ELECTIONS
MAIL CHECK SERVICE**

Pursuant to Section 8-304 of the Election Law and
Act 432-2002 of the Cattaraugus County Legislature.

WHEREAS, Act 200-2004 authorized a contract with NTS Data Services, LLC, 1342 Military Road, Niagara Falls, New York 14304-1730, for the provision of carrier coded voter postcards, and

WHEREAS, the Board of Elections is desirous of obtaining the aforementioned carrier coded voter postcards again, and

WHEREAS, NTS Data Systems, LLC, can provide approximately 48,000 carrier coded voter postcards for the Board of Elections for an amount of \$.07 per voter per year based on a minimum of 45,000 voters per year, plus postage, and

WHEREAS sufficient funds are included in the 2009 budget to cover the costs of the aforementioned services, now, therefore, be it

RESOLVED, that the County Administrator be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with NTS Data Services, LLC, for the provision of the above-described services, for a term commencing January 1, 2008 and terminating July 31, 2009, according to the above-described terms.

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

Adopted December 10, 2008 by voice vote.

ACT NO. 657-2008 by Mr. Neal
and Mr. Aiello and Mr. McClune¹

**AUTHORIZING THE CHAIR TO APPLY FOR FUNDING
UNDER VARIOUS TITLES OF THE OLDER AMERICANS
ACT OF 1965, AS AMENDED, THROUGH NEW YORK
STATE OFFICE FOR THE AGING FOR DEPARTMENT OF AGING**

Pursuant to Titles III-B, III-C1, III-C2, III-D and III-E
of the Older Americans Act of 1965, as amended,
Section 541 of the Executive Law and
Section 95-a of the General Municipal Law.

WHEREAS, Act 652-2007 authorized the Chairman to apply for funding through the New York State Office for the Aging for the 2008 program year, and

WHEREAS, federal funding is again available through the New York State Office for the Aging under Titles III-B, III-C1, III-C2, III-D and III-

E of the Older Americans Act of 1965, as amended, for the 2009 program year, for the following programs:

- Title III-B - direct services to the senior citizens of Cattaraugus County,
- Title III-C - congregate and home delivered services and other related services to the senior citizens of Cattaraugus County,
- Title III-D - preventative services to senior citizens of Cattaraugus County, and
- Title III-E - family caregiver support program,

and

WHEREAS, it is necessary to file grant applications with the New York State Office for the Aging to obtain this funding, and

WHEREAS, the above-described programs are funded as follows:

Title III-B	- 90% federally funded	\$ 88,636.00
Title III-C1	- 90% federally funded	\$111,824.00
Title III-C2	- 90% federally funded	\$ 47,366.00
Title III-D	- 90% federally funded	\$ 5,427.00
Title III-E	- 75% federally funded	\$ 41,319.00,

and

WHEREAS, sufficient funds are included in the 2009 budget to cover the County's portion of the costs of the aforementioned services, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute the necessary grant applications, on behalf of Cattaraugus County, with the New York State Office for the Aging in order to apply for funding under Titles III-B, III-C1, III-C2, III-D and III-E for the 2009 program year, and be it further

RESOLVED, that upon reduction or termination of either state or federal funding for this program, then this program shall be automatically abolished.

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

¹ The following Legislators requested their names be listed as additional sponsors: "Mr. Aiello and Mr. McClune".

Adopted December 10, 2008 by voice vote.

ACT NO. 658-2008 by Mr. Neal and Mr. McClune
and Mr. Aiello and Mr. Teachman¹

AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH

**NEW YORK STATE OFFICE FOR THE AGING FOR CSEP, EISEP,
CSI, SNAP AND CRC PROGRAMS FOR DEPARTMENT OF AGING**

Pursuant to Title III of the Older Americans Act of 1965,
as amended, Section 541 of the Executive Law and
Section 95-a of the General Municipal Law.

WHEREAS, Act 165-2007 authorized the Chairman to apply for funding through the New York State Office for the Aging for the CSE, EISEP, CSI, Supplemental Nutrition Assistance Program (SNAP) and Caregiver Resource Center (CRC) programs for the 2008 program year, and

WHEREAS, the County Department of Aging has been awarded funding for the aforementioned programs for the 2009 program year, as follows:

CSEP - \$101,745.00	SNAP - \$213,319.00
EISEP - \$230,988.00	CRC - \$ 19,611.00
CSI - \$ 3,669.00	

and

WHEREAS, a contract is necessary with the New York State Office for the Aging in order to accept the aforementioned funds, and

WHEREAS, sufficient funds are included in the 2009 budget to cover the cost of the County's portion of the aforementioned programs, 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 Office for the Aging, in order to accept the aforementioned funds, for a term commencing April 1, 2009 and terminating March 31, 2010, and be it further

RESOLVED, that upon reduction or termination of either state or federal funding for this program, then this program shall be automatically abolished.

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

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

Adopted December 10, 2008 by voice vote.

ACT NO. 659-2008 by Mr. Neal and Mr. McClune
and Mr. Aiello and Mrs. Witte¹

**AUTHORIZING THE CHAIR TO EXECUTE GRANT DOCUMENTS
WITH NEW YORK STATE OFFICE FOR THE AGING FOR
LONG TERM CARE INSURANCE EDUCATION & OUTREACH PROGRAM**

Pursuant to Article 2, Title 3 of the Elder Law and
Section 450 of the County Law.

WHEREAS, Act 252-2008 authorized the Chair to execute grant documents for funding through the New York State Office for the Aging Long Term Care Insurance Education & Outreach Program, for the 2008-2009 program year, and

WHEREAS, funding in the amount of \$46,193 is available through the New York State Office for the Aging Long Term Care Insurance Education &

Outreach Program for the purpose of educating and assisting older New York State residents to plan for their long term care needs, for the April 1, 2009 through March 31, 2010 program year, and

WHEREAS, it is necessary to execute grant documents with the New York State Office for the Aging in order to apply for, and receive, the aforementioned funding, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute grant documents, on behalf of Cattaraugus County, with the New York State Office for the Aging, to apply for, and receive, the aforementioned grant funding for the fiscal year commencing April 1, 2009 and terminating March 31, 2010, according to the above-described terms, and be it further

RESOLVED, that upon reduction or termination of either state or federal funding for this program, then this program shall be automatically abolished.

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

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

Adopted December 10, 2008 by voice vote.

ACT NO. 660-2008 by Mr. Neal
and Mr. Teachman¹

**AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACT
WITH CASELLA WASTE MANAGEMENT OF NEW YORK, INC. D/B/A
SDS OF OLEAN FOR DEPARTMENT OF AGING WASTE REMOVAL SERVICES**

Pursuant to Act 432-2002 of the Cattaraugus County Legislature.

WHEREAS, Act 502-2004 authorized a contract with Casella Waste Management of New York, Inc., d/b/a SDS of Olean, 225 Homer Street, Olean, New York 14760, for the removal of solid waste from various senior wellness and nutrition sites, and

WHEREAS, Casella Waste Management of New York, Inc., d/b/a SDS of Olean, has requested a rate increase as follows:

	<u>2008 Rate</u>	<u>2009 Rate</u>
<i>Fourth and Maple LLC</i> ² North Fourth Street Allegany, New York 14706	\$135/mo.	\$175.10/mo.
City of Salamanca (Landmark Church) 225 Wildwood Avenue Salamanca, New York 14779	\$ 45/mo.	\$ 51.76/mo.

and

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

RESOLVED, that the County Administrator be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus

County, with Casella Waste Management of New York, Inc., d/b/a SDS of Olean, for the provision of the above-described services, for a term commencing December 1, 2008, to continue in full force and effect until terminated by either party hereto, according to the above-described terms.

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

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

² MR. NEAL moved, seconded by Mr. Murphy to amend Act No. 660-2008 as follows: In the second Whereas, delete: "Allegany-Limestone Central School District" and replace with: "Fourth and Maple LLC". Carried.

Adopted, as amended, December 10, 2008 by voice vote.

ACT NO. 661-2008 by Mr. Neal and Mr. McClune
and Mr. Aiello¹

**AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACT WITH
DAMYANT PURI FOR CONSULTING DIETITIAN SERVICES FOR
DEPARTMENT OF AGING**

Pursuant to Section 95-a of the General Municipal Law and
Act 432-2002 of the Cattaraugus County Legislature.

WHEREAS, Act 701-2007 authorized a contract with Damyant Puri for the provision of consulting dietitian services for the Department of Aging, at a rate of \$39 per hour for an average of 12 hours per week, plus training costs of \$525, the term of which expires December 31, 2008, and

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

WHEREAS, Damyant Puri, 9 Barley Sheaf Road, Flemington, New Jersey 08822, has agreed to continue providing the aforementioned consulting dietitian services at a rate of \$40 per hour for an average of 12 hours per week, plus training costs of \$525, and

WHEREAS, this program is funded through federal, state and county funds, and

WHEREAS, sufficient funds are included in the 2009 budget to cover the costs of the aforementioned services, now, therefore, be it

RESOLVED, that the County Administrator be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Damyant Puri for the provision of the above-described consulting dietitian services, for a term commencing January 1, 2009 and terminating March 31, 2009, according to the above-described terms, and be it further

RESOLVED, that upon termination or reduction of federal or state funding for this program, then this program shall be automatically abolished.

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

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

Adopted December 10, 2008 by voice vote.

ACT NO. 662-2008 by Mr. Neal
and Mr. Aiello, Mr. McClune and Mrs. Witte¹

**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 698-2007 authorized a lease agreement with Jeff Buncy for a senior wellness and nutrition program site in the Delevan area, the term of which expires December 31, 2008, and

WHEREAS, Act 699-2007 authorized lease agreements with various entities for the County Department of Aging Senior Wellness and Nutrition Program sites, the terms of which expire December 31, 2008, 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>2008 RATE</u>	<u>2009 RATE</u>
Jeff Buncy 8101 Lakeshore Drive Caneadea, New York 14717	\$300/mo. plus \$155/mo. for utilities	\$315/mo. plus \$155/mo. for utilities
City of Salamanca 225 Wildwood Avenue Salamanca, New York 14779	\$572/mo.	\$600/mo.
Free Methodist Church 327 Pine Street P.O. Box 261 South Dayton, New York 14138,	\$225/mo.	\$235/mo.
Gowanda Free Methodist Church 149 West Main Street Gowanda, New York 14070	\$533.29/mo.	\$550/mo.
Portville Lodge #579 F.& A.M. 14 Temple Street Portville, New York 14770	\$410/mo.	\$420/mo.
St. Paul's United Methodist Church 9372 Route 240 West Valley, New York 14171	\$390/mo.	\$400/mo.
The Presbyterian Church 25 South Main Street Franklinville, New York 14737	\$381.92/mo. plus \$10/mo. for cleaning	\$397/mo. plus \$10/mo. for cleaning

Village of Cattaraugus 14 Main Street Cattaraugus, New York 14719	\$260/mo.	\$270/mo.
Village of Little Valley Municipal Building Rock City Street Little Valley, New York 14755	\$200/mo.	\$210/mo.
Town of Randolph 72 Main Street Randolph, New York 14772	\$468/mo.	\$478/mo.
Cornell Cooperative Extension 28 Parkside Drive Ellicottville, New York 14731	\$1,690/quarter	\$1,690/quarter (\$8/sq. foot)

and

WHEREAS, this program is 90% federal and 10% county funded, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute lease agreements, on behalf of Cattaraugus County, with the above-listed various entities, for the leasing of Senior Wellness and Nutrition Program sites, for a term commencing January 1, 2009 and terminating December 31, 2009, according to the above-described terms, and be it further

RESOLVED, that upon reduction or termination of either state or federal funding for this program, then this program shall be automatically abolished.

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

¹ The following Legislators requested their names be listed as additional sponsors: "Mr. Aiello, Mr. McClune and Mrs. Witte".

Adopted December 10, 2008 by voice vote.

ACT NO. 663-2008 by Mr. Snyder
and Mrs. Witte¹

**AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE
CONTRACT EXTENSION WITH MCBEE ASSOCIATES, INC.
FOR MEDICARE REVENUE RECOVERY SERVICES**

Pursuant to Act 432-2002 of the Cattaraugus County Legislature.

WHEREAS, Act 366-2007 authorized a contract with McBee Associates, Inc., 14 Penn Plaza, 225 West 34th Street, Suite 2110, New York, New York 10122, for the provision of a comprehensive review of all paid Medicare claims for the County Health Department for the period August 1, 2005 through December 31, 2007, the term of which expired June 30, 2008, and

WHEREAS, the County Health Department is desirous of extending the term of the aforementioned contract to December 31, 2008, and

WHEREAS, McBee Associates, Inc., has agreed to extend the term of the aforementioned contract to December 31, 2008, on a contingency fee basis

of 27.3% of additional cash paid to the agency from claims re-billed as a result of the review of cash recovered, and

WHEREAS, there is no fee, if the County does not receive an adjustment, now, therefore, be it

RESOLVED, that the County Administrator be, and hereby is, authorized and directed to execute a contract extension, on behalf of Cattaraugus County, with McBee Associates, Inc., for the provision of the above-described services, for a term commencing July 1, 2008 and terminating December 31, 2008, according to the above-described terms.

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

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

Adopted December 10, 2008 by voice vote.

ACT NO. 664-2008 by Mr. Snyder
and Mrs. Witte¹

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
WELCO, LKA, INC. FOR HEALTH DEPARTMENT
CLEAN INDOOR AIR ACT COMPLIANCE CHECKS**

Pursuant to Article 13-F of the Public Health Law,
Section 1399-hh(3) of the Public Health Law and
Section 450 of the County Law.

WHEREAS, Act 169-2008 authorized a contract with WELCO, LKA, Inc., 1869 Camp Street Ext., Jamestown, New York 14701, for the provision of Clean Indoor Air Act compliance checks on bars and restaurants within Cattaraugus County, the term of which expired September 30, 2008, and

WHEREAS, the County Health Department is desirous of continuing the aforementioned services for bars only, unless a complaint is received on a facility that is not a bar, and

WHEREAS, WELCO, LKA, Inc., has agreed to continue performing the aforementioned compliance checks on bars, at sites to be determined by the Cattaraugus County Board of Health, for an amount of \$22 per site, plus mileage and meals, not to exceed an amount of \$6,000, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with WELCO, LKA, Inc., for the provision of the above-described services, for a term commencing November 1, 2008 and terminating October 31, 2009, according to the above-described terms, and be it further

RESOLVED, that upon reduction or termination of either state or federal funding for this program, then this program shall be automatically abolished.

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

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

Adopted December 10, 2008 by voice vote.

ACT NO. 665-2008 by Mr. Snyder

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT
WITH CORNELL COOPERATIVE EXTENSION
FOR HEALTH DEPARTMENT LPN HOME CARE SERVICES**

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

WHEREAS, Act 645-2007 authorized a contract with Cornell Cooperative Extension, 28 Parkside Drive, Ellicottville, New York 14731, for the County Health Department's LPN services for its home care program, the term of which expires December 31, 2008, and

WHEREAS, Cornell Cooperative Extension can continue to provide the aforementioned services as follows:

LPN - Wages & Associated Personnel Costs \$39,136.00
plus work-related mileage @ \$.445/mile,

and

WHEREAS, sufficient funds are included in the 2009 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 Cornell Cooperative Extension, for the provision of the above-described services, for a term commencing January 1, 2009 and terminating December 31, 2009, according to the above-described terms.

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

Adopted December 10, 2008 by voice vote.

ACT NO. 666-2008 by Mr. Snyder
and Mrs. Witte¹

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

Pursuant to Section 450 of the County Law.

WHEREAS, Act 64-2008, as amended by Act 104-2008, authorized a contract with Chautauqua County for the provision of lead risk assessment services at the rate of \$26 per hour plus work-related mileage at the rate of \$.505/mile, not to exceed \$3,000, the term of which expired December 31, 2008, and

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

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

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

WHEREAS, Allegany County can perform the aforementioned lead risk assessment services, on an as-needed basis, for an amount of \$26.65 per hour plus work-related mileage at the rate of \$.585/mile, not to exceed \$3,000, plus equipment usage for an amount of \$150 per each completed assessment, and

WHEREAS, this program is 100% state funded, now, therefore, be it RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Allegany County, for the provision of the above-described services, for a term commencing January 1, 2009 and terminating December 31, 2009, according to the above-described terms, and be it further

RESOLVED, that upon reduction or termination of either state or federal funding for this program, then this program shall be automatically abolished.

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

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

Adopted December 10, 2008 by voice vote.

ACT NO. 667-2008 by Mr. Snyder

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT
WITH KENNETH OAKLEY, Ph.D., FACHE FOR
HEALTH DEPARTMENT COMMUNITY HEALTH ASSESSMENT CONSULTANT SERVICES**

Pursuant to Section 450 of the County Law.

WHEREAS, the County Department of Health is desirous of developing and analyzing a consumer-focused community health assessment survey, and

WHEREAS, Kenneth Oakley, Ph.D., FACHE, 5403 West Lake Road, Batavia, New York 14020, shall work with staff of the Department of Health to create, administer, analyze and compare consumer perception data mirroring work previously completed in 2004, and

WHEREAS, Kenneth Oakley shall provide the following deliverables for an amount not to exceed \$2,250.00:

- Creation of an updated 2008-2009 survey instrument,
- Data entry and analysis of 2008-2009 consumer input,
- Creation of a final report interpreting/highlighting new findings and comparing/contrasting 2009 data with data obtained within the 2004 consumer survey initiative,

and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Kenneth Oakley, Ph.D., FACHE, for the provision of the above-described services, for a term commencing December 1, 2008 and terminating December 31, 2009, according to the above-described terms.

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

Adopted December 10, 2008 by voice vote.

ACT NO. 668-2008 by Mr. Snyder

**AUTHORIZING HEALTH DEPARTMENT TO EXECUTE CONTRACT WITH
ROBERT BUBBS FOR SUBSTITUTE ADMINISTRATIVE
HEARING OFFICER SERVICES**

Pursuant to Section 309 of the Public Health Law and
Part 9 of the Cattaraugus County Sanitary Code.

WHEREAS, Act 646-2007 authorized a contract with Robert Bubbs, 5918 Phyllis Lou Circle, Port Orange, Florida 32127, for the provision of services of an Administrative Hearing Officer to preside over administrative hearings on behalf of the Cattaraugus County Board of Health, as the governing body of the Cattaraugus County Health Department, which has the responsibility of ensuring that all persons found in violation of the State and/or County Sanitary Code are provided an opportunity for a fair hearing, the term of which expires December 31, 2008, and

WHEREAS, the County Health Department is in need of a substitute Administrative Hearing Officer, and

WHEREAS, Robert Bubbs has agreed to act as substitute Administrative Hearing Officer for the Cattaraugus County Health Department at the rate of \$20.00 per hour, plus meal cost during Board of Health meetings, on an as-needed basis only when David Porter is unavailable, and

WHEREAS, the County Health Department is eligible to receive 36% state aid for the aforementioned services, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature hereby authorizes the Health Department to execute a contract, on behalf of Cattaraugus County, with Robert Bubbs for the provision of substitute Administrative Hearing Officer Services, for a term commencing January 1, 2009 and terminating December 31, 2009, according to the above-described terms.

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

Adopted December 10, 2008 by voice vote.

ACT NO. 669-2008 by Mr. Snyder

and Mr. Aiello, Mr. Teachman, Mr. Padlo and Mrs. Witte¹

**AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACTS WITH
VARIOUS ENTITIES FOR HEALTH DEPARTMENT WIC CLINIC SPACE**

Pursuant to Section 215 of the County Law and
Act 432-2002 of the Cattaraugus County Legislature.

WHEREAS, Act 647-2007 authorized contracts with the Franklinville Free Methodist Church and the Gowanda Free Methodist Church for the utilization of space for the Health Department's WIC Program, the terms of which expire December 31, 2008, and

WHEREAS, Act 225-2008 authorized contracts with various entities for the utilization of space for the Health Department's WIC Program, the terms of which expire December 31, 2008, 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:

Church

<u>2009 Rate</u>		<u>2008</u>	<u>Rate</u>
Franklinville Free Methodist Church	\$300/year	\$300/year	
41 South Main Street			
Franklinville, New York 14737			
Gowanda Free Methodist Church	\$60/day of use	\$60/day of use	
149 West Main Street			
Gowanda, New York 14070			
Roberts Memorial Free Methodist Church	\$100/year	\$100/year	
111 South Street			
Cattaraugus, New York 14719			
Village of Randolph	No Cost	No Cost	
1 Bank Street			
Randolph, New York 14772,			

and

WHEREAS, this program is 100% state funded, now, therefore, be it
RESOLVED, that the County Administrator be, and hereby is, authorized and directed to execute contracts, on behalf of Cattaraugus County, with the above-listed various entities for the utilization of the aforementioned space, for a term commencing January 1, 2009 and terminating December 31, 2009, according to the above-described terms, and be it further

RESOLVED, that upon reduction or termination of either state or federal funding for this program, then this program shall be automatically abolished.

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

¹ The following Legislators requested their names be listed as additional sponsors: "Mr. Aiello, Mr. Teachman, Mr. Padlo and Mrs. Witte".

Adopted December 10, 2008 by voice vote.

ACT NO. 670-2008 by Mr. Snyder

**AUTHORIZING COUNTY ADMINISTRATOR 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
Act 432-2002 of the Cattaraugus County Legislature.

WHEREAS, Act 703-2007 authorized a contract with Carolyn C. Ruffner, 3676 Buffalo Road, Allegany, New York 14706, for the provision of physical therapy services for the patients of the County Health Department's Long-Term Home Health Care Program, the term of which expires December 31, 2008, 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>2008 Rate</u>	<u>2009 Rate</u>
Physical Therapist	\$68 per visit	\$68 per visit
Evaluations	\$70 per evaluation	\$70 per evaluation
PT only admission visit	\$77 per visit	\$77 per visit
Attendance at Meetings	\$28 per hour	\$28 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 County Administrator be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Carolyn C. Ruffner for the provision of the above-described physical therapy services, for a term commencing January 1, 2009 and terminating December 31, 2009, according to the above-described terms, and be it further

RESOLVED, that upon termination or reduction of state or federal funding for this program, then this program shall be automatically abolished.

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

Adopted December 10, 2008 by voice vote.

ACT NO. 671-2008 by Mr. Snyder**AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACT WITH
HARLAN J. WEST FOR HEALTH DEPARTMENT SPEECH THERAPIST SERVICES**

Pursuant to 10 NYCRR 763.3, Section 3602 of the Public
Health Law and Act 432-2002 of the Cattaraugus County Legislature.

WHEREAS, Act 709-2007 authorized a contract with Harlan J. West, 104 Seymour Street, Fredonia, New York 14063, for the provision of speech therapist services for the County Health Department's home health care programs, the term of which expires December 31, 2008, and

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

WHEREAS, Harlan J. West has agreed to provide the aforementioned services for an amount as follows, which is the same rate as 2008:

\$75/visit
 \$28.00/hour for attendance at meetings (inclusive)
 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 County Administrator be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Harlan J. West for the provision of the above-described services, for a term commencing January 1, 2009 and terminating December 31, 2009, according to the above-described terms, and be it further

RESOLVED, that upon reduction or termination of either state or federal funding for this program, then this program shall be automatically abolished.

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

Adopted December 10, 2008 by voice vote.

ACT NO. 672-2008 by Mr. Snyder

**AUTHORIZING COUNTY ADMINISTRATOR 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 Act 432-2002 of the Cattaraugus County Legislature.

WHEREAS, Act 702-2007 authorized a contract with Jamestown Rehab Services, PT, OT, SLP, PLLC, 4482 Kathleen 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, 2008, and

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

WHEREAS, if Jamestown Rehab Services, PT, OT, SLP, PLLC, refuses any physical therapy homecare cases, occupational therapy visits or speech therapy services during the term of the 2009 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, 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>2008 Rate</u>	<u>2009 Rate</u>
Physical Therapist	\$70/visit	\$70/visit
Occupational Therapist	\$70/visit	\$70/visit
Speech Therapist	\$70/visit	\$70/visit
Physical Therapy Assistant	\$55/visit	\$55/visit
Attendance at Meetings	\$28/hour	\$28/hour
Evaluations	\$70/visit	\$70/visit
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 County Administrator 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, for a term commencing January 1, 2009 and terminating December 31, 2009, according to the above-described terms, and be it further

RESOLVED, that upon termination or reduction of state or federal funding for this program, then this program shall be automatically abolished.

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

Adopted December 10, 2008 by voice vote.

ACT NO. 673-2008 by Mr. Snyder
and Mr. Aiello, Mr. Teachman and Mr. Padlo¹

**AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACT WITH
VIC VENA PHARMACY, INC. FOR PHARMACY CONSULTANT SERVICES**

Pursuant to 10 NYCRR Section 752.5 and
Act 432-2002 of the Cattaraugus County Legislature.

WHEREAS, Act 704-2007 authorized a contract with Vic Vena Pharmacy, Inc., 1322 West State Street, Olean, New York 14760, for the provision of a pharmacy consultant for assistance in the development of policies and procedures related to the provision of drugs and vaccines and advising professional and para-professional staff on drug interactions, side effects, and recall procedures as required by Article 28 of the Public Health Law, at the rate of \$48 per hour, the term of which expires December 31, 2008, and

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

WHEREAS, Vic Vena Pharmacy, Inc. has agreed to continue providing the aforementioned services at the rate of \$70.00 per hour, and

WHEREAS, sufficient funds are included in the 2009 budget to cover the costs of the aforementioned services, now, therefore, be it

RESOLVED, that the County Administrator be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Vic Vena Pharmacy, Inc., for the provision of the above-described services, for a term commencing January 1, 2009 and terminating December 31, 2009, according to the above-described terms, and be it further

RESOLVED, that upon reduction or termination of either state or federal funding for this program, then this program shall be automatically abolished.

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

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

Adopted December 10, 2008 by voice vote.

ACT NO. 674-2008 by Mr. Neal and Mr. Snyder
and Mr. Aiello, Mr. Teachman, Mr. McClune and Mrs. Witte¹

**AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACT WITH
LIFELINE SYSTEMS AND VISITING NURSING ASSOCIATION OF
WESTERN NEW YORK, INC. FOR PERSONAL EMERGENCY RESPONSE UNITS AND
MONITORING FOR DEPARTMENTS OF HEALTH, AGING AND SOCIAL SERVICES**

Pursuant to Section 95-a of the General Municipal Law and
Act 432-2002 of the Cattaraugus County Legislature.

WHEREAS, Act 738-2007 authorized a contract with Lifeline Systems, 111 Lawrence Street, Framingham, Massachusetts 01702, and Visiting Nursing Association of Western New York, Inc., 2100 Wehrle Drive, Williamsville, New York 14221, for the provision of various services to the County Departments of Health, Aging and Social Services, the term of which expires December 31, 2008, and

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

WHEREAS, Lifeline Systems, 111 Lawrence Street, Framingham, Massachusetts 01702, and Visiting Nursing Association of Western New York, Inc., have agreed to provide services to the County Departments of Health, Aging and Social Services, as follows:

Category of Service	2008 Rate	2009 Rate
HEALTH DEPARTMENT		
Installation of PERS units	\$25/unit (one time charge)	\$25/unit (one time charge)
PERS Monitoring	NYS Approved Rate (currently \$23/month/unit)	NYS Approved Rate (currently \$23/month/unit)
SOCIAL SERVICES		
Installation of PERS units	NYS Approved Medicaid Rate	NYS Approved Medicaid Rate
PERS Monitoring	NYS Approved Medicaid Rate	NYS Approved Medicaid Rate
DEPARTMENT OF AGING		

Installation of PERS units	\$25/unit	\$25/unit
PERS Monitoring	\$15/month	\$15/month
Replacement of Pendants	\$40/unit	\$40/unit
(lost/damaged/broken)	Approved Cost	Approved Cost
PERS related cost of approved repairs/ maintenance		
and		

WHEREAS, this program is 75% state and 25% County funded for the Department of Aging's portion of expenses, and

WHEREAS, sufficient funds are included in the 2009 budget to cover the cost of the aforementioned services, now, therefore, be it

RESOLVED, that the County Administrator be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Lifeline Systems and Visiting Nursing Association of Western New York, Inc., for the provision of the above-described services for a term commencing January 1, 2009 and terminating December 31, 2009, according to the above-described terms, and be it further

RESOLVED, that upon reduction or termination of either state or federal funding for this program, then this program shall be automatically abolished.

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

¹ The following Legislators requested their names be listed as additional sponsors: "Mr. Aiello, Mr. Teachman, Mr. McClune and Mrs. Witte".

Adopted December 10, 2008 by voice vote.

ACT NO. 675-2008 by Mr. Snyder
and Mr. Aiello, Mr. Burrell, Mr. Teachman and Mr. Padlo¹

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

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

WHEREAS, Act 650-2007 authorized the Chair to execute a contract with the Olean General Hospital, 535 Main Street, Olean, New York 14760, for the provision of outpatient physical therapy services for patients in the Health Department's Home Care Program, the term of which expires December 31, 2008, and

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

WHEREAS, the Olean General Hospital can provide physical therapy, occupational and speech therapy services, as follows, which are the same rates as in 2008:

OUTPATIENT

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

HOME VISITS

Physical Therapy Home Visits \$68/visit

Occupational Therapy Home Visits	\$68/visit
Speech Therapy Home Visits	\$68/visit
Nutritionist	\$68/visit
Nutritionist Evaluations (Physical Therapy, Occupational Therapy or Speech Therapy)	\$70/visit

CONSULTING SERVICES

Qualified Medical Record Practitioner	\$68/hour,
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and

WHEREAS, sufficient funds are included in the 2009 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 Olean General Hospital, for the provision of the above-described services, for a term commencing January 1, 2009 and terminating December 31, 2009, according to the above-described terms, and be it further

RESOLVED, that upon reduction or termination of either state or federal funding for this program, then this program shall be automatically abolished.

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

¹ The following Legislators requested their names be listed as additional sponsors: "Mr. Aiello, Mr. Burrell, Mr. Teachman and Mr. Padlo".

Adopted December 10, 2008 by voice vote.

ACT NO. 676-2008 by Mr. Snyder

**AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACT WITH
REHABILITATION TODAY, PT, OT, REGISTERED NURSING, PLLC FOR
HEALTH DEPARTMENT HOME HEALTH CARE PROGRAM PHYSICAL THERAPY SERVICES
AND OCCUPATIONAL SERVICES**

Pursuant to 10 NYCRR 763.3, Section 3602 of the Public Health Law and Act 432-2002 of the Cattaraugus County Legislature.

WHEREAS, Act 706-2007 authorized a contract with Rehabilitation Today, PT, OT, Registered Nursing, PLLC, 2416 Constitution Avenue, Olean, New York 14760, for the provision of physical therapy services, occupational therapy visits, and speech therapy visits, to patients of the County Health Department Home Health Care Program, the term of which expires December 31, 2008, and

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

WHEREAS, Rehabilitation Today has agreed to provide occupational therapy visits at a rate of \$73.00 per visit, with the stipulation that it not refuse any occupational therapy cases referred to it, and

WHEREAS, if Rehabilitation Today refuses any occupational therapy homecare case during the term of the 2009 contract, then the rate for occupational therapy services shall revert back to the base rate of \$68 per visit, 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>2008 Rate</u>	<u>2009 Rate</u>
Occupational Therapist	\$73 per visit	\$73 per visit
Attendance at Meetings	\$28 per hour	\$28 per hour
Office Visits:		
per standard visit - (any combination of modalities and/or procedures; CHAA or patient to provide all dressings and ointments)	\$50 per visit	\$50 per visit
per short visit - (less than 15 minutes)	\$22 per visit	\$22 per visit
Office Visit Evaluations	\$72.50 per visit	\$72.50 per visit
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 County Administrator 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, for a term commencing January 1, 2009 and terminating December 31, 2009, according to the above-described terms, and be it further

RESOLVED, that upon termination or reduction of state or federal funding for this program, then this program shall be automatically abolished.

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

Adopted December 10, 2008 by voice vote.

ACT NO. 677-2008 by Mr. Snyder

**AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACT WITH
WESTERN NEW YORK PHYSICAL & OCCUPATIONAL THERAPY GROUP, PLLC
FOR HEALTH DEPARTMENT HOME HEALTH CARE PROGRAM
PHYSICAL AND OCCUPATIONAL THERAPY SERVICES**

Pursuant to 10 NYCRR 763.3, Section 3602 of the Public Health Law and Act 432-2002 of the Cattaraugus County Legislature.

WHEREAS, Act 736-2007 authorized a contract with Western New York Physical & Occupational Therapy Group, PLLC, 6301 Transit Road, Depew, New York 14043, for the provision of physical and occupational therapy services to patients of the County Health Department Home Health Care Program, the term of which expires December 31, 2008, and

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

WHEREAS, Western New York Physical & Occupational Therapy Group, PLLC, has agreed to provide physical therapy and occupational therapy visits

at a rate of \$73 per visit, with the stipulation that it not refuse any physical therapy or occupational therapy cases referred to it, and

WHEREAS, if Western New York Physical & Occupational Therapy Group, PLLC, refuses any physical therapy homecare cases or occupational therapy visits during the term of the 2009 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
Physical Therapy Assistant Services	Base Rate of \$45/visit,

and

WHEREAS, Western New York Physical & Occupational Therapy Group, PLLC, has agreed to provide physical and occupational therapy services to Cattaraugus County Health Department patients at the following rates:

<u>Service</u>	<u>2008 Rate</u>	<u>2009 Rate</u>
Physical Therapist	\$73/visit	\$73/visit
Physical Therapist Aides	\$55/visit	\$55/visit
Occupational Therapist	\$73/visit	\$73/visit
Occupational Therapist Aides	\$55/visit	\$55/visit
Attendance at Meetings	\$28/hour	\$28/hour
Office Visits:		
- per standard visit (any combination of modalities and/or procedures; CHAA or patient to provide all dressings and ointments)	\$50/visit	\$50/visit
- per short visit (less than 15 minutes)	\$22/visit	\$22/visit
Evaluations	\$73/visit	\$73/visit,

and

WHEREAS, sufficient funds are included in the 2009 budget to cover the costs of the aforementioned services, now, therefore, be it

RESOLVED, that the County Administrator be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Western New York Physical & Occupational Therapy Group, PLLC, for the provision of the above-described services, for a term commencing January 1, 2009 and terminating December 31, 2009, according to the above-described terms, and be it further

RESOLVED, that upon reduction or termination of either state or federal funding for this program, then this program shall be automatically abolished.

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

Adopted December 10, 2008 by voice vote.

ACT NO. 678-2008 by Mr. Snyder
and Mrs. Witte¹

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

Pursuant to 18 NYCRR Parts 408 and 452.2(b),
Article 6-A of the Social Services Law and
Act 432-2002 of the Cattaraugus County Legislature.

WHEREAS, Act 660-2007 authorized a contract with Cattaraugus Community Action, Inc., 25 Jefferson Street, P.O. Box 308, Salamanca, New York 14779, for the provision of mandated approved non-residential services to victims of domestic violence, the term of which expires December 31, 2008, and

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

WHEREAS, Cattaraugus Community Action, Inc., has agreed to administer the aforementioned program at a cost not to exceed \$25,000, and

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

RESOLVED, that the County Administrator be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Cattaraugus Community Action, Inc., for the administration of the above-described program, for a term commencing January 1, 2009 and terminating June 30, 2009, according to the above-described terms, and be it further

RESOLVED, that upon reduction or termination of either state or federal funding for this program, then this program shall be automatically abolished.

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

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

Adopted December 10, 2008 by voice vote.

ACT NO. 679-2008 by Mr. Snyder

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT
WITH THE BONADIO GROUP FOR ACCOUNTING SERVICES FOR
DEPARTMENT OF SOCIAL SERVICES CLIENT ACCOUNTS**

Pursuant to Public Law 104-193 and
Section 450 of the County Law.

WHEREAS, Act 289-2008 authorized a contract with The Bonadio Group, 171 Sully's Trail, Pittsford, New York 14534, for the provision of accounting services for the Department of Social Services client accounts, the term of which expires December 31, 2008, and

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

WHEREAS, The Bonadio Group can provide the necessary accounting services for an amount of \$150 per hour, with no travel time or mileage paid, 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 Bonadio Group for the provision of the above-described services, for a term commencing January 1, 2009 and terminating December 31, 2009, according to the above-described terms.

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

Adopted December 10, 2008 by voice vote.

ACT NO. 680-2008 by Mr. Snyder

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

Pursuant to P.L. 96-272, 18 NYCRR Parts 405, 407 and 423,
Sections 409 and 409-b of the Social Services Law and
Act 432-2002 of the Cattaraugus County Legislature.

WHEREAS, Act 657-2007 authorized a contract with the Parent Education Program, Inc., 234 North Union Street, Olean, New York 14760, for the provision of "Families Together" and "Parents as Partners" services for families with children who may be placed in foster care, for an amount of \$58,000, the term of which expires December 31, 2008, and

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

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

and

WHEREAS, the Parent Education Program, Inc., has agreed to provide the above-described services for an amount of \$59,740, and

WHEREAS, this program is 65% state and 35% county funded, and

WHEREAS, sufficient funds are included in the 2009 budget to cover the costs of the aforementioned services, now, therefore, be it

RESOLVED, that the County Administrator be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with the Parent Education Program, Inc., for the provision of the above-described services, for a term commencing January 1, 2009 and terminating December 31, 2009, according to the above-described terms, and be it further

RESOLVED, that upon reduction or termination of either state or federal funding for this program, then this program shall be automatically abolished.

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

Adopted December 10, 2008 by voice vote.

ACT NO. 681-2008 by Mr. Snyder
and Mr. Aiello, Mr. Teachman and Mrs. Witte¹

**AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACT WITH
CONTROLTEC, INC., FOR SOFTWARE SUPPORT FOR
DEPARTMENT OF SOCIAL SERVICES KINDERTRACK 3 DAYCARE
SUBSIDY MANAGEMENT SOFTWARE SYSTEM**

Pursuant to Public Law 104-193 and
Act 432-2002 of the Cattaraugus County Legislature.

WHEREAS, Act 68-2008 authorized a contract with Controltec, Inc., 330 South Main Street, Fallbrook, California 92028, for the provision of the Kindertrack 3 Daycare Subsidy Management Software System, the term of which expires January 31, 2009, and

WHEREAS, software support is needed for the aforementioned software system, and

WHEREAS, Controltec, Inc., has provided and will continue to provide software support for the Kindertrack 3 Daycare Subsidy Management Software System for an amount of \$735 per month, for a total of \$8,820, for the period commencing February 1, 2009 through January 31, 2010, and

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

RESOLVED, that the County Administrator be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Controltec, Inc., for the provision of the above-described services, for a term commencing February 1, 2009 and terminating January 31, 2010, according to the above-described terms, and be it further

RESOLVED, that upon reduction or termination of either state or federal funding for this program, then this program shall be automatically abolished.

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

¹ The following Legislators requested their names be listed as additional sponsors: "Mr. Aiello, Mr. Teachman and Mrs. Witte".

Adopted December 10, 2008 by voice vote.

ACT NO. 682-2008 by Mr. Snyder
and Mr. Aiello, Mr. Teachman and Mrs. Witte¹

**AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACT WITH
CENTER FOR FAMILY UNITY, INC., FOR CHILD ABUSE
SERVICES FOR DEPARTMENT OF SOCIAL SERVICES**

Pursuant to 42 USCS 1397, 18 NYCRR Parts 405, 407 and 423,
Article 6, Title 1 of the Social Services Law and
Act 432-2002 of the Cattaraugus County Legislature.

WHEREAS, Act 658-2007 authorized a contract with the Center for Family Unity, Inc., 4039 Route 219, Salamanca, New York 14779, in cooperation with the National Exchange Club Foundation for the Prevention of Child Abuse, for the provision of a Child Abuse Prevention Program, for an amount of \$39,000, plus \$24 per hour for supervised visitation, the term of which expires December 31, 2008, and

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

WHEREAS, the Center for Family Unity, Inc., proposes to provide parent aid services, nurturing services and parent education programs for an amount of \$40,170, plus \$24 per hour for supervised visitation, and

WHEREAS, this program is 65% federal and state and 35% county funded, and

WHEREAS, sufficient funds are included in the 2009 budget to cover the costs of the aforementioned services, now, therefore, be it

RESOLVED, that the County Administrator be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with the Center for Family Unity, Inc., for the provision of the above-described services, for a term commencing January 1, 2009 and terminating December 31, 2009, according to the above-described terms, and be it further

RESOLVED, that upon termination or reduction of either state or federal funding for this program, then this program shall be automatically abolished.

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

¹ The following Legislators requested their names be listed as additional sponsors: "Mr. Aiello, Mr. Teachman and Mrs. Witte".

Adopted December 10, 2008 by voice vote.

ACT NO. 683-2008 by Mr. Snyder

**AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACT WITH
JUDITH GALLEGOS FOR TANF ELIGIBLE DRUG/ALCOHOL
SCREENING AND CASE MANAGEMENT**

Pursuant to 29 USCS 1604 and
Act 432-2002 of the Cattaraugus County Legislature.

WHEREAS, Act 184-2008 authorized a contract with Judith Gallegos, 6 North Academy Street, Franklinville, New York 14737, for the provision of drug/alcohol screening and comprehensive case management for all public assistance adult applicants/recipients for 35 hours per week, the term of which expires December 31, 2008, and

WHEREAS, the County Department of Social Services is required to provide the aforementioned services pursuant to the Welfare Reform Act of 1996, and

WHEREAS, Judith Gallegos has agreed to continue providing drug/alcohol screening and comprehensive case management for all public assistance adult applicants/recipients for 35 hours per week for an amount of \$29.43 per hour, for a total amount not to exceed \$53,563, and

WHEREAS, the aforementioned services are 100% federally funded, now, therefore, be it

RESOLVED, that the County Administrator be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Judith Gallegos for the provision of the above-described services, for a term commencing January 1, 2009 and terminating December 31, 2009, according to the above-described terms, and be it further

RESOLVED, that upon reduction or termination of either state or federal funding for this program, then this program shall be automatically abolished.

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

Adopted December 10, 2008 by voice vote.

ACT NO. 684-2008 by Mr. Snyder
and Mr. Aiello, Mr. Teachman and Mrs. Witte¹

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

Pursuant to 18 NYCRR Parts 408 and 452.2(b),
Article 6-A of the Social Services Law and
Act 432-2002 of the Cattaraugus County Legislature.

WHEREAS, Act 691-2007 authorized a contract with Cattaraugus Community Action, Inc., 25 Jefferson Street, P.O. Box 308, Salamanca, New York 14779, for the provision of necessary and available approved residential services to victims of domestic violence, the term of which expires December 31, 2008, and

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

WHEREAS, Cattaraugus Community Action, Inc., has agreed to administer the aforementioned program at a cost of \$69.77 per person per day, or at the 2009 rate as set by New York State, and

WHEREAS, this program is 50% federal, 25% state and 25% county funded, now, therefore, be it

RESOLVED, that the County Administrator be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Cattaraugus Community Action, Inc., for the administration of the above-described program, for a term commencing January 1, 2009 and terminating December 31, 2009, according to the above-described terms, and be it further

RESOLVED, that upon termination or reduction of either state or federal funding for this program, then this program shall be automatically abolished.

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

¹ The following Legislators requested their names be listed as additional sponsors: "Mr. Aiello, Mr. Teachman and Mrs. Witte".

Adopted December 10, 2008 by voice vote.

ACT NO. 685-2008 by Mr. Snyder

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

Pursuant to Public Law 104-1993 and Act 432-2002 of the
Cattaraugus County Legislature.

WHEREAS, Act 477-2007 authorized a contract with Greater Olean, Inc., for the provision of on-the-job training for TANF-eligible participants, the term of which expires December 31, 2008, and

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

WHEREAS, Greater Olean, Inc., 120 North Union Street, Olean, New York 14760, has agreed to develop and manage on-the-job training for participants that are TANF-eligible for an amount not to exceed \$51,500, and

WHEREAS, this program is 100% federally funded, and

WHEREAS, sufficient funds are included in the 2009 budget to cover the costs of the aforementioned services, now, therefore, be it

RESOLVED, that the County Administrator be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Greater Olean, Inc., for a term commencing January 1, 2009 and terminating December 31, 2009, for the provision of the above-described services, according to the above-described terms, and be it further

RESOLVED, that upon reduction or termination of either state or federal funding for this program, then this program shall be automatically abolished.

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

Adopted December 10, 2008 by voice vote.

ACT NO. 686-2008 by Mr. Snyder
and Mr. Aiello and Mr. Teachman¹

**AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACT WITH
OLEAN MEDICAL GROUP, LLP FOR DEPARTMENT OF
SOCIAL SERVICES EMPLOYMENT UNIT PHYSICALS**

Pursuant to 29 USCS 1604 and Act 432-2002 of the
Cattaraugus County Legislature.

WHEREAS, Act 659-2007 authorized a contract with the Olean Medical Group, LLP, 533 Main Street, Olean, New York 14760, for the provision of employment unit physicals for applicants/recipients of temporary assistance, the term of which expires December 31, 2008, and

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

WHEREAS, the Olean Medical Group, LLP, has agreed to provide employment unit physicals for the County Department of Social Services employment program in accordance with the following fee schedule, which is the same as the 2008 rate:

Office Visit Level 1 (minimal)	\$ 28.00
Office Visit Level 2 (problem focus)	\$ 42.25
Office Visit Level 3 (expanded problem)	\$ 58.50
Office Visit Level 4 (detail-moderate)	\$ 82.00
Office Visit Level 5 (comprehensive-high)	\$131.00

**Charges for specific tests are as recommended by the physician and approved on a case-by-case basis by the chief social welfare examiner for the employment unit,

WHEREAS, sufficient funds are included in the 2009 budget to cover the costs of the aforementioned services, now, therefore, be it

RESOLVED, that the County Administrator 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, for a term commencing January 1, 2009 and terminating December 31, 2009, according to the above-described terms, and be it further

RESOLVED, that upon reduction or termination of either state or federal funding for this program, then this program shall be automatically abolished.

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

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

Adopted December 10, 2008 by voice vote.

ACT NO. 687-2008 by Mr. Snyder

**AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACTS WITH
VARIOUS ENTITIES FOR DEPARTMENT OF
SOCIAL SERVICES DAY CARE SERVICES**

Pursuant to Sections 410 and 410-a of the Social Services Law and Act 432-2002 of the Cattaraugus County Legislature.

WHEREAS, Act 692-2007 authorized contracts with various entities for the provision of Child Care Block Grant day care services to eligible recipients of Cattaraugus County, the terms of which expire December 31, 2008, and

WHEREAS, the County Department of Social Services is desirous of renewing the contracts for the provision of day care services to eligible recipients, in accordance with the following revised rate schedule:

**CATTARAUGUS COUNTY- WEEKLY MARKET RATES
Effective October 1, 2007**

Age of Child:	<u>Under 1½</u>	<u>1½ - 2</u>	<u>3 - 5</u>	<u>6 - 12</u>
DAY CARE CENTER				
Weekly	\$171.00	\$165.00	\$155.00	\$136.00
Daily	40.00	37.00	34.00	31.00
Part-Day	27.00	25.00	23.00	21.00
Hourly	5.44	5.06	5.25	5.23

SCHOOL AGE CHILD CARE

Weekly	\$0	0	0	\$136.00
Daily	0	0	0	31.00
Part-Day	0	0	0	21.00
Hourly	0	0	0	5.23

****PLEASE NOTE**** The entity cannot charge the Department of Social Services at a higher rate than the entity charges non-DSS clients for the child care services the entity provides.,

and

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

RESOLVED, that the County Administrator be, and hereby is, authorized and directed to execute contracts, on behalf of Cattaraugus County, with various entities for the provision of the above-described day care services, for a term commencing January 1, 2009 and terminating December 31, 2009, according to the above-described terms, and be it further

RESOLVED, that upon reduction or termination of either state or federal funding for this program, then this program shall be automatically abolished.

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

Adopted December 10, 2008 by voice vote.

ACT NO. 688-2008 by Mr. Snyder

**AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACTS WITH
VARIOUS ENTITIES FOR DEPARTMENT OF SOCIAL SERVICES
SKILLED NURSING IN-HOME CARE SERVICES**

Pursuant to Section 3612 of the Public Health Law,
18 NYCRR Part 505, Section 636-a of the Executive Law, and
Act 432-2002 of the Cattaraugus County Legislature.

WHEREAS, Act 690-2007 authorized contracts with Pediatric Home Care Services, Inc., 2829 Sheridan Drive, Tonawanda, New York 14150, and Aurora Home Care, Inc., 3527 Harlem Road, Cheektowaga, New York 14225, for the provision of mandated skilled nursing in-home care services for eligible residents of Cattaraugus County, when such services are medically necessary and ordered by a physician, the terms of which expire December 31, 2008, and

WHEREAS, the County Department of Social Services is desirous of continuing the above-described services, and

WHEREAS, Pediatric Home Care Services, Inc., and Aurora Home Care, Inc., have agreed to provide skilled nursing in-home care services in accordance with the following rate schedule, which is the same as the 2008 rate schedule:

<u>Skilled Nursing Service</u>	<u>Rates/Care Hour</u>
Licensed Practical Nurse	\$21.00
Licensed Practical Nurse (Premium)	\$24.00
Registered Nurse (Premium)	\$28.00,

and

WHEREAS, this program is 50% federal, 25% state and 25% county funded, now, therefore, be it

RESOLVED, that the County Administrator be, and hereby is, authorized and directed to execute contracts, on behalf of Cattaraugus County, with Pediatric Home Care Services, Inc., and Aurora Home Care, Inc., for the provision of the above-described services, for a term commencing January 1, 2009 and terminating December 31, 2009, according to the above-described terms, and be it further

RESOLVED, that upon reduction or termination of either state or federal funding for this program, then this program shall be automatically abolished.

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

Adopted December 10, 2008 by voice vote.

ACT NO. 689-2008 by Mr. Snyder

**AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACT WITH
COMMUNITY CARE OF WESTERN NEW YORK, INC. FOR ASSISTED
TRANSPORTATION SERVICES FOR MEDICAID RECIPIENTS**

Pursuant to 42 CFR Section 431.53, 18 NYCRR
Section 505.10, Section 365-a(2)(j) of the Social Services
Law and Act 432-2002 of the Cattaraugus County Legislature.

WHEREAS, Act 743-2007 authorized a contract with Community Care of Western New York, Inc., 1225 West State Street, Olean, New York 14760, for the provision of assisted transportation services for Medicaid recipients, the term of which expires December 31, 2008, and

WHEREAS, the County Department of Social Services is mandated to provide assisted transportation services for Medicaid recipients, and

WHEREAS, Community Care of Western New York, Inc., has agreed to provide assisted transportation services at the following rates:

Transport Car - base rate	\$25.43 per one-way trip
Transport Car - mileage	\$ 1.42 per loaded mile
Transport Wheelchair Van - base rate	\$27.97 per one-way trip
Transport Wheelchair Van - mileage	\$ 1.54 per loaded mile
No mileage charged for services provided solely within the city limits of the City of Olean,	

and

WHEREAS, this program is funded through the Medicaid program, and

WHEREAS, sufficient funds are included in the 2009 budget to cover the costs of the aforementioned services, now, therefore, be it

RESOLVED, that the County Administrator be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Community Care of Western New York, Inc., for the provision of the above-described services, for a term commencing January 1, 2009 and terminating December 31, 2009, according to the above-described terms, and be it further

RESOLVED, that upon reduction or termination of either state or federal funding for this program, then this program shall automatically be abolished.

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

Adopted December 10, 2008 by voice vote.

ACT NO. 690-2008 by Mr. Snyder

**AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACT WITH
AIMEE JOZWIAK FOR FOSTER PARENT TRAINING SERVICES**

Pursuant to 18 NYCRR Parts 386 and 443 and
Act 432-2002 of the Cattaraugus County Legislature.

WHEREAS, Act 662-2007 authorized the Chair to execute a contract with Aimee Jozwiak, 917 Route 446, Hinsdale, New York 14743, for foster parent training services, the term of which expires December 31, 2008, and

WHEREAS, the Department of Social Services is desirous of continuing the aforementioned foster parent training services, and

WHEREAS, Aimee Jozwiak can provide the aforementioned foster parent training services for an amount of \$50 per session for a maximum of ten (10) sessions per class and two (2) classes per year, plus mileage at the County rate in effect at the time services are rendered, for a total program cost not to exceed \$2,000, and

WHEREAS, this program is 65% state and 35% County funded, and

WHEREAS, sufficient funds are included in the 2009 budget to cover the costs of the aforementioned services, now, therefore, be it

RESOLVED, that the County Administrator be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Aimee Jozwiak for the provision of the above-described foster parent training services for a term commencing January 1, 2009 and terminating December 31, 2009, according to the above-described terms, and be it further

RESOLVED, that upon reduction or termination of either state or federal funding for this program, then this program shall be automatically abolished.

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

Adopted December 10, 2008 by voice vote.

ACT NO. 691-2008 by Mr. Snyder

**AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACTS WITH
VARIOUS ENTITIES FOR DEPARTMENT OF SOCIAL SERVICES
MEDICAL AND TESTING SERVICES FOR CHILD PROTECTIVE SERVICES**

Pursuant to 45 CFR Parts 74 and 92 and
Act 432-2002 of the Cattaraugus County Legislature.

WHEREAS, Act 744-2007 authorized contracts with various entities for the provision of medical and testing services for persons needing evaluations, the terms of which expire December 31, 2008, and

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

WHEREAS, the following various entities can provide medical and testing services for persons needing evaluations in accordance with the following rate schedules:

<u>Company</u>	<u>Test</u>	<u>Rates</u>
Cattaraugus County Council on Alcoholism and Substance Abuse, Inc. 201 South Union Street Olean, New York 14760	- 5 Panel Urine Drug Screen with Collection-Active Client	\$ 35.00
	- 5 Panel Urine Drug Screen with Collection-Non-Active Client	\$ 60.00
	- Psychological Evaluations (2 sessions) Cost per session	\$ 77.00
Occupational Health Services, Inc. 187 Center Street Salamanca, New York 14779	- Drug Screen (results within 48-72 hours)	\$ 45.00
	- Breathalyzer/Alcohol Testing	\$ 15.00
	- Drug/Alcohol Blood Screen	\$ 80.00
Olean General Hospital 515 Main Street P.O. Box 728 Olean, New York 14760	- Urine Drug Screen Confirmation for Positive Results with Medical Review Officer Present	\$ 90.00 (1 drug) \$130.00 (2 drugs) \$175.00 (3 drugs)
	- Pre-Employment History & Physical	\$ 69.00
	- 10 Panel Urine Drug Collection & Screen	\$ 84.00
	- Breath Alcohol Screen	\$ 27.00
	- Breath Alcohol Confirmation	\$ 27.00
TLC Health Network a/k/a Tri-County Memorial Hospital 100 Memorial Drive Gowanda, New York 14070	- Urine Toxicology Collection & Medical Review	\$ 42.00

and

WHEREAS, this program is 65% state and 35% county funded, now, therefore, be it

RESOLVED, that the County Administrator be, and hereby is, authorized and directed to execute contracts, on behalf of Cattaraugus County, with the above-listed various entities for the provision of the above-described services, for a term commencing January 1, 2009 and terminating December 31, 2009, according to the above-described terms, and be it further

RESOLVED, that upon reduction or termination of either state or federal funding for this program, then this program shall be automatically abolished.

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

Adopted December 10, 2008 by voice vote.

ACT NO. 692-2008 by Mr. Snyder
and Mr. Aiello, Mr. Teachman and Mr. Padlo¹

**AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACT
WITH OLEAN CITY SCHOOL DISTRICT FOR COMMUNITY OPTIONAL PREVENTIVE
SERVICES PARENTING EDUCATION INSTRUCTION**

Pursuant to P.L. 104-193, as amended, and
Act 432-2002 of the Cattaraugus County Legislature.

WHEREAS, Act 590-2007 authorized a contract with the Olean City School District for the provision of parenting education instruction at the Olean City School District, the term of which expired August 31, 2008, and

WHEREAS, the County Department of Social Services is desirous of continuing its Community Optional Preventive Services Plan, which includes a component of parenting education instruction at the Olean City School District, and

WHEREAS, under the aforementioned component, two FTE Parenting Literacy Intervention Specialists will work closely with participating Even Start families who are in need of immediate and intensive parenting education as a means of responding to critical situations, and

WHEREAS, the Olean City School District shall retain two FTE Parenting Literacy Intervention Specialists for the provision of the above-described parenting education instruction for an amount of \$43,513, and

WHEREAS, this program is 65% federal and 35% state funded, now, therefore, be it

RESOLVED, that the County Administrator be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with the Olean City School District, for the provision of the above-described services, for a term commencing September 1, 2008 and terminating August 31, 2009, according to the above-described terms, and be it further

RESOLVED, that upon reduction or termination of either state or federal funding for this program, then this program shall be automatically abolished.

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

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

Adopted December 10, 2008 by voice vote.

ACT NO. 693-2008 by Human Services Committee:
Mr. Snyder, Mr. Ward, Mr. Aiello, Mr. Marsh,
Ms. Vickman, Mr. Giardini and Mrs. Witte

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT
WITH GREATER BUFFALO CHAPTER OF THE AMERICAN RED CROSS
FOR CPR AND FIRST AID TRAINING FOR
AMERICORPS MEMBERS**

Pursuant to Section 450 of the County Law.

WHEREAS, the Youth Bureau is desirous of providing CPR and first aid training for its Americorps members so that they may be better equipped to act in an emergency situation, and

WHEREAS, the Greater Buffalo Chapter of the American Red Cross has agreed that Roberta Hull-Joseph can provide the necessary CPR and first aid training for the Youth Bureau Americorps members, and

WHEREAS, Roberta Hull-Joseph, 200 Erie Street, Little Valley, New York 14755, shall provide CPR and first aid training for Youth Bureau Americorps members at no cost to the County, except necessary training materials that may be purchased through the American Red Cross, and

WHEREAS, the Greater Buffalo Chapter of the American Red Cross, Olean Service Center, 452 North Barry Street, Olean, New York 14760, can provide the required CPR and first aid training materials on an as-needed basis, in accordance with the following fee schedule:

Equipment & Supplies

Adult, Infant or Child manikins	\$4.00 each/business day
DVD for training	\$2.00 each/business day
Sample First Aid kits & Manuals	\$3.00 each
Certification Cards	\$12.00 each
AED Trainer	\$10.00/business day,

WHEREAS, sufficient funds are included in the 2009 budget to cover the costs of the aforementioned services, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with the Greater Buffalo Chapter of the American Red Cross, for the provision of the above-described training, for a term commencing November 12, 2008 and terminating November 11, 2009, according to the above-described terms.

Approved by 9 members of the Finance Committee.

Adopted December 10, 2008 by voice vote.

ACT NO. 694-2008 by Human Services Committee:
Mr. Snyder, Mr. Ward, Mr. Aiello, Mr. Marsh,
Ms. Vickman, Mr. Giardini and Mrs. Witte

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

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

WHEREAS, Act 637-2007 authorized a contract with James McGuinness & Associates, Inc., 263 State Street, Schenectady, New York 12305, for the provision of a software program with maintenance support for the Children with Special Needs Program, the term of which expires December 31, 2008, and

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

WHEREAS, James McGuinness & Associates, Inc., 263 State Street, Schenectady, New York 12305, has agreed to continue providing maintenance

support for an amount of \$458.33 per month, not to exceed \$5,500 per year, which is the same rate as 2008, and

WHEREAS, sufficient funds are included in the 2009 budget to cover the costs of the aforementioned services, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with James McGuinness & Associates, Inc., for the provision of the above-described maintenance support services, for a term commencing January 1, 2009 and terminating December 31, 2009, according to the above-described terms, and be it further

RESOLVED, that upon reduction or termination of either state or federal funding for this program, then this program shall be automatically abolished.

Approved by 9 members of the Finance Committee.

Adopted December 10, 2008 by voice vote.

ACT NO. 695-2008 by Human Services Committee:

Mr. Snyder, Mr. Ward, Mr. Aiello, Mr. Marsh,
Ms. Vickman, Mr. Giardini and Mrs. Witte

**AUTHORIZING THE CHAIR TO EXECUTE GRANT DOCUMENTS
WITH NEW YORK STATE DEPARTMENT OF EDUCATION
FOR YOUTH BUREAU EVENSTART PROGRAM**

Pursuant to 34 CFR Part 74 and Section 450 of the County Law.

WHEREAS, Act 252-2004 authorized the Chair to execute grant documents to apply for funding through the New York State Department of Education for the Evenstart Program, the term of which expired August 31, 2008, and

WHEREAS, the Evenstart Program is a family literacy program which arranges for (1) adult education, (2) early childhood education, (3) parenting education and (4) interactive literacy, and

WHEREAS, the Olean City School District currently partners with the Cattaraugus/Allegany Headstart Program for the provision of the Evenstart Program in the Olean area, and

WHEREAS, pursuant to program requirements, the Olean City School District must "partner" with another sponsor to assist with the aforementioned program, and

WHEREAS, funding is available through the New York State Department of Education for the continuation of an Evenstart Program in Cattaraugus County, and

WHEREAS, if the grant is awarded, Cattaraugus County will receive up to \$60,000 per year from the Olean City School District for the provision of the aforementioned program, and

WHEREAS, the County is desirous of applying for the aforementioned grant as a co-sponsor with the Olean City School District, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute grant documents, on behalf of Cattaraugus County, with the New York State Department of Education, for the provision of the above-described services, for a term commencing September 1, 2008 and terminating August 31, 2012, according to the above-described terms, and be it further

RESOLVED, that upon reduction or termination of either state or federal funding for this program, then this program shall be automatically abolished.

Approved by 9 members of the Finance Committee.

Adopted December 10, 2008 by voice vote.

ACT NO. 696-2008 by Human Services Committee:
Mr. Snyder, Mr. Ward, Mr. Aiello, Mr. Marsh,
Ms. Vickman, Mr. Giardini and Mrs. Witte

**AUTHORIZING THE CHAIR TO EXECUTE GRANT DOCUMENTS
THROUGH NEW YORK STATE OFFICE OF CHILDREN AND
FAMILY SERVICES FOR PARTNERSHIP FOR YOUTH GRANT**

Pursuant to Section 450 of the County Law.

WHEREAS, the County Youth Bureau has been notified that it has been awarded funding in the amount up to \$106,100 through the New York State Office of Children and Family Services for A Partnership for Youth (APY): Aligning the Youth Development & Workforce Development Systems Grant, and

WHEREAS, the Workforce Investment Act of 1998 (WIA) embodies the employment and training formulation of what youth-serving professionals of all disciplines have long advocated: interventions seeking to help young people transition to employment are more likely to succeed when rooted in the basic principles of youth development, and

WHEREAS, WIA has required the local Workforce Investment Boards elicit the support of local youth experts, and

WHEREAS, the County Youth Bureau plays a vital role in this area, as it is most experienced at forging partnerships, so that youth development and delinquency prevention principles are part of county practices and procedures, and

WHEREAS, the New York State Office of Children and Family Services has emphasized the need for partnerships, as demonstrated through its Integrated County Planning Process, where County Youth Bureaus and local Departments of Social Services are the local leaders, thus coordinating service delivery and fostering alliances among all service providers, and

WHEREAS, it is necessary to execute grant documents in order to receive the aforementioned funding, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute grant documents, on behalf of Cattaraugus County, with the New York State Office of Children and Family Services, in order to receive the aforementioned grant funding, for a term commencing October 1, 2008 and terminating September 30, 2009, according to the above-described terms, and be it further

RESOLVED, that upon reduction or termination of either state or federal funding for this program, then this program shall be automatically abolished.

Approved by 9 members of the Finance Committee.

Adopted December 10, 2008 by voice vote.

ACT NO. 697-2008 by Human Services Committee:
Mr. Snyder, Mr. Ward, Mr. Aiello, Mr. Marsh,
Ms. Vickman, Mr. Giardini and Mrs. Witte

**AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACT
WITH ALLEGANY COUNTY EMPLOYMENT AND TRAINING ONE-STOP CENTER
FOR YOUTH BUREAU PARTNERSHIP FOR YOUTH GRANT**

Pursuant to Section 95 of the General Municipal Law and
Act 432-2002 of the Cattaraugus County Legislature.

WHEREAS, Act 588-2007 authorized a contract with the Allegany County Employment and Training One-Stop Center for the provision of A Partnership for Youth Program services, the term of which expired September 30, 2008, and

WHEREAS, the County Youth Bureau has been awarded a grant through the New York State Office of Children and Family Services for a Partnership for Youth (APY) for the purpose of increasing the number of youth served by existing local Workforce Investment Board (WIB) programs, and

WHEREAS, the Allegany County Employment and Training One-Stop Center, 7 Wells Lane, Belmont, New York 14813, has agreed to provide the following services for an amount up to \$17,017:

- Training services to six (6) older youth ages 19-21 and will partner with Literacy Volunteers of Allegany County, Inc. and Southern Tier Traveling Teacher, Inc.,
- Occupational skill training,
- Supportive services to assist youth in achieving their goals,
- Follow-up services,
- Provide reports, as required,
- Ensure that all necessary data is recorded into OSOS for Allegany County Youth, and
- Participate in partner case management meetings,

now, therefore, be it

RESOLVED, that the County Administrator be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Allegany County Employment and Training One-Stop Center for the provision of the above-described services, for a term commencing October 1, 2008 and terminating September 30, 2009, according to the above-described terms, and be it further

RESOLVED, that upon reduction or termination of either state or federal funding for this program, then this program shall be automatically abolished.

Approved by 9 members of the Finance Committee.

Adopted December 10, 2008 by voice vote.

ACT NO. 698-2008 by Human Services Committee:
Mr. Snyder, Mr. Ward, Mr. Aiello, Mr. Marsh,
Ms. Vickman, Mr. Giardini and Mrs. Witte

**AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACT
WITH LITERACY VOLUNTEERS OF ALLEGANY COUNTY, INC.
FOR YOUTH BUREAU PARTNERSHIP FOR YOUTH GRANT**

Pursuant to Section 95 of the General Municipal Law and
Act 432-2002 of the Cattaraugus County Legislature.

WHEREAS, Act 587-2007 authorized a contract with Literacy Volunteers of Allegany County, Inc., 6½ South Street, Belmont, New York 14813, for the provision of A Partnership for Youth Program services, the term of which expired September 30, 2008, and

WHEREAS, the County Youth Bureau has been awarded a grant through the New York State Office of Children and Family Services for a Partnership for Youth (APY) for the purpose of increasing the number of youth served by existing local Workforce Investment Board (WIB) programs, and

WHEREAS, Literacy Volunteers of Allegany County, Inc., has agreed to provide the following services for an amount up to \$6,459:

- tutoring services to four (4) younger youth, ages 14-18 in school,
- in-school tutoring services,
- mentoring services toward youth,
- outreach and recruitment efforts,
- meet for case management, evaluation and referral purposes, and
- act with responsibility as a contributing partner,

now, therefore, be it

RESOLVED, that the County Administrator be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Literacy Volunteers of Allegany County, Inc., for the provision of the above-described services, for a term commencing October 1, 2008 and terminating September 30, 2009, according to the above-described terms, and be it further

RESOLVED, that upon reduction or termination of either state or federal funding for this program, then this program shall be automatically abolished.

Approved by 9 members of the Finance Committee.

Adopted December 10, 2008 by voice vote.

ACT NO. 699-2008 by Human Services Committee:
Mr. Snyder, Mr. Ward, Mr. Aiello, Mr. Marsh,
Ms. Vickman, Mr. Giardini and Mrs. Witte

**AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACT WITH
SOUTHERN TIER TRAVELING TEACHER, INC. FOR
YOUTH BUREAU PARTNERSHIP FOR YOUTH GRANT**

Pursuant to Section 95 of the General Municipal Law and
Act 432-2002 of the Cattaraugus County Legislature.

WHEREAS, Act 586-2007 authorized a contract with Southern Tier Traveling Teacher, Inc., 79½ North Main Street, Wellsville, New York 14895, for the provision of A Partnership for Youth Program services, the term of which expired September 30, 2008, and

WHEREAS, the County Youth Bureau has been awarded a grant through the New York State Office of Children and Family Services for a Partnership for Youth (APY) for the purpose of increasing the number of youth served by existing local Workforce Investment Board (WIB) programs, and

WHEREAS, Southern Tier Traveling Teacher, Inc., 79½ North Main Street, Wellsville, New York 14895, has agreed to provide the following services for an amount up to \$8,187:

- Work with a total of 7 out-of-school older youth, ages 19-21 to assist them in raising educational levels and/or obtaining a high school equivalency diploma by passing the GED exam,
- Assist with outreach and recruitment efforts,
- Meet as needed for case management, evaluation and referral purposes, and
- Act with responsibility as a contributing partner,

now, therefore, be it

RESOLVED, that the County Administrator be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Southern Tier Traveling Teacher, Inc., for the provision of the above-described services, for a term commencing October 1, 2008 and terminating September 30, 2009, according to the above-described terms, and be it further

RESOLVED, that upon reduction or termination of either state or federal funding for this program, then this program shall be automatically abolished.

Approved by 9 members of the Finance Committee.

Adopted December 10, 2008 by voice vote.

ACT NO. 700-2008 by Human Services Committee:
Mr. Snyder, Mr. Ward, Mr. Aiello, Mr. Marsh,
Ms. Vickman, Mr. Giardini and Mrs. Witte

**AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE DOCUMENTS
REGARDING YOUTH PROGRAMS FOR 2009**

Pursuant to Section 95 of the General Municipal Law and
Act 432-2002 of the Cattaraugus County Legislature.

WHEREAS, Act 583-2007 authorized the County Administrator to execute such agreements, applications and other documents to effect the establishment of the various youth programs in 2008, and

WHEREAS, a sum not to exceed \$220,000 will be used for various youth-related projects in Cattaraugus County during 2009, and

WHEREAS, it is necessary for the County to enter into various contracts with the individual sponsoring agencies throughout 2009 to comply with New York State Office of Children & Family Services' requirements, now, therefore, be it

RESOLVED, that the County Administrator be, and hereby is, authorized and directed to execute such contracts, applications and other documents, on behalf of Cattaraugus County, as deemed necessary to effect the establishment of the various youth programs in 2009, and be it further

RESOLVED, that prior to entering into any contract for youth programs for 2009, such programs shall be approved, in writing, by the Cattaraugus County Youth Bureau Board of Directors, and be it further

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

RESOLVED, that the County's participation in any of the various programs will be to reimburse the sponsoring agency 50% for the Youth Development and Delinquency Prevention (YDDP) Program and 100% for the Special Delinquency Prevention (SDPP) Program of reimbursable expenditures as defined under the New York State Office of Children & Family Services Guidelines and approved by the Cattaraugus County Youth Bureau with reimbursement set forth infra, and be it further

RESOLVED, that all reimbursement to the sponsoring agency by the County of Cattaraugus up to the maximum of the approved program cost for fiscal year 2009 will take effect after the sponsoring agency has filed appropriate state aid forms with the Cattaraugus County Youth Bureau, and the Youth Bureau has approved those forms, and be it further

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

RESOLVED, that upon reduction or termination of either state or federal funding for this program, then any of the programs affected by this resolution shall be automatically abolished.

Approved by 9 members of the Finance Committee.

Adopted December 10, 2008 by voice vote.

ACT NO. 701-2008 by Mrs. Abers

ABOLISHING CERTAIN UNFILLED POSITIONS

Pursuant to Section 204 of the County Law.

WHEREAS, Act 680-2003 established policies and guidelines for certain vacant positions, and

WHEREAS, these guidelines require that any position left vacant for one (1) year will be eliminated January 1st of the following year after the vacancy occurred, and

WHEREAS, certain positions have been identified as meeting this criteria, now, therefore, be it

RESOLVED, effective January 1, 2009, the following vacant positions are hereby abolished:

<u>POSITION TITLE AND NUMBER</u>	<u>DATE LAST FILLED</u>
Sheriff's Office	
Deputy Sheriff #90	4/26/2006
Deputy Sheriff #91	4/26/2006
Deputy Sheriff #92	4/26/2006
Deputy Sheriff #93	4/26/2006
Deputy Sheriff #94	4/26/2006
Social Services	
Keyboard Specialist PT #12	5/1/2007
Keyboard Specialist PT #15	10/1/2007.

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

Adopted December 10, 2008 by voice vote.

ACT NO. 702-2008 by Human Services Committee:
Mr. Snyder, Mr. Ward, Mr. Aiello, Mr. Marsh,
Ms. Vickman, Mr. Giardini and Mrs. Witte

**CREATING ONE POSITION OF ELIGIBILITY WORKER IN DEPARTMENT OF
SOCIAL SERVICES TO BE FILLED ON A
SEASONAL BASIS AND ESTABLISHING COMPENSATION FOR SAME**

Pursuant to Sections 204 and 205 of the County Law and
Section 22 of the Civil Service Law.

WHEREAS, due to the high cost of fuel, the Department of Social Services is expecting an increase in the number of applicants requesting home heating assistance, and

WHEREAS, additional staff persons will be needed to process the applications in a timely manner, and

WHEREAS, the cost of filling this position on a seasonal basis would be fully funded with federal dollars at no additional cost to the County, and

WHEREAS, the New Position Duties Statement has been submitted to the Cattaraugus County Civil Service Commission, which has approved the title in accordance with Section 22 of the Civil Service Law, now, therefore, be it

RESOLVED, that effective immediately, there is hereby created one position of Eligibility Worker to be filled on a seasonal basis, in the Department of Social Services to be compensated at Grade 14 (\$10.75 per hour) on the part-time bargaining unit salary schedule.

Approved by 9 members of the Finance Committee.

Adopted December 10, 2008 by voice vote.

ACT NO. 703-2008 by Mrs. Abers, Mr. O'Brien and Mr. Giardini

**AUTHORIZING REMOVAL AND APPOINTMENT OF TRUSTEE FOR
DEFERRED COMPENSATION PROGRAM**

Pursuant to Section 5 of the State Finance Law.

WHEREAS, State Street Bank and Trust Company ("State Street") currently serves as passive, nondiscretionary Trustee for the County of Cattaraugus ("Deferred Compensation Plan"), and

WHEREAS, State Street has provided notice to Hartford Life Insurance Company that it will no longer provide these services to our customers beyond January 9, 2009, and

WHEREAS, as a result, it is desirable to remove State Street as passive, nondiscretionary Trustee of the trust for the Deferred Compensation Plan and to appoint Reliance Trust Company ("RPC") as successor passive, nondiscretionary Trustee of the trust for the Deferred Compensation Plan, now, therefore, be it

RESOLVED, that State Street is hereby removed as passive, nondiscretionary Trustee of the trust for the Deferred Compensation Plan, and that Reliance Trust Company is hereby appointed as successor passive, nondiscretionary Trustee for the trust for the Deferred Compensation Plan, and be it further

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized, empowered and directed to execute any and all documents required to effectuate each removal and appointment including, but not limited to, the Trustee Removal and Appointment, and to take such actions as are necessary, appropriate or advisable to effectuate the foregoing resolution.

Approved by 9 members of the Finance Committee.

Adopted December 10, 2008 by voice vote.

ACT NO. 704-2008 by Mr. O'Brien
and Mr. Teachman and Mr. Padlo¹

**AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACT WITH
GHI FOR SPECIFIC EMPLOYEE DENTAL INSURANCE COVERAGE**

Pursuant to Section 92-a of the General Municipal Law and
Act 432-2002 of the Cattaraugus County Legislature.

WHEREAS, Act 720-2007 authorized a contract with Group Health, Inc. (GHI), Pioneer Business Parkway, 5015 Campuswood Drive, East Syracuse, New York 13057, for the provision of dental coverage, the term of which expires December 31, 2008, and

WHEREAS, it is proposed that the aforementioned contract be renewed at the current rate of \$4.39 per month per covered individual, and

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

RESOLVED, that the County Administrator be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with GHI for the provision of the above-described coverage, for a term commencing January 1, 2009 and to continue in full force and effect

until terminated upon thirty (30) days notice, according to the above-described terms.

Approved by 9 members of the Finance Committee, 7 members of the County Operations Committee and 5 members of the Labor Relations Committee.

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

Adopted December 10, 2008 by voice vote.

ACT NO. 705-2008 by Mr. O'Brien
and Mr. Teachman and Mr. Padlo¹

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
RMSCO, INC. FOR THIRD-PARTY ADMINISTRATION OF
CATTARAUGUS COUNTY HEALTH PLAN**

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

WHEREAS, Act 192-2008 authorized a contract with RMSCO, Inc., 115 Continuum Drive, Liverpool, New York 13088, for the third-party administration of the Cattaraugus County Health Plan and the County Flexible Benefits Plan, the term of which expires December 31, 2008, and

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

WHEREAS, RMSCO, Inc., can administer specified employee health benefits in accordance with the following fee schedule:

CLAIM ADMINISTRATION FEE

<u>Administration Fee</u>	<u>2008</u> <u>Rate/Month</u>	<u>2009</u> <u>Rate/Month</u>
Medical Only*	\$ 25.25	\$ 26.25
Flexible Benefits Plan	\$ 3.10	\$ 3.10
Vision Service Plan**	\$ 0.82	\$ 0.82
Medicare Part D		
Monthly upload, transmission of RDS eligibility	\$170.00/mon.	\$195.00/mon.

*Rate includes medical claims processing, primary network access, utilization review, forms, ID cards, HCRA admin, RX admin, Management reports and Cobra/Hipaa

ADDITIONAL ADMINISTRATION SERVICES UTILIZED AS REQUIRED

<u>Service</u>	<u>2008 Fee</u>	<u>2009 Fee</u>
Retroactive Benefit Changes	\$25/claim	\$25/claim
ID Cards (Special Requests)	\$1.95/card	\$1.95/card
Large Case Management	\$130/hour	
1/01/09 - 7/31/09		\$135/hour
8/31/09 - 12/31/09		\$143/hour
	25% of Savings	25% of Savings
PHCS Travel Network**		
Out-of-Network Negotiations	25% of Savings	25% of Savings
Strategic Recovery Partnership (SRP)	20% of Recoveries	\$20% of Recoveries
Subrogation Negotiation**		

**Rates are subject to change by the vendor
Additional expenses may include, but are not limited to, ordering of medical records, hospital audits, medical consultations, claim translations, etc.

and

WHEREAS, sufficient funds are included in the 2009 budget to cover the costs of the aforementioned services, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with RMSCO, Inc. for the provision of the above-described services, for a term commencing January 1, 2009 and terminating December 31, 2009, according to the above-described terms.

Approved by 9 members of the Finance Committee, 7 members of the County Operations Committee and 5 members of the Labor Relations Committee.

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

Adopted December 10, 2008 by voice vote.

ACT NO. 706-2008 by Mr. O'Brien
and Mr. Aiello and Mr. Padlo¹

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH
EXPRESS SCRIPTS, 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 227-2007 authorized a contract with Express Scripts, 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, and

WHEREAS, in order to receive Retiree Drug Subsidy funds from Medicare, certain required information has to be processed on retiree claims, and

WHEREAS, RMSCO is unable to provide the information in a way that is required by Medicare, and

WHEREAS, Express Scripts, Inc., One Express Way, St. Louis, Missouri 63121, can provide the required reporting in order to receive Retiree Drug Subsidy funds for an amount of \$10,000, and

WHEREAS, the County shall pay Express Scripts, Inc., an amount of \$5,000 in 2008 for 2007 information and an amount of \$5,000 in 2009 for 2008 information, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute an amended contract, on behalf of Cattaraugus County, with Express Scripts, Inc., for a term commencing January 1, 2007 and terminating December 31, 2009, according to the above-described terms.

Approved by 9 members of the Finance Committee, 7 members of the County Operations Committee and 5 members of the Labor Relations Committee.

¹ The following Legislators requested their names be listed as additional sponsors: "Mr. Aiello and Mr. Padlo".

Adopted December 10, 2008 by voice vote.

ACT NO. 707-2008 by Mr. O'Brien

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
MARSH USA, INC. FOR BROKER OF RECORD SERVICES FOR
COUNTY INSURANCE PROGRAM**

Pursuant to Sections 52 and 78 of the General Municipal Law and
Sections 215 and 450 of the County Law.

WHEREAS, Act 722-2007 authorized a contract with Marsh USA, Inc., 300 South State Street, Suite 300, Syracuse, New York 13202, for the provision of those services required to serve as Insurance Broker of Record for the County's property, casualty coverage and excess liability insurance, the term of which expires December 31, 2008, and

WHEREAS, the County Human Resources Department is desirous of continuing the aforementioned insurance coverage and services, and

WHEREAS, Marsh USA, Inc., has agreed to continue providing brokerage services for the County's insurance program for an amount of \$30,000, and

WHEREAS, sufficient funds are included in the 2009 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 Marsh USA, Inc., for the provision of the above-described services and insurance coverage, for a term commencing January 1, 2009 and terminating December 31, 2009, according to the above-described terms.

Approved by 9 members of the Finance Committee.

Adopted December 10, 2008 by voice vote.

ACT NO. 708-2008 by Mr. Vecchiarella

**AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACT WITH
SARAH BARTZ SMITH FOR TONSORIAL SERVICES FOR COUNTY JAIL**

Pursuant to 9 NYCRR Part 7005 and
Act 432-2002 of the Cattaraugus County Legislature.

WHEREAS, Act 665-2007 authorized a contract with Sarah Bartz Smith, 6209 Valley Drive, Great Valley, New York 14741, for the provision of tonsorial services for the inmates of the County Jail at the rate of \$8.50 per head, the term of which expires December 31, 2008, and

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

WHEREAS, Sarah Bartz Smith has agreed to provide the aforementioned services at a rate of \$8.50 per head, and

WHEREAS, sufficient funds are included in the 2009 budget to cover the costs of the aforementioned services, now, therefore, be it

RESOLVED, that the County Administrator be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Sarah Bartz Smith, for the provision of the aforementioned services, for a term commencing January 1, 2009 and terminating December 31, 2009, according to the above-described terms.

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

Adopted December 10, 2008 by voice vote.

ACT NO. 709-2008 by Mr. Vecchiarella

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT
WITH ELLICOTTVILLE PHARMACY, INC.
FOR JAIL PHARMACEUTICALS**

Pursuant to Section 450 of the County Law.

WHEREAS, the Sheriff's Department is in need of pharmaceuticals for the inmates of the Cattaraugus County Jail, and

WHEREAS, Ellicottville Pharmacy, Inc., 13 Washington Street, Ellicottville, New York 14731, can provide the aforementioned pharmaceuticals as follows:

- Prescription Medications: Invoice cost plus 10% charge for each prescription
- Non-Prescription Medications: Invoice cost plus 50%
- Minimum Price: \$7.50 per prescription,

and

WHEREAS, sufficient funds are included in the 2009 budget to cover the costs of the aforementioned pharmaceuticals, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Ellicottville Pharmacy, Inc., for the provision of the above-described services, for a term commencing January 1, 2009 and terminating December 31, 2009, according to the above-described terms, and be it further

RESOLVED, that upon reduction or termination of either state or federal funding for this program, then this program shall be automatically abolished.

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

Adopted December 10, 2008 by voice vote.

ACT NO. 710-2008 by Mr. Vecchiarella
and Mr. Teachman¹

**AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACT WITH
OLEAN MEDICAL GROUP, LLP FOR JAIL PHYSICIAN SERVICES**

Pursuant to Section 501 of the Correction Law,
9 NYCRR Part 7010 and Act 432-2002 of the
Cattaraugus County Legislature.

WHEREAS, Act 666-2007 authorized a contract with the Olean Medical Group, LLP, 535 Main Street, Olean, New York 14760, for the provision of jail physician services at the rate of \$160 per hour, including mileage, the term of which expires December 31, 2008, and

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

WHEREAS, the Olean Medical Group, LLP, can provide the aforementioned jail physician services at the rate of \$160 per hour, including mileage, for the year 2009, and

WHEREAS, sufficient funds are included in the 2009 budget to cover the costs of the aforementioned services, now, therefore, be it

RESOLVED, that the County Administrator be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Olean Medical Group, LLP, for the provision of the above-described services, for a term commencing January 1, 2009 and terminating December 31, 2009, according to the above-described terms.

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

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

Adopted December 10, 2008 by voice vote.

ACT NO. 711-2008 by Mr. Vecchiarella
and Mr. Aiello¹

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

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

WHEREAS, Act 663-2007 authorized the Chair to execute a contract with the Cattaraugus County Agricultural Society, Inc., P.O. Box 182, Little Valley, New York 14755, for the provision of security services at various events at the County Fairgrounds, including the annual Cattaraugus County Fair, the term of which expires December 31, 2008, and

WHEREAS, it is proposed that the Cattaraugus County Sheriff provide security services at the Cattaraugus County Fairgrounds during the year 2009, and

WHEREAS, the Agricultural Society will reimburse the County on an hourly basis for the provision of these services, except for the first \$500 in services to be provided by the Sheriff's Office in 2009, and

WHEREAS, the Agricultural Society will charge the County the following rental costs:

Tourism Booths	\$400
Emergency Services Booths	\$400
Health Department Booths	\$600
Stop DWI Space	\$600
Board of Elections	\$225 ²
Youth Bureau	\$175
Storage	\$200/boat
Civil Service	\$100/testing day,

WHEREAS, sufficient funds are included in the 2009 budget to cover the costs of the aforementioned services, now, therefore, be it

RESOLVED, the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with the Cattaraugus County Agricultural Society, Inc., for the rental of the above-described space, for a term commencing January 1, 2009 and terminating December 31, 2009, according to the above-described terms.

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

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

² MR. VECCHIARELLA moved, seconded by Mr. Murphy to amend Act No. 711-2008 as follows: In the further Whereas, delete next to Board of Elections: "\$150" and replace with: "\$225". Carried.

Adopted, as amended, December 10, 2008 by voice vote.

ACT NO. 712-2008 by Mr. Vecchiarella
and Mr. Aiello, Mr. Ellis, Mr. Marsh, Mr. O'Brien and Mr. Padlo¹

**AUTHORIZING THE CHAIR TO APPLY FOR FUNDING
THROUGH THE U.S. DEPARTMENT OF JUSTICE OFFICE ON
VIOLENCE AGAINST WOMEN FOR ENCOURAGE ARREST POLICIES AND
ENFORCEMENT OF PROTECTION ORDERS GRANT**

Pursuant to 42 USCS Section 3796hh(b).

WHEREAS, Act 669-2004 authorized the Chairman to apply for funding through the U.S. Department of Justice, Office on Violence Against Women, for a grant to Encourage Arrest Policies and Enforcement of Protection Orders Program, and

WHEREAS, funding is again available through the U.S. Department of Justice, Office on Violence Against Women, for the continuation of the aforementioned program, and

WHEREAS, the Encourage Arrest Policies and Enforcement of Protection Orders Program will support projects that:

- Implement mandatory arrest or pro-arrest programs and policies in police departments, including mandatory arrest programs and policies for protection order violations;
- Develop policies, educational programs and training in police departments to improve tracking of cases involving domestic violence and dating violence;
- Centralize and coordinate police enforcement, prosecution, or judicial responsibility for domestic violence cases in groups or units of police officers, prosecutors, probation and parole officers, or judges;
- Coordinate computer tracking systems to ensure communication between police, prosecutors, parole and probation officers, and both criminal and family courts;

- Strengthen legal advocacy service programs for victims of domestic violence, dating violence, including strengthening assistance to such victims in immigration matters;
- Educate judges in criminal and other courts (including juvenile courts) about domestic violence and improve judicial handling of such cases;
- Provide technical assistance and computer and other equipment to police departments, prosecutors, courts and tribal jurisdictions to facilitate the widespread enforcement of protection orders, including interstate enforcement, enforcement between States and tribal jurisdiction, and enforcement between tribal jurisdictions;
- Develop or strengthen policies and training for police, prosecutors and the judiciary in recognizing, investigating, and prosecuting instances of domestic violence and sexual assault against older individuals and individuals with disabilities,

and

WHEREAS, the County Probation Department and County Sheriff's Department must apply for the aforementioned grant funds, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a grant application, on behalf of Cattaraugus County, with the U.S. Department of Justice Office on Violence Against Women, in order to apply for the above-described grant funding, according to the above-described terms.

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

¹ The following Legislators requested their names be listed as additional sponsors: "Mr. Aiello, Mr. Ellis, Mr. Marsh, Mr. O'Brien and Mr. Padlo".

Adopted December 10, 2008 by voice vote.

ACT NO. 713-2008 by Mr. Snyder

**AUTHORIZING DIRECTOR OF COMMUNITY SERVICES TO EXECUTE
MEMORANDA OF UNDERSTANDING WITH VARIOUS ENTITIES
FOR DISPROPORTIONATE SHARE TO HOSPITALS INITIATIVE**

Pursuant to Chapter 119 of the Laws of 1997 and
Section 41.13(6) of the Mental Hygiene Law.

WHEREAS, Chapter 119 of the Laws of 1997 authorizes a disproportionate share to hospitals initiative (DSH), which affects identified Article 28 voluntary hospitals with mental health services which received funding pursuant to Article 41 of the Mental Hygiene Law, and

WHEREAS, in addition to payments currently made for existing hospital debt incurred in providing Medicaid-eligible services, DSH payments will also replace Office of Mental Health (OMH) approved net deficit funding provided pursuant to Article 41 of the Mental Hygiene Law in these hospitals, and

WHEREAS, Chapter 119 of the Laws of 1997 requires the Commissioner of OMH, in consultation with the County Director of Community

Services, to annually certify those hospitals which will receive these additional DSH payments, and

WHEREAS, it is necessary to enter into a memorandum of understanding with the New York State Office of Mental Health and the Olean General Hospital in order to comply with the aforementioned disproportionate share to hospitals initiative, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute memoranda of understanding, on behalf of Cattaraugus County, with the New York State Office of Mental Health and the Olean General Hospital, for the provision of the above-described services, for a term commencing January 1, 2007 and terminating December 31, 2008, according to the above-described terms.

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

Adopted December 10, 2008 by voice vote.

ACT NO. 714-2008 by Mr. Snyder

**AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACT
WITH RAJAN GULATI PHYSICIAN, P.C. FOR DEPARTMENT OF
COMMUNITY SERVICES MEDICAL SERVICES**

Pursuant to 14 NYCRR Section 587.8(d)(3) and (i) and
Act 432-2002 of the Cattaraugus County Legislature.

WHEREAS, Act 714-2007 authorized a contract with Rajan Gulati, M.D., for the provision of medical services for the Department of Community Services, the term of which expires December 31, 2008, and

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

WHEREAS, Rajan Gulati Physician, P.C., 45 West Main Street, Cuba, New York 14727, shall provide medical services for the Department of Community Services mental health clinic, at a rate of \$130 per hour of direct care for a maximum of 16 hours per month, plus \$50 per hour for travel not to exceed 1.5 hours per week, for a total not to exceed \$27,236, and

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

RESOLVED, that the County Administrator be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Rajan Gulati Physician, P.C., for the provision of the above-described medical services, for a term commencing January 1, 2009 and terminating December 31, 2009, according to the above-described terms, and be it further

RESOLVED, that upon reduction or termination of either state or federal funding for this program, then this program shall be automatically abolished.

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

Adopted December 10, 2008 by voice vote.

ACT NO. 715-2008 by Mr. Snyder

**AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACT WITH
OSCAR LOPEZ, M.D. FOR PSYCHIATRIC SERVICES FOR
DEPARTMENT OF COMMUNITY SERVICES**

Pursuant to 14 NYCRR Part 585 and
Act 432-2002 of the Cattaraugus County Legislature.

WHEREAS, Act 715-2007 authorized a contract with Oscar Lopez, M.D., 230 Bewley Building, Lockport, New York 14094, for the provision of psychiatric services for the patients and families of the County Department of Community Services, the term of which expires December 31, 2008, and

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

WHEREAS, Oscar Lopez, M.D., has agreed to provide the aforementioned psychiatric services for an amount of \$165 per hour for direct care, not to exceed 400 hours annually, plus \$50 per hour for travel, not to exceed \$10,000 annually, and

WHEREAS, the aforementioned services are funded through federal, state and local funds, now, therefore, be it

RESOLVED, that the County Administrator be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Oscar Lopez, M.D., for the provision of the above-described psychiatric services, for a term commencing January 1, 2009 and terminating December 31, 2009, according to the above-described terms, and be it further

RESOLVED, that upon reduction or termination of either state or federal funding for this program, then this program shall be automatically abolished.

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

Adopted December 10, 2008 by voice vote.

ACT NO. 716-2008 by Mr. Snyder

**AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACTS
WITH VARIOUS ENTITIES FOR DEPARTMENT OF
COMMUNITY SERVICES PSYCHIATRIC MEDICAL SERVICES**

Pursuant to 14 NYCRR Section 587.8(d)(3) and (i) and
Act 432-2002 of the Cattaraugus County Legislature.

WHEREAS, Act 718-2007 authorized contracts with various individuals and entities for the provision of psychiatric medical services for the Department of Community Services, the terms of which expire December 31, 2008, and

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

WHEREAS, the following entities shall provide psychiatric medical services for the Department of Community Services mental health clinic, as follows:

Psychiatric Network, P.C.
515 Main Street

Rate of \$130 per hour for a maximum of 50
hours per month, excluding travel time or

Olean, New York 14760

mileage

Raja Rao, M.D.
1520 Yankee Lane
Hornell, New York 14843

Rate of \$135 per hour of direct care for a maximum of 271 hours per month, plus \$50 per hour for travel, not to exceed 6 hours per month
Julianna M. Zei, M.D. and Hardish K. Singh, M.D. will be providing services for Raja Rao, M.D.,

and

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

RESOLVED, that the County Administrator be, and hereby is, authorized and directed to execute contracts, on behalf of Cattaraugus County, with the above-listed various entities, for the provision of the above-described psychiatric medical services, for a term commencing January 1, 2009 and terminating December 31, 2009, according to the above-described terms, and be it further

RESOLVED, that upon reduction or termination of either state or federal funding for this program, then this program shall be automatically abolished.

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

Adopted December 10, 2008 by voice vote.

ACT NO. 717-2008 by Mr. Snyder

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
CATTARAUGUS COMMUNITY ACTION, INC. FOR
SOCIAL WORKER/MENTAL HEALTH THERAPISTS FOR DEPARTMENT
OF COMMUNITY SERVICES CHILDREN'S MENTAL HEALTH CLINIC**

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

WHEREAS, Act 262-2007 authorized a contract with Cattaraugus Community Action, Inc., 25 Jefferson Street, Salamanca, New York 14779, for the provision of social worker/mental health therapist services for the Children's Mental Health Clinic, the term of which expires December 31, 2008, and

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

WHEREAS, Cattaraugus Community Action, Inc., can provide two (2) social worker/mental health therapists for the Children's Mental Health Clinic for an amount of \$55,300.00 for one therapist and an amount of \$61,570 for the second therapist, and

WHEREAS, sufficient funds are included in the 2009 budget to cover the costs of the aforementioned services, now, therefore, be it

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

above-described services, for a term commencing January 1, 2009 and terminating December 31, 2009, according to the above-described terms, and be it further

RESOLVED, that upon reduction or termination of either state or federal funding for this program, then this program shall be automatically abolished.

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

Adopted December 10, 2008 by voice vote.

ACT NO. 718-2008 by Mr. Snyder
and Mr. Aiello and Mr. Teachman¹

**AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACT WITH
NEW DIRECTIONS YOUTH & FAMILY SERVICES, INC. FOR
RESPIRE/CASE MANAGEMENT SERVICES**

Pursuant to 14 NYCRR Sections 587.9(d)(6) and 587.9(e)(1) and (2) and Act 432-2002 of the Cattaraugus County Legislature.

WHEREAS, Act 196-2008 authorized a contract with New Directions Youth & Family Services, Inc., 356 Main Street, Randolph, New York 14772, for the provision of short-term respite placement and case management services for youth who need a "cooling off" period from their families, the term of which expires December 31, 2008, and

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

WHEREAS, New Directions Youth & Family Services, Inc., through its Global Village Community Services, has agreed to provide therapeutic foster care respite homes and case management services for youth in foster care placement for an amount of \$55 per day, not to exceed \$11,787, and

WHEREAS, this program is 100% state funded, now, therefore, be it
RESOLVED, that the County Administrator be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with New Directions Youth & Family Services, Inc., for the provision of the above-described services, for a term commencing January 1, 2009 and terminating December 31, 2009, according to the above-described terms, and be it further

RESOLVED, that upon reduction or termination of either state or federal funding for this program, then this program shall be automatically abolished.

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

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

Adopted December 10, 2008 by voice vote.

ACT NO. 719-2008 by Mr. Snyder

and Mr. Aiello, Mr. Teachman, Mr. Padlo and Mrs. Witte¹

**AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACT WITH
OLEAN CHILD DAY CARE CENTER, INC. FOR DAY CARE SERVICES FOR
DEPARTMENT OF COMMUNITY SERVICES CONTINUING DAY TREATMENT CLIENTS**

Pursuant to Section 41.07 of the Mental Hygiene Law and
Act 432-2002 of the Cattaraugus County Legislature.

WHEREAS, Act 311-2008 authorized a contract with Olean Child Day Care Center, Inc., 212 Laurens Street, Olean, New York 14760, for the provision of day care services to continuing day treatment clients with children, in order to allow clients to attend programs more regularly, the term of which expires December 31, 2008, and

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

WHEREAS, Olean Child Day Care Center, Inc., has agreed to provide the aforementioned day care services for an amount not to exceed a total program amount of \$32,520, in accordance with the Olean Child Day Care Center's current rate schedule, and

WHEREAS, this program is 35% county funded and 65% state and federally funded, and

WHEREAS, sufficient funds are included in the 2009 budget to cover the costs of the aforementioned services, now, therefore, be it

RESOLVED, that the County Administrator be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Olean Child Day Care Center, Inc., for the provision of the above-described services, for a term commencing January 1, 2009 and terminating December 31, 2009, according to the above-described terms, and be it further

RESOLVED, that upon reduction or termination of either state or federal funding for this program, then this program shall be automatically abolished.

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

¹ The following Legislators requested their names be listed as additional sponsors: "Mr. Aiello, Mr. Teachman, Mr. Padlo and Mrs. Witte".

Adopted December 10, 2008 by voice vote.

ACT NO. 720-2008 by Mr. Snyder

**AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACT
WITH CATTARAUGUS REHABILITATION CENTER FOR
DEPARTMENT OF COMMUNITY SERVICES RESPITE SERVICES**

Pursuant to Section 41.55 of the Mental Hygiene Law and
Act 432-2002 of the Cattaraugus County Legislature.

WHEREAS, Act 198-2008 authorized a contract with Cattaraugus Rehabilitation Center, 1439 Buffalo Street, Olean, New York 14760, for the provision of respite services for case management clients, the term of which expires December 31, 2008, and

WHEREAS, the County Department of Community Services is desirous of utilizing respite services for ICM and SCM clients, and

WHEREAS, Cattaraugus Rehabilitation Center has agreed to provide the aforementioned respite services for an amount not to exceed \$25,181, as follows:

Respite through DSS 65/35 Program	- not to exceed \$13,394.00/yr.
OMH Respite	- not to exceed \$11,787.00/yr.

and

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

RESOLVED, that the County Administrator be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with the Cattaraugus Rehabilitation Center, for the provision of the above-described services, for a term commencing January 1, 2009 and terminating December 31, 2009, according to the above-described terms, and be it further

RESOLVED, that upon reduction or termination of either state or federal funding for this program, then this program shall automatically be abolished.

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

Adopted December 10, 2008 by voice vote.

ACT NO. 721-2008 by Mr. Snyder

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
CATTARAUGUS COUNTY COUNCIL ON ALCOHOLISM & SUBSTANCE
ABUSE, INC. FOR LEASING OF OFFICE SPACE AT THE STONE HOUSE**

Pursuant to Sections 215 and 450 of the County Law.

WHEREAS, Act 126-2006 authorized the Chair to execute a lease agreement with the Cattaraugus County Council on Alcoholism & Substance Abuse, Inc., 201 South Union Street, Olean, New York 14760, for the leasing of space on the third floor of the Stone House in Machias, the term of which expires December 31, 2008, and

WHEREAS, the Cattaraugus County Council on Alcoholism & Substance Abuse, Inc., is desirous of renewing the above-described lease, and

WHEREAS, the County has proposed to lease to the Cattaraugus County Council on Alcoholism & Substance Abuse, Inc., 420 square feet of office space at a rate of \$300 per month, for a total of \$3,600 per year, which includes utilities, except telephone, and

WHEREAS, the Cattaraugus County Council on Alcoholism & Substance Abuse, Inc., shall provide its own office equipment and office furniture, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Cattaraugus County Council on Alcoholism & Substance Abuse, Inc., for the provision of the above-described services, for a term commencing January 1, 2009 and terminating December 31, 2010, according to the above-described terms, and be it further

RESOLVED, that upon reduction or termination of either state or federal funding for this program, then this program shall be automatically abolished.

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

Adopted December 10, 2008 by voice vote.

ACT NO. 722-2008 by Mr. Neal

**AUTHORIZING CERTAIN CHARGE-OFFS OF CERTAIN ACCOUNTS
RECEIVABLE IN THE DEPARTMENT OF NURSING HOMES**

Pursuant to Section 153 of the County Law.

WHEREAS, the Department of Nursing Homes has accounts receivable in which there has been no recent action, and

WHEREAS, the *Cattaraugus County Department of Nursing Homes*¹ has recommended that the County remove these bad debts from the records of the Department of Nursing Homes, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature hereby authorizes the removal of the following debts from the accounts receivable records of the Department of Nursing Homes:

Machias Facility

Green, Charlotte	\$ 299.69
Burke, Joseph	\$2,496.90
Lambrecht, Delores	\$ 267.53
Lowe, Robert	\$2,764.44
Perryman, Cecil	\$1,490.08
Wilson, Vernon	\$ 637.88
Grotke, Alfred	\$ 842.16
Smith, Mavis	\$ 798.28
Lexer, Lucille	\$ 455.41
Clark, Neil	\$ 915.02
Hill, Florence	\$ 214.74
Offers, Harry	\$ 246.04
Dudak, Betty	\$ 18.77
Gerlach, Gladys	\$ 48.49
Grotke, Alfred	\$ 30.88
Hooper, Leta	\$ 48.50
Nycz, Colleen	\$ 48.47
Quarm, Evelyn	\$ 48.54
Shepard, Doris	\$ 48.47
Weller, Marjorie	\$ 48.53
Welninski, Gloria	\$ 132.88

Total Machias Facility \$11,901.70

Olean Facility

Meyer, Christine	\$ 228.54
Brophy, Coleen	\$3,299.63
Padden, Mary Ann	\$ 970.00
Gannon, Cecilia	\$ 635.69

Trowbridge, Marguerite	\$2,969.95
Murray, Bryanna	\$4,380.00
Libby, Albert	\$ 144.33
Welch, Donald	\$ 852.62
Boyle, James	\$ 143.96
McClelland, Terry	\$ 31.26
Muccino, Edna	\$ 341.65
Gena, Daphne	\$ 23.27
Robak, Stella	\$ 8.98
Sakala, Mary	\$ 23.27
Total Olean Facility	<u>\$14,053.15</u>

TOTAL \$25,954.85.

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

¹ MR. NEAL moved, seconded by Mr. Marsh to amend Act No. 722-2008 as follows: In the second Whereas, delete: "New York State Department of Audit and Control" and replace with: "Cattaraugus County Department of Nursing Homes". Carried.

Adopted, as amended, December 10, 2008 by voice vote.

ACT NO. 723-2008 by Mr. Neal and Mr. Snyder
and Mr. Aiello and Mr. Teachman¹

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

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

WHEREAS, Act 737-2007 authorized the Chair to execute a contract with Willcare, Inc. for the provision of home health care services, the term of which expires December 31, 2008, and

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

WHEREAS, Willcare, Inc., Westgate Plaza, 700 West State Street, Olean, New York 14760, has agreed to provide home health care services to Cattaraugus County in accordance with the following rate limits and terms:

Level of Care:	2008 rate limits**	2009 rate limits**
Home Attendant/Housekeeper (Personal Care 1)	\$ 18.37/hr.	\$18.37/hr.
Personal Care Aide (Personal Care 2)	\$ 18.84/hr.	\$18.84/hr.
Shared Aide - ¼ hour (Personal Care 1)	\$ 4.59/¼ hr.	\$ 4.59/¼ hr.
Shared Aide - ¼ hour (Personal Care 2)	\$ 4.71/¼ hr.	\$ 4.71/¼ hr.
Certified Home Health Aide	\$ 19.40/hr.	\$19.40/hr.
Licensed Practical Nurse (LPN) (DSS)	\$ 21.00/hr.	\$21.00/hr.
Licensed Practical Nurse (LPN) (Health Dept)	\$ 26.25/hr.	\$26.25/hr.
Registered Nurse (RN) (Health Dept)	\$ 37.30/hr.	\$37.30/hr.
Registered Nurse (RN) (Social Services Dept)	\$ 26.00/hr.	\$26.00/hr.
Nursing Supervision Visit	\$ 62.87/hr.	\$62.87/hr.
Immediate Care clients (HHA)		\$22/visit

**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 recruitment and retention add-on funds for 2008.

Assumptions:

- In the event the initial Medicaid rates for 2009 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.
- At least 75% of the 2009 increase will be paid by Willcare, Inc., and Community Care of Western New York, Inc., to its direct care staff for salaries and fringe benefits.,

and

WHEREAS, sufficient funds are included in the 2009 budget to cover the costs of the aforementioned services, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Willcare, Inc. for the provision of the above-described services for a term commencing January 1, 2009 and terminating December 31, 2009, and be it further

RESOLVED, that upon reduction or termination of either state or federal funding for this program, then this program shall be automatically abolished.

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

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

Adopted December 10, 2008 by voice vote.

ACT NO. 724-2008 by Mr. Neal

**AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACT
WITH NASH PHARMACY SERVICES, P.C. FOR DEPARTMENT
OF NURSING HOMES CONSULTING PHARMACIST SERVICES**

Pursuant to 10 NYCRR Part 450 and
Act 432-2002 of the Cattaraugus County Legislature.

WHEREAS, Act 659-2004 authorized a contract with Nash Pharmacy Services, P.C., 36 Central Avenue, Fredonia, New York 14063, for the provision of consulting pharmacist services for the Department of Nursing Homes, for an amount of \$6.50 per bed, for an annual cost of \$18,330, the term of which expires December 31, 2008, and

WHEREAS, the Department of Nursing Homes is desirous of continuing the aforementioned services, and

WHEREAS, Nash Pharmacy Services, P.C., has agreed to provide the aforementioned consulting pharmacist services for an amount of \$8.50 per bed, for an annual cost of \$23,970, and

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

RESOLVED, that the County Administrator be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Nash Pharmacy Services, P.C., for the provision of the above-described services, for a term commencing January 1, 2009 and terminating December 31, 2011, with the option to renew for an additional one-year term at the same rates, according to the above-described terms, and be it further

RESOLVED, that upon reduction or termination of either state or federal funding for this program, then this program shall be automatically abolished.

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

Adopted December 10, 2008 by voice vote.

ACT NO. 725-2008 by Mr. Neal

**AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACT WITH
DONNA HESCHKE FOR CONSULTING DIETICIAN SERVICES FOR
DEPARTMENT OF NURSING HOMES**

Pursuant to 10 NYCRR Section 415.14 and
Act 432-2002 of the Cattaraugus County Legislature.

WHEREAS, Act 598-2006 authorized a contract with Donna Heschke, 7 Red Oak Drive, Olean, New York 14760, for the provision of consulting dietician services for the Pines Healthcare & Rehabilitation Center-Machias Campus and the Pines Healthcare & Rehabilitation Center-Olean Campus, the term of which expires December 31, 2008, and

WHEREAS, the Department of Nursing Homes is desirous of renewing the aforementioned contract, and

WHEREAS, Donna Heschke has agreed to provide consulting dietician services as follows:

	<u>2008 Rate</u>	<u>2009 Rate</u>
Pines Healthcare & Rehabilitation Center		
Machias Campus-		
average 7 hours per week,	\$40/hour	\$41.20/hour
(additional hours, if needed, must have		
prior approval of the Administrator)		
Pines Healthcare & Rehabilitation Center	\$40/hour	\$41.20/hour
Olean Campus-		
average 8 hours per week,		
(additional hours, if needed, must have		
prior approval of the Administrator)		

WHEREAS, sufficient funds are included in the 2009 budget to cover the costs of the aforementioned services, now, therefore, be it

RESOLVED, that the County Administrator be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Donna Heschke for the provision of the above-described services, for a term commencing January 1, 2009 and terminating December 31, 2009, according to the above-described terms, and be it further

RESOLVED, that upon reduction or termination of either state or federal funding for this program, then this program shall be automatically abolished.

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

Adopted December 10, 2008 by voice vote.

ACT NO. 726-2008 by Mr. Giardini
and Mrs. Abers, Mr. Aiello, Mr. Burrell, Mr. Ellis, Mr. Marsh,
Mr. McLarney, Mr. Murphy, Mr. Neal, Mr. O'Brien, Mr. Snyder,
Mr. Teachman, Mr. Vecchiarella, Mr. Giardini,
Mr. McClune, Mr. Padlo and Mr. Sprague¹

**REQUESTING NEW YORK STATE LEGISLATURE ENACT LEGISLATION FOR
FREE HUNTING, TRAPPING AND FISHING LICENSE FOR FULL-TIME
MILITARY PERSONNEL WHO ARE NEW YORK STATE RESIDENTS AND
STATIONED IN NEW YORK STATE**

Pursuant to Section 153 of the County Law.

WHEREAS, New York State residents who are active service members of either the New York State Organized Militia, U.S. Reserve Forces, or certain members of the U.S. Armed Forces that are stationed in New York State are eligible for certain free hunting, fishing and trapping licenses, under conditions of the Patriot Act, and

WHEREAS, New York State residents who are in active military service and stationed outside of New York State are eligible for certain free hunting, trapping and fishing licenses if in New York for no longer that 30 days, and

WHEREAS, New York State residents who are in active military service and stationed in New York State are not eligible for certain free hunting trapping and fishing licenses, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature requests that legislation be enacted to provide the same free hunting, trapping and fishing licenses for New York State residents who are in active military service and stationed in New York that are currently provided to other military personnel under the Patriot act, and be it further

RESOLVED, that the Clerk of the Legislature is hereby directed to forward certified copies of this resolution to Governor Paterson, Senators Skelos, Smith and Young, Assembly Speaker Silver and Assembly Member Giglio.

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

¹ The following Legislators requested their names be listed as additional sponsors: "Mrs. Abers, Mr. Aiello, Mr. Burrell, Mr. Ellis, Mr. Marsh, Mr. McLarney, Mr. Murphy, Mr. Neal, Mr. O'Brien, Mr. Snyder, Mr.

Teachman, Mr. Vecchiarella, Mr. Giardini, Mr. McClune, Mr. Padlo and Mr. Sprague".

Adopted December 10, 2008 by voice vote.

ACT NO. 727-2008 by Public Works Committee:
Mr. Giardini, Mr. Ellis, Mr. Aiello, Mr. Burrell, Mr. Marsh,
Mr. O'Brien, Mr. Boser, Mr. Hebdon and Mr. McClune
and Mr. Murphy and Mr. Sprague

**AUTHORIZING THE CHAIR TO EXECUTE ROAD TRANSFER
DOCUMENTS WITH TOWN OF YORKSHIRE FOR TRANSFER OF
COUNTY ROAD NOS. 54 AND 72 AND
TRANSFER OF FUNDS
(Appropriation from Fund Balance - Capital Projects Fund)**

Pursuant to Section 115-b of the Highway Law and
Sections 363 and 366 of the County Law.

WHEREAS, the County has title to certain property in the Town of
Yorkshire known as County Road Nos. 54 and 72, and

WHEREAS, the County is desirous of transferring maintenance
responsibility and ownership of County Road Nos. 54 and 72 to the Town of
Yorkshire, and

WHEREAS, the Town of Yorkshire is desirous of accepting the
transfer of County Road Nos. 54 and 72 for an amount of \$110,000 per mile,
for 3.38 miles of County road, for a total amount of \$371,800, and

WHEREAS, the County shall at its cost, in addition to paying the
Town of Yorkshire an amount of \$371,800, perform the following improvements
prior to the transfer to the Town of Yorkshire:

- Provide material for the installation of a small culvert
extension just to the north of Eddy Road,
- Provide drainage improvements on County Road No. 72, including
the rear plaza driveway and extending the storm sewer to take
care of the Velt and Tidd draining issues, and
- Shim the shoulders to reduce pavement raveling,

and

WHEREAS, the County shall pay a lump sum amount of \$371,800 to
the Town of Yorkshire upon the transfer of County Road Nos. 54 and 72 to the
Town, and

WHEREAS, a transfer of funds is necessary to cover the cost of
the aforementioned road transfer, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is,
authorized and directed to execute road transfer documents, on behalf of
Cattaraugus County, with the Town of Yorkshire, 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 Appropriated Fund Balance:

A.599.0000	Appropriated Fund Balance	\$305,000.00
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Decrease Appropriation Accounts:

H.5198.738	County Road No. 86-1	\$ 40,523.67
H.5198.745	County Road No. 6 @ SR 62	\$ 26,276.33
Increase Appropriation Account:		
H.5198.758	County Road Nos. 54 & 72	\$371,800.00.

Approved by 9 members of the Finance Committee.

Adopted December 10, 2008 by voice vote.

ACT NO. 728-2008 by Mr. Snyder
and Mr. Aiello and Mr. Teachman¹

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
SOUTHERN TIER ENVIRONMENTS FOR LIVING, INC. FOR
SOCIAL WORKER/MENTAL HEALTH THERAPIST FOR DEPARTMENT
OF COMMUNITY SERVICES CONTINUING DAY TREATMENT CENTER**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 415-2007 authorized a contract with Southern Tier Environments for Living, Inc. (STEL), 715 Central Avenue, Dunkirk, New York 14048, for the provision of social worker/mental health therapist services for the Continuing Day Treatment Center (Guidepost), and

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

WHEREAS, Southern Tier Environments for Living, Inc. (STEL), can provide social worker/mental health therapist services for an annual amount of \$55,000, and

WHEREAS, sufficient funds are included in the 2009 budget to cover the costs of the aforementioned services, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Southern Tier Environments for Living, Inc., for the provision of the above-described services, for a term commencing January 1, 2009 and terminating December 31, 2009, according to the above-described terms, and be it further

RESOLVED, that upon reduction or termination of either state or federal funding for this program, then this program shall be automatically abolished.

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

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

Adopted December 10, 2008 by voice vote.

ACT NO. 729-2008 by Mr. Snyder

**AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE AMENDED CONTRACT WITH
SENECA NATION OF INDIANS FOR CASE MANAGEMENT SERVICES FOR
HOMELESS/MICA CLIENTS AND
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
(Department of Community Services)**

Pursuant to 14 NYCRR 587.8(g),
Sections 363 and 366 of the County Law and
Act 432-2002 of the Cattaraugus County Legislature.

WHEREAS, Act 78-2008 authorized a contract with the Seneca Nation of Indians for case management services to the Homeless/Mentally Ill Chemical Abuser (MICA) clients, the term of which expires December 31, 2008, and

WHEREAS, New York State has increased funding for the aforementioned program from \$46,012 to \$46,650 for the period January 1, 2008 through December 31, 2008, and

WHEREAS, an amendment to the aforementioned contract is necessary to reflect the increase in funding, and

WHEREAS, this program is 100% state funded, and

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

RESOLVED, that the County Administrator be, and hereby is, authorized and directed to execute an amended contract, on behalf of Cattaraugus County, with the Seneca Nation of Indians for the provision of the above-described services, for a term commencing January 1, 2008 and terminating December 31, 2008, according to the above-described terms, and be it further

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

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

Increase Estimated Revenue Account:

A.3466	Homeless/Mica	\$638.00
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Increase Appropriation Account:

A.4324.445	Homeless/Mica	\$638.00.
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Approved by 9 members of the Finance Committee and 7 members of the Human Services Committee.

Adopted December 10, 2008 by voice vote.

**AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE AMENDED CONTRACT
WITH HOUSING OPTIONS MADE EASY, INC. FOR DEPARTMENT OF
COMMUNITY SERVICES SUPPORTED HOUSING PROGRAMS AND
TELEPHONE "WARM" LINE AND
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
(Department of Community Services)**

Pursuant to Sections 41.47 and 41.55 of the Mental Hygiene Law,
Sections 363 and 366 of the County Law and
Act 432-2002 of the Cattaraugus County Legislature.

WHEREAS, Act 264-2008 authorized a contract with Housing Options Made Easy, Inc., 75 Jamestown Street, Gowanda, New York 14070, for the relocation of the supported housing for mentally ill people and the homeless, the provision of a consumer operated client systems advocacy service, and the operation of a telephone "warm" line, the term of which expires December 31, 2008, and

WHEREAS, New York State has increased funding for the aforementioned program from \$279,672 to \$283,272 for the period January 1, 2008 through December 31, 2008, and

WHEREAS, an amendment to the aforementioned contract is necessary to reflect the increase in funding, and

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

RESOLVED, that the County Administrator be, and hereby is, authorized and directed to execute an amended contract, on behalf of Cattaraugus County, with Housing Options Made Easy, Inc., for the provision of the above-mentioned program, for a term commencing January 1, 2008 and terminating December 31, 2008, according to the above-described terms, and be it further

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

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

Increase Estimated Revenue Accounts:

A.3463	OMH Supported Housing	\$1,596.00
A.3470	OMH Comm Perf Funds	\$ 173.00
A.3478	OMH Reinvestment	\$1,374.00
A.3479	OMH CSS Funds	\$ 457.00

Increase Appropriation Accounts:

A.4346.445	Supported Housing Beds	\$1,596.00
A.4345.445	Comm Perf Funds	\$ 173.00
A.4341.445	Reinvestment	\$1,374.00
A.4343.445	CSS Funds	\$ 457.00.

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

Adopted December 10, 2008 by voice vote.

ACT NO. 731-2008 by Mr. Snyder

**AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE AMENDED CONTRACT
WITH DIRECTIONS IN INDEPENDENT LIVING, INC. FOR
MENTAL HEALTH CONSUMER ADVOCACY AND TRAINING PROGRAM AND
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
(Department of Community Services)**

Pursuant to Section 75.13 of the Mental Hygiene Law,
Sections 363 and 366 of the County Law and
Act 432-2002 of the Cattaraugus County Legislature.

WHEREAS, Act 90-2008 authorized a contract with Directions in Independent Living, Inc., 514 West State Street, Olean, New York 14760, for the provision of advocacy and training programs for consumers of mental health services, the term of which expires December 31, 2008, and

WHEREAS, New York State has increased funding for the aforementioned program from \$49,060 to \$49,969 for the period January 1, 2008 through December 31, 2008, and

WHEREAS, an amendment to the aforementioned contract is necessary to reflect the increase in funding, and

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

RESOLVED, that the County Administrator be, and hereby is, authorized and directed to execute an amended contract, on behalf of Cattaraugus County, with Directions in Independent Living, Inc., for a term commencing January 1, 2008 and terminating December 31, 2008, according to the above-described terms, and be it further

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

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

Increase Estimated Revenue Accounts:

A.3462	SCM	\$633.00
A.3472	Reinvestment-Peer Advocacy	\$276.00

Increase Appropriation Accounts:

A.4328.445	SCM	\$633.00
A.4328.455	Reinvestment-Peer Advocacy	\$276.00.

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

Adopted December 10, 2008 by voice vote.

and Mr. Aiello and Mr. Teachman¹

**AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE AMENDED CONTRACT
WITH S.T.E.L., INC., FOR VARIOUS MENTAL HEALTH PROGRAMS AND
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
(Department of Community Services)**

Pursuant to Section 75.13 of the Mental Hygiene Law,
Sections 363 and 366 of the County Law and
Act 432-2002 of the Cattaraugus County Legislature.

WHEREAS, Act 79-2008 authorized a contract with S.T.E.L., Inc., 715 Central Avenue, Dunkirk, New York 14048, for the provision of employment assistance, intensive case management and supportive case management for mentally ill individuals, the term of which expires December 31, 2008, and

WHEREAS, New York State has increased funding for the aforementioned program from \$57,304 to \$58,703 for the period January 1, 2008 through December 31, 2008, and

WHEREAS, an amendment to the aforementioned contract is necessary to reflect the increase in funding, and

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

RESOLVED, that the County Administrator be, and hereby is, authorized and directed to execute an amended contract for the year 2008 with S.T.E.L., Inc., for the provision of the above-described services for a term commencing January 1, 2008, and terminating December 31, 2008, according to the above-described terms, and be it further

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

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

Increase Estimated Revenue Accounts:

A.3453	HCRA-SCM	\$	634.00
A.3464	CSS-Integrated Supportive Employment	\$	66.00
A.3471	Integrated Supportive Employment	\$	237.00
A.3480	HCRA-ICM	\$	462.00

Increase Appropriation Accounts:

A.4327.415	ICM	\$	462.00
A.4327.445	Integrated Supportive Employment	\$	151.00
A.4327.455	Integrated Supportive Employment	\$	152.00
A.4327.476	SCM	\$	634.00

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

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

Adopted December 10, 2008 by voice vote.

ACT NO. 733-2008 by Mr. Snyder

**AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE AMENDED CONTRACT
WITH HEALTHY COMMUNITY ALLIANCE FOR DEPARTMENT OF
COMMUNITY SERVICES AWARE NEWSLETTER AND ADJUSTING
VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
(Department of Community Services)**

Pursuant to Section 41.07 of the Mental Hygiene Law,
Sections 363 and 366 of the County Law and
Act 432-2002 of the Cattaraugus County Legislature.

WHEREAS, Act 82-2008 authorized a contract with Healthy Community Alliance, 26 Jamestown Street, P.O. Box 27, Gowanda, New York 14070, for the provision of a toll-free youth suicide information, prevention telephone line, and Aware newsletter, the term of which expires December 31, 2008, and

WHEREAS, New York State has increased funding for the aforementioned program from \$2,054 to \$2,080 for the period January 1, 2008 through December 31, 2008, and

WHEREAS, an amendment to the aforementioned contract is necessary to reflect the increase in funding, and

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

RESOLVED, that the County Administrator be, and hereby is, authorized and directed to execute an amended contract, on behalf of Cattaraugus County, with Healthy Community Alliance, for the provision of the above-described services, for a term commencing January 1, 2008 and terminating December 31, 2008, according to the above-described terms, and be it further

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

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

Increase Estimated Revenue Account:

A.3442	RIV-Advocacy	\$ 26.00
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Increase Appropriation Account:

A.4326.445	RIV-Advocacy	\$ 26.00.
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Approved by 9 members of the Finance Committee and 7 members of the Human Services Committee.

Adopted December 10, 2008 by voice vote.

ACT NO. 734-2008 by Mr. Snyder

**AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACT WITH
TLC HEALTH NETWORK FOR RESIDENTIAL DRUG-FREE PROGRAM AND
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
(Department of Community Services)**

Pursuant to Section 41.55 of the Mental Hygiene Law,
Sections 363 and 366 of the County Law and
Act 432-2002 of the Cattaraugus County Legislature.

WHEREAS, Act 80-2008 authorized the Chair to execute a contract with TLC Health Network for the operation of a residential drug-free program in Cattaraugus County, the term of which expires December 31, 2008, and

WHEREAS, New York State has increased funding for the aforementioned program from \$561,409 to \$580,330 for the period January 1, 2008 through December 31, 2008, and

WHEREAS, an amendment to the aforementioned contract is necessary to reflect the increase in funding, and

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

RESOLVED, that the County Administrator be, and hereby is, authorized and directed to execute an amended contract, on behalf of Cattaraugus County, with TLC Health Network for the operation of the above-described Residential Drug-Free Program, for a term commencing January 1, 2008 and terminating December 31, 2008, according to the above-described terms, and be it further

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

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

Increase Estimated Revenue Account:

A.3456	OASAS Funding	\$18,921.00
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Increase Appropriation Account:

A.4318.445	OASAS Funding	\$18,921.00.
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Approved by 9 members of the Finance Committee and 7 members of the Human Services Committee.

Adopted December 10, 2008 by voice vote.

ACT NO. 735-2008 by Mr. Snyder
and Mr. Aiello¹

**AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE AMENDED CONTRACT WITH
CATHOLIC CHARITIES OF WESTERN NEW YORK FOR
INTENSIVE CASE MANAGEMENT SERVICES FOR CHILDREN AND
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
(Department of Community Services)**

Pursuant to Section 41.07 of the Mental Hygiene Law,
Sections 363 and 366 of the County Law and
Act 432-2002 of the Cattaraugus County Legislature.

WHEREAS, Act 83-2008 authorized a contract with Catholic Charities of Western New York for the provision of case management services for Cattaraugus County children and the operation of a Psychosocial Club for Cattaraugus County adults, the term of which expires December 31, 2008, and

WHEREAS, New York State has increased funding for the aforementioned program from \$96,224 to \$98,025 for the period January 1, 2008 through December 31, 2008, and

WHEREAS, an amendment to the aforementioned contract is necessary to reflect the increase in funding, and

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

RESOLVED, that the County Administrator be, and hereby is, authorized and directed to execute an amended contract for the year 2008 with Catholic Charities of Western New York, for the provision of case management services for children and the operation of a Psychosocial Club for adults, for a term commencing January 1, 2008 and terminating December 31, 2008, according to the above-described terms, and be it further

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

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

Increase Estimated Revenue Accounts:

A.3454	Case Management	\$1,095.00
A.3443	RIV	\$ 706.00

Increase Appropriation Accounts:

A.4347.445	Case Management	\$1,095.00
A.4347.455	RIV	\$ 706.00.

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

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

Adopted December 10, 2008 by voice vote.

ACT NO. 736-2008 by Mrs. Abers
who asks immediate consideration

**LEVY UPON REAL PROPERTY IN SEVERAL TOWNS
FOR HIGHWAY, HEALTH, GENERAL HOSPITAL AND
SPECIAL DISTRICT FUNDS**

Pursuant to Section 900 of the Real Property Tax Law.

WHEREAS, there has been presented to the County Legislature a duly certified copy of the annual budget of each of the several towns of the County of Cattaraugus for the fiscal year beginning January 1, 2009, now, therefore, be it

RESOLVED, that there shall be, and hereby is, assessed and levied upon and collected from the taxable real property situate in the following towns outside of any incorporated village wholly or partially located therein, the amount indicated for Highway Fund Item 1, and for part town purposes, as specified in the budgets of the respective towns as shown on the items of the general tax levy set forth below, and be it further

RESOLVED, that the amounts to be raised for all other purposes as specified in those annual budgets present shall be, and hereby are, assessed and levied upon and collected from all the taxable property in the towns as shown on the items of the general tax levy set forth below, except as otherwise provided by law, and be it further

RESOLVED, that there shall be, and hereby is, assessed and levied upon and collected from the real property, liable therefore within the respective fire, fire protection, fire alarm and improvement district in the following towns as specified in the respective annual budgets and as shown on the items of the general tax levy set forth below:

TOWN OF ALLEGANY - FOR THE YEAR 2009

TOWN ITEMS	LEVY ITEMS	WARRANT ITEMS
GENERAL FUND	\$680,101.00	
GENERAL-OUTSIDE VILLAGE	0.00	
HIGHWAY-TOWN-WIDE	553,800.00	
HIGHWAY-OUTSIDE VILLAGE	0.00	
TOTAL OF TOWN ITEMS		\$1,233,901.00
DS200- DELINQUENT SEWER		9,234.41
DW201- DELINQUENT WATER		10,093.80
SD201- SEWER DISTRICT		0.00
SD203- SEWER DISTRICT		8,315.00
SU201- SEWER/WATER USE		0.00
WD201- WATER DISTRICT		48,580.00
FD201- FIRE DISTRICT 1		300,000.00
LT201- LIGHT DISTRICT 1		3,875.00
TOTAL PAYMENT TO SUPERVISOR		1,613,999.21

TOWN OF ASHFORD - FOR THE YEAR 2009

TOWN ITEMS	LEVY ITEMS	WARRANT ITEMS
GENERAL FUND	0.00	
GENERAL-OUTSIDE VILLAGE	0.00	
HIGHWAY-TOWN-WIDE	206,799.00	
HIGHWAY-OUTSIDE VILLAGE	0.,0	
TOTAL OF TOWN ITEMS		206,799.00
FD221- WEST VALLEY FIRE		145,392.54
LD221- ASHFORD LIGHT		2,330.00
LD226- WEST VALLEY LIGHT		9,220.00
TOTAL PAYMENT TO SUPERVISOR		363,741.54

TOWN OF CARROLLTON - FOR THE YEAR 2009

TOWN ITEMS	LEVY ITEMS	WARRANT ITEMS
GENERAL FUND	124,835.00	
GENERAL-OUTSIDE VILLAGE	0.00	
HIGHWAY-TOWN-WIDE	71,180.00	
HIGHWAY-OUTSIDE VILLAGE		
TOTAL OF TOWN ITEMS		196,015.00
DS240- DELINQUENT SEWER		13,225.80
FD240- FIRE DISTRICT		110,040.00
FF242- SEWER FR FTG		3,594.00
SW242- SEWER DIST 1		3,594.00
TOTAL PAYMENT TO SUPERVISOR		326,499.80

TOWN OF COLD SPRING - FOR THE YEAR 2009

TOWN ITEMS	LEVY ITEMS	WARRANT ITEMS
GENERAL FUND	545.00	

GENERAL-OUTSIDE VILLAGE	0.00	
HIGHWAY-TOWN-WIDE	75,725.00	
HIGHWAY-OUTSIDE VILLAGE	0.00	
TOTAL OF TOWN ITEMS		76,270.00
RW281- RELEVIED WATER		0.00
FP260- FIRE PROTECTION		38,750.00
TOTAL PAYMENT TO SUPERVISOR		115,020.00

TOWN OF CONEWANGO - FOR THE YEAR 2009

TOWN ITEMS	LEVY ITEMS	WARRANT ITEMS
GENERAL FUND	119,032.93	
GENERAL-OUTSIDE VILLAGE	400.00	
HIGHWAY-TOWN-WIDE	36,423.00	
HIGHWAY-OUTSIDE VILLAGE	92,290.00	
TOTAL OF TOWN ITEMS		248,145.93
RW281- RELEVIED WATER		140.00
FD280- FIRE		77,222.00
FD281- FIRE (CONE/RAND)		
FD282- FIRE (CONE/E RAND)		
LD282- ELLINGTON LIGHT DIST.		557.97
LD283- CONEWANGO LIGHT		2,475.00
FD760- RANDOLPH FIRE DIST.		8,671.38
TOTAL PAYMENT TO SUPERVISOR		337,212.28

TOWN OF DAYTON - FOR THE YEAR 2009

TOWN ITEMS	LEVY ITEMS	WARRANT ITEMS
GENERAL FUND	98,260.00	
GENERAL-OUTSIDE VILLAGE	0.00	
HIGHWAY-TOWN-WIDE	110,650.00	
HIGHWAY-OUTSIDE VILLAGE	51,200.00	
TOTAL OF TOWN ITEMS		260,110.00
FD300- FIRE		50,962.00
FD301- SOUTH DAYTON FIRE DISTRICT		51,194.00
LD300- LIGHT		4,700.00
TOTAL PAYMENT TO SUPERVISOR		366,966.00

TOWN OF EAST OTTO - FOR THE YEAR 2009

TOWN ITEMS	LEVY ITEMS	WARRANT ITEMS
GENERAL FUND	26,643.00	
GENERAL-OUTSIDE VILLAGE	0.00	
HIGHWAY-TOWN-WIDE	362,533.00	
HIGHWAY-OUTSIDE VILLAGE	0.00	
TOTAL OF TOWN ITEMS		389,176.00
FD320- FIRE		41,200.00
FP320- FIRE PROTECTION		9,300.00
LD320- LIGHT		4,800.00
TOTAL PAYMENT TO SUPERVISOR		444,476.00

TOWN OF ELLICOTTVILLE - FOR THE YEAR 2009

TOWN ITEMS	LEVY ITEMS	WARRANT ITEMS
GENERAL FUND	506,618.00	
GENERAL-OUTSIDE VILLAGE	0.00	
HIGHWAY-TOWN-WIDE	62,375.00	
HIGHWAY-OUTSIDE VILLAGE	0.00	
TOTAL OF TOWN ITEMS		568,993.00
DS370- DELINQUENT SEWER		6,384.80
DW361- DELINQUENT WATER		1,324.56
DV369- DISTRICT VALUE		485.14
FD360- ELLICOTTVILLE FIRE		278,929.00
FF367- FRONT FOOTAGE		
SP368- SEWAGE PROPERTY		18,783.86
WB360- WATER BENEFIT		63,961.80
WD361- WATER 1		1,406.20
DD360- Ellicottville Drainage Dist		9,000.00
TOTAL PAYMENT TO SUPERVISOR		949,268.36

TOWN OF FARMERSVILLE - FOR THE YEAR 2009

TOWN ITEMS	LEVY ITEMS	WARRANT ITEMS
GENERAL FUND	152,940.00	
GENERAL-OUTSIDE VILLAGE	0.00	
HIGHWAY-TOWN-WIDE	268,693.00	
HIGHWAY-OUTSIDE VILLAGE	0.00	
TOTAL OF TOWN ITEMS		421,633.00
FD380- FIRE		57,938.00
LD380- LIGHT		4,200.00
TOTAL PAYMENT TO SUPERVISOR		483,771.00

TOWN OF FRANKLINVILLE - FOR THE YEAR 2009

TOWN ITEMS	LEVY ITEMS	WARRANT ITEMS
GENERAL FUND	295,890.00	
GENERAL-OUTSIDE VILLAGE	21,145.00	
HIGHWAY-TOWN-WIDE	252,900.00	
HIGHWAY-OUTSIDE VILLAGE	84,700.00	
TOTAL OF TOWN ITEMS		654,635.00
DW400- DELINQUENT WATER		1,026.44
DS400- DELINQUENT SEWER		217.67
FD400- FIRE DISTRICT		135,000.00
TOTAL PAYMENT TO SUPERVISOR		790,879.11

TOWN OF FREEDOM - FOR THE YEAR 2009

TOWN ITEMS	LEVY ITEMS	WARRANT ITEMS
GENERAL FUND	116,594.00	
GENERAL-OUTSIDE VILLAGE	0.00	
HIGHWAY-TOWN-WIDE	285,821.00	
HIGHWAY-OUTSIDE VILLAGE	0.00	
TOTAL OF TOWN ITEMS		402,415.00
FD421- ARCADE FIRE		37,351.00
FD422- DELEVAN FIRE		7,000.00
FD423- FARMERSVILLE		14,485.00
LD420- LIGHT		2,500.00
TOTAL PAYMENT TO SUPERVISOR		463,751.00

TOWN OF GREAT VALLEY - FOR THE YEAR 2009

TOWN ITEMS	LEVY ITEMS	WARRANT ITEMS
GENERAL FUND	175,965.00	
GENERAL-OUTSIDE VILLAGE	0.00	
HIGHWAY-TOWN-WIDE	417,552.00	
HIGHWAY-OUTSIDE VILLAGE	0.00	
TOTAL OF TOWN ITEMS		593,517.00
DS440- DELINQUENT SEWER		200.00
DS442- DELINQUENT WATER		200.00
	SD441- FAIRVIEW LANDS	
	1,700.00	
DS443- DELINQUENT ELLICOTTVILLE SEWER		321.64
DW444- DELINQUENT ELLICOTTVILLE WATER		168.00
FD444- GREAT VALLEY FIRE		95,240.00
FD445- KILLBUCK FIRE		50,851.00
LD444- KILLBUCK LIGHT		6,000.00
SC442- HIGHLAND SEWER #5 & STW CC		0.00
SD440- BONNE VAL SEWER DISTRICT #2		915.00
SD442- HIGHLAND SEWER #5		3,550.00
SW441- SNOWPINE SEWER DISTRICT #1		2,500.00
WB440- SNOWPINE WATER DISTRICT #2		5,782.00
WC443- HIGHLAND WATER #5 & STW CC		0.00
WD442- BONNE VAL WATER DISTRICT #3		16,912.00
WD443- HIGHLAND WATER #4		1,540.00
WD446- KILLBUCK WATER		1,700.00
TOTAL PAYMENT TO SUPERVISOR		781,096.64

TOWN OF HINSDALE - FOR THE YEAR 2009

TOWN ITEMS	LEVY ITEMS	WARRANT ITEMS
GENERAL FUND	38,980.00	
GENERAL-OUTSIDE VILLAGE	0.00	
HIGHWAY-TOWN-WIDE	385,726.00	
HIGHWAY-OUTSIDE VILLAGE	0.00	
TOTAL OF TOWN ITEMS		424,706.00
DW460- DELINQUENT WATER		2,813.67
FD460- FIRE		83,855.00
WD465- WATER		8,400.00
TOTAL PAYMENT TO SUPERVISOR		519,774.67

TOWN OF HUMPHREY - FOR THE YEAR 2009

TOWN ITEMS	LEVY ITEMS	WARRANT ITEMS
GENERAL FUND	45,327.00	
GENERAL-OUTSIDE VILLAGE	0.00	
HIGHWAY-TOWN-WIDE	200,036.00	
HIGHWAY-OUTSIDE VILLAGE	0.00	
TOTAL OF TOWN ITEMS		245,363.00
FD480- FIRE DISTRICT		68,065.00
TOTAL PAYMENT TO SUPERVISOR		313,428.00

TOWN OF ISCHUA - FOR THE YEAR 2009

TOWN ITEMS	LEVY ITEMS	WARRANT ITEMS
GENERAL FUND	16,495.00	
GENERAL-OUTSIDE VILLAGE	0.00	
HIGHWAY-TOWN-WIDE	88,500.00	
HIGHWAY-OUTSIDE VILLAGE	0.00	
TOTAL OF TOWN ITEMS		104,995.00
CD450- CUBA LAKE DIST		2,390.00
FD500- FIRE		47,500.00
LD500- LIGHT		3,700.00
TOTAL PAYMENT TO SUPERVISOR		158,585.00

TOWN OF LEON - FOR THE YEAR 2009

TOWN ITEMS	LEVY ITEMS	WARRANT ITEMS
GENERAL FUND	39,470.00	
GENERAL-OUTSIDE VILLAGE	0.00	
HIGHWAY-TOWN-WIDE	290,538.00	
CEMETERY FUND	7,912.00	
TOTAL OF TOWN ITEMS		337,920.00
OT521- OMITTED TAX		0.00
FD520- FIRE		34,800.00
LD520- LIGHT		2,100.00
TOTAL PAYMENT TO SUPERVISOR		374,820.00

TOWN OF LITTLE VALLEY - FOR THE YEAR 2009

TOWN ITEMS	LEVY ITEMS	WARRANT ITEMS
GENERAL FUND	204,566.00	
GENERAL-OUTSIDE VILLAGE		
HIGHWAY-TOWN-WIDE	156,973.00	
HIGHWAY-OUTSIDE VILLAGE	101,442.00	
TOTAL OF TOWN ITEMS		462,981.00
DS540- DELINQUENT SEWER		564.88
DW540- DELINQUENT WATER		686.71
FD540- FIRE		58,844.00
TOTAL PAYMENT TO SUPERVISOR		523,076.59

TOWN OF LYNDON - FOR THE YEAR 2009

TOWN ITEMS	LEVY ITEMS	WARRANT ITEMS
GENERAL FUND	71,350.00	
GENERAL-OUTSIDE VILLAGE	0.00	
HIGHWAY-TOWN-WIDE	147,139.00	
HIGHWAY-OUTSIDE VILLAGE	0.00	
TOTAL OF TOWN ITEMS		218,489.00
FD560- FIRE		48,800.00
TOTAL PAYMENT TO SUPERVISOR		267,289.00

TOWN OF MACHIAS - FOR THE YEAR 2009

TOWN ITEMS	LEVY ITEMS	WARRANT ITEMS
GENERAL FUND	105,875.00	
GENERAL-OUTSIDE VILLAGE	0.00	
HIGHWAY-TOWN-WIDE	419,055.00	
HIGHWAY-OUTSIDE VILLAGE	0.00	
PUBLIC LIBRARY	0.00	
TOTAL OF TOWN ITEMS		524,930.00
DW580- DELINQUENT WATER		18,023.51
FD580- FIRE		129,000.00
LD580- LIGHT		18,000.00
TOTAL PAYMENT TO SUPERVISOR		689,953.51

TOWN OF MANSFIELD - FOR THE YEAR 2009

TOWN ITEMS	LEVY ITEMS	WARRANT ITEMS
GENERAL FUND	67,191.00	
GENERAL-OUTSIDE VILLAGE	0.00	
HIGHWAY-TOWN-WIDE	340,500.00	
HIGHWAY-OUTSIDE VILLAGE	0.00	
TOTAL OF TOWN ITEMS		407,691.00
FD600- FIRE		47,000.00
TOTAL PAYMENT TO SUPERVISOR		454,691.00

TOWN OF NAPOLI - FOR THE YEAR 2009

TOWN ITEMS	LEVY ITEMS	WARRANT ITEMS
GENERAL FUND	60,969.06	
GENERAL-OUTSIDE VILLAGE	0.00	
HIGHWAY-TOWN-WIDE	314,037.01	
HIGHWAY-OUTSIDE VILLAGE	0.00	
TOTAL OF TOWN ITEMS		375,006.07
RW281-RELEVIED WATER		
FD620- FIRE		37,380.00
TOTAL PAYMENT TO SUPERVISOR		412,386.07

TOWN OF NEW ALBION - FOR THE YEAR 2009

TOWN ITEMS	LEVY ITEMS	WARRANT ITEMS
GENERAL FUND	185,074.00	
GENERAL-OUTSIDE VILLAGE	8,150.00	
HIGHWAY-TOWN-WIDE	110,600.00	
HIGHWAY-OUTSIDE VILLAGE	116,700.00	
TOTAL OF TOWN ITEMS		420,524.00
FP640- FIRE		92,400.00
TOTAL PAYMENT TO SUPERVISOR		512,924.00

TOWN OF OLEAN - FOR THE YEAR 2009

TOWN ITEMS	LEVY ITEMS	WARRANT ITEMS
GENERAL FUND	0.00	
GENERAL-OUTSIDE VILLAGE	0.00	
HIGHWAY-TOWN-WIDE	278,225.00	
HIGHWAY-OUTSIDE VILLAGE	0.00	
TOTAL OF TOWN ITEMS		278,225.00
DS660- DELINQUENT SEWER		0.00
DW660- DELINQUENT WATER		0.00
OT661- OMITTED TAX		4,964.99
SD660- E OLEAN SEWER DIST		18,242.80
SD662- S OLEAN SEWER DIST		24,208.00
Sd663- DUGAN E SEWER DIST		6,732.00
FD667- OLEAN FIRE 1		33,221.00
FD668- WESTONS FIRE		31,182.00
FP661- HINSDALE FIRE PROTECTION		14,500.00
FP662- OLEAN FIRE PROTECTION		5,100.00
FP663- WESTONS FIRE PROTECTION		22,500.00
LD665- HILLCREST LIGHT		850.00
LD669- MCCANN LIGHT		983.00
TOTAL PAYMENT TO SUPERVISOR		440,708.79

TOWN OF OTTO - FOR THE YEAR 2009

TOWN ITEMS	LEVY ITEMS	WARRANT ITEMS
GENERAL FUND	85,612.00	
GENERAL-OUTSIDE VILLAGE	0.00	
HIGHWAY-TOWN-WIDE	348,507.00	
HIGHWAY-OUTSIDE VILLAGE	0.00	
TOTAL OF TOWN ITEMS		434,119.00
DS680- DELINQUENT SEWER		13,600.00
FD680- FIRE		24,740.00
FP680- FIRE PROTECTION		30,740.00
LD680- LIGHT		3,550.00
WD685- WATER		11,300.00
TOTAL PAYMENT TO SUPERVISOR		518,049.00

TOWN OF PERRYSBURG - FOR THE YEAR 2009

TOWN ITEMS	LEVY ITEMS	WARRANT ITEMS
GENERAL FUND	170,000.00	
GENERAL-OUTSIDE VILLAGE	0.00	
HIGHWAY-TOWN-WIDE	221,600.00	
HIGHWAY-OUTSIDE VILLAGE	41,100.00	
TOTAL OF TOWN ITEMS		432,700.00
OT701- OMITTED TAX		0.00
WD700- VERSAILLES WATER DISTRICT		3,525.00
WD701- PROSPECT STREET WATER DISTRICT		11,375.00
WD702- PERRYSBURG CENTRAL WATER		38,980.95
WD701- DELINQUENT PROSPECT WATER		960.89
DW700- DELINQUENT VERSAILLES WATER DISTRICT		2,209.46
FD702- PERRYSBURG FIRE		
	87,530.00	
LD700- LIGHT		3,500.00

TOTAL PAYMENT TO SUPERVISOR	580,781.30
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TOWN OF PERSIA - FOR THE YEAR 2009

TOWN ITEMS	LEVY ITEMS	WARRANT ITEMS
GENERAL FUND	129,818.00	
GENERAL-OUTSIDE VILLAGE	8,450.00	
HIGHWAY-TOWN-WIDE	26,105.00	
HIGHWAY-OUTSIDE VILLAGE	55,050.00	
TOTAL OF TOWN ITEMS		219,423.00
FP724- FIRE PROTECTION 1		9,807.00
FP725- FIRE PROTECTION 2		7,379.00
FP726- FIRE PROTECTION 3		5,000.00
TOTAL PAYMENT TO SUPERVISOR		241,609.00

TOWN OF PORTVILLE - FOR THE YEAR 2009

TOWN ITEMS	LEVY ITEMS	WARRANT ITEMS
GENERAL FUND	44,876.00	
GENERAL-OUTSIDE VILLAGE	164,390.00	
HIGHWAY-TOWN-WIDE	0.00	
HIGHWAY-OUTSIDE VILLAGE	300,733.00	
TOTAL OF TOWN ITEMS		509,999.00
DS740- DELINQUENT SEWER		1,434.86
SD741- HAPPY HOLLOW SEWER		9,338.00
FD746- PORTVILLE FIRE 1		116,975.00
FD749- WESTONS FIRE 2		93,871.00
LD740- HAPPY HOLLOW LIGHT		2,880.00
LD741- WESTONS LIGHT		4,896.00
TOTAL PAYMENT TO SUPERVISOR		739,393.86

TOWN OF RANDOLPH - FOR THE YEAR 2009

TOWN ITEMS	LEVY ITEMS	WARRANT ITEMS
GENERAL FUND	206,317.00	
GENERAL-OUTSIDE VILLAGE	7,500.00	
HIGHWAY-TOWN-WIDE	293,844.00	
HIGHWAY-OUTSIDE VILLAGE	167,938.00	
TOTAL OF TOWN ITEMS		675,599.00
DW761- DELINQUENT WATER		814.00
RW281- REL WATER		521.24
FP760- FIRE PROTECTION		161,200.00
TOTAL PAYMENT TO SUPERVISOR		838,134.24

TOWN OF RED HOUSE - FOR THE YEAR 2009

TOWN ITEMS	LEVY ITEMS	WARRANT ITEMS
GENERAL FUND	15,771.00	
GENERAL-OUTSIDE VILLAGE	0.00	
HIGHWAY-TOWN-WIDE	11,650.00	
COMMUNITY TAX	600.00	
HIGHWAY-OUTSIDE VILLAGE	0.00	
TOTAL OF TOWN ITEMS		28,021.00
FP780- FIRE PROTECTION		12,000.00

TOTAL PAYMENT TO SUPERVISOR	40,021.00
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TOWN OF SALAMANCA - FOR THE YEAR 2009

TOWN ITEMS	LEVY ITEMS	WARRANT ITEMS
GENERAL FUND	77,145.00	
GENERAL-OUTSIDE VILLAGE	0.00	
HIGHWAY-TOWN-WIDE	88,400.00	
HIGHWAY-OUTSIDE VILLAGE	0.00	
TOTAL OF TOWN ITEMS		165,545.00
FF802- SEWER FRONT FTG (NEWTON)		0.00
FP804- FIRE PROTECTION 1		2,200.00
FP805- FIRE PROTECTION 2		3,300.00
SD801- SEWER DISTRICT (NEWTON)		0.00
TOTAL PAYMENT TO SUPERVISOR		171,045.00

TOWN OF SOUTH VALLEY - FOR THE YEAR 2009

TOWN ITEMS	LEVY ITEMS	WARRANT ITEMS
GENERAL FUND	61,000.00	
GENERAL-OUTSIDE VILLAGE	0.00	
HIGHWAY-TOWN-WIDE	76,240.00	
HIGHWAY-OUTSIDE VILLAGE	0.00	
TOTAL OF TOWN ITEMS		137,240.00
FD820- FIRE		0.00
TOTAL PAYMENT TO SUPERVISOR		137,240.00

TOWN OF YORKSHIRE - FOR THE YEAR 2009

TOWN ITEMS	LEVY ITEMS	WARRANT ITEMS
GENERAL FUND	212,962.00	
GENERAL-OUTSIDE VILLAGE		
HIGHWAY-TOWN-WIDE	166,119.00	
HIGHWAY-OUTSIDE VILLAGE		
TOTAL OF TOWN ITEMS		379,081.00
DW840- DELINQUENT WATER		2,318.23
WD841- WATER DISTRICT #1 (YORKSHIRE)		18,740.16
WD842- WATER DISTRICT #2 (GROVE)		6,088.00
OT841- OMITTED TAX		
FD841- YORKSHIRE FIRE		73,734.00
FP840- FIRE PROTECTION		69,018.00
LD840- LIGHT		5,200.00
TOTAL PAYMENT TO SUPERVISOR		554,179.39

2009 STATE AID FOR TOWNS

Allegany	\$241,200.00
Ashford	115,998.00
Carrollton	55,500.00
Cold Spring	43,797.00
Conewango	103,029.00
Dayton	65,000.00
East Otto	89,956.00
Ellicottville	212,400.00
Farmersville	75,000.00
Franklinville	15,000.00
Freedom	97,059.00
Great Valley	113,786.00
Hinsdale	95,000.00
Humphrey	81,150.00
Ischua	43,500.00
Leon	105,195.00
Little Valley	43,548.00
Lyndon	73,200.00
Machias	99,800.00
Mansfield	372,306.00
Napoli	90,636.00
New Albion	95,423.00
Olean (Town)	103,000.00
Otto	78,555.00
Perrysburg	64,125.00
Persia	51,000.00
Portville	66,100.00
Randolph	129,180.00
Red House	1,548.00
Salamanca (Town)	10,500.00
South Valley	38,155.00
Yorkshire	80,900.00

MR. AIELLO moved, seconded by Mr. McClune to waive Rule 12. Carried.

Adopted December 10, 2008 by voice vote.

ACT NO. 737-2008 by Mr. Giardini
and Mr. Ellis
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH NYSDOT AND
AUTHORIZING CATTARAUGUS COUNTY TO PARTICIPATE IN THE 2008-2009
BRIDGE PAINTING FEDERAL-AID PROJECT ADMINISTERED BY THE NYSDOT**

Pursuant to Title 23 U.S. Code and
Section 450 of the County Law.

WHEREAS, the Cattaraugus County 2008-2009 Bridge Painting Project, PIN 5758.83 (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at a ratio of 80% federal funds and 20% non-federal funds, and

WHEREAS, the County desires to advance the above project by making a commitment of 100% of the non-federal share of the costs of the Preliminary Engineering and Construction & Construction Inspection phases of the Project, PIN 5758.83, now, therefore, be it

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

RESOLVED, that the Cattaraugus County Legislature hereby authorizes the County of Cattaraugus to pay in the first instance 100% of the federal and non-federal shares of the cost of the Preliminary Engineering and Construction & Construction Inspection phases of the project or portions thereof, and be it further

RESOLVED, that the sum of \$137,000 is hereby appropriated and made available to cover the cost of participation in the above phases of the Project, and it is further

RESOLVED, that in the event the amount required to pay in the first instance 100% of the federal and non-federal shares of the cost of the project's Preliminary Engineering and Construction & Construction Inspection phases exceeds the amount appropriated above, \$137,000 and/or 100% of the full federal and non-federal shares of the cost of the project's Preliminary Engineering and Construction & Construction Inspection phases exceeds \$681,000, the County of Cattaraugus shall convene its Legislature as soon as possible to appropriate said excess amount immediately upon the notification by the NYSDOT, and be it further

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

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

RESOLVED, that this Resolution shall take effect immediately.

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

Adopted December 10, 2008 by voice vote.

ACT NO. 738-2008 by Mr. Giardini
and Mr. Ellis
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH NYSDOT AND
AUTHORIZING CATTARAUGUS COUNTY TO PARTICIPATE IN THE 2008-2009
BRIDGE DECK SEALING FEDERAL-AID PROJECT ADMINISTERED BY THE NYSDOT**

Pursuant to Title 23 U.S. Code and
Section 450 of the County Law.

WHEREAS, the Cattaraugus County 2008-2009 Bridge Deck Sealing Project, PIN 5758.82 (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at a ratio of 80% federal funds and 20% non-federal funds, and

WHEREAS, the County desires to advance the above project by making a commitment of 100% of the non-federal share of the costs of the Preliminary Engineering and Construction & Construction Inspection phases of the Project, PIN 5758.82, now, therefore, be it

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

RESOLVED, that the Cattaraugus County Legislature hereby authorizes the County of Cattaraugus to pay in the first instance 100% of the federal and non-federal shares of the cost of the Preliminary Engineering and Construction & Construction Inspection phases of the project or portions thereof, and be it further

RESOLVED, that the sum of \$120,000 is hereby appropriated and made available to cover the cost of participation in the above phases of the Project, and it is further

RESOLVED, that in the event the amount required to pay the full federal and non-federal shares of the cost of the project's Preliminary Engineering and Construction & Construction Inspection phases exceeds the amount appropriated above, the County of Cattaraugus shall convene its Legislature as soon as possible to appropriate said excess amount immediately upon the notification by the NYSDOT, and be it further

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

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

RESOLVED, that this Resolution shall take effect immediately.

MR. McLARNEY moved, seconded by Mr. Hebdon to waive Rule 12. Carried.

Adopted December 10, 2008 by voice vote.

ACT NO. 739-2008 by Mr. Snyder
who asks immediate consideration

**AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE AMENDED CONTRACT WITH
CATTARAUGUS COUNTY CHAPTER, NYSARC, INC. FOR PROVISION OF SERVICES
AND ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
(Department of Community Services)**

Pursuant to Section 75.13 of the Mental Hygiene Law,
Sections 363 and 366 of the County Law and
Act 432-2002 of the Cattaraugus County Legislature.

WHEREAS, Act 84-2008 authorized a contract with the Cattaraugus County Chapter, NYSARC, Inc., for the provision of comprehensive programs and service facilities for the mentally retarded, mentally ill, developmentally disabled, and physically handicapped residents of Cattaraugus County, the term of which expires December 31, 2008, and

WHEREAS, New York State has increased funding for the aforementioned program from \$608,885 to \$758,381 for the period January 1, 2008 through December 31, 2008, and

WHEREAS, the net County cost for the provision of these services shall not exceed \$40,500, and

WHEREAS, an amendment to the aforementioned contract is necessary to reflect the increase in funding, and

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

RESOLVED, that the County Administrator be, and hereby is, authorized and directed to execute an amended contract with the Cattaraugus County Chapter of the New York State Association for Retarded Children, Inc., for the provision of the above-described services, for a term commencing January 1, 2008 and terminating December 31, 2008, 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 the County Administrator is hereby directed to make the following budgetary changes:

Increase Estimated Revenue Accounts:

A.3452	Case Management (ReHab)	\$ 462.00
A.3467	Reinvestment (ReHab)	\$ 882.00
A.3491	Community Support (ReHab)	\$ 1,550.00
A.3494	OISE (ReHab)	\$ 1,107.00
A.3496	OMRDD (ARC)	\$145,496.00

Increase Appropriation Accounts:

A.4322.402	OMRDD (ARC)	\$145,496.00
A.4322.445	OISE (ReHab)	\$ 1,107.00
A.4322.455	Case Management (ReHab)	\$ 462.00
A.4322.476	Reinvestment	\$ 882.00
A.4323.445	Local Assistance (Comm Supp)	\$ 1,550.00.

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

Adopted December 10, 2008 by voice vote.

ACT NO. 740-2008 by Mr. Snyder
who asks immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH
CATTARAUGUS COUNTY COUNCIL ON ALCOHOLISM AND
SUBSTANCE ABUSE, INC., FOR SUBSTANCE ABUSE PROGRAM FUNDS AND
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
(Department of Community Services)**

Pursuant to Articles 1, 19, 23 and 25 of the Mental
Hygiene Law and Sections 363, 366 and 450 of the County Law.

WHEREAS, Act 77-2008 authorized a contract with Cattaraugus County Council on Alcoholism and Substance Abuse, Inc., for the provision of a substance abuse program in the County, the term of which expires December 31, 2008, and

WHEREAS, New York State has increased funding for the aforementioned program from \$1,159,169 to \$1,289,726 for the period January 1, 2008 through December 31, 2008, and

WHEREAS, the net County cost for the provision of this program shall not exceed \$24,210 in County funds, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute an amended contract for the year 2008 with the Cattaraugus County Council on Alcoholism and Substance Abuse, Inc., for the provision of the above-described services, for a term commencing January 1, 2008 and terminating December 31, 2008, according to the above-described terms, and be it further

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

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

Increase Estimated Revenue Accounts:

A.3486	OASAS State Funding	\$123,888.00
A.4497	OASAS Federal Funding	\$ 6,669.00

Increase Appropriation Account:

A.4311.445	OASAS Funding	\$130,557.00.
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MR. O'BRIEN moved, seconded by Mr. Ward to waive Rule 12. Carried.

Adopted December 10, 2008 by voice vote.

ACT NO. 741-2008 by Mr. Snyder
who asks immediate consideration

**AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACTS WITH
VARIOUS INDIVIDUALS FOR EMERGENCY MEDICAL SERVICES INSTRUCTORS**

Pursuant to Article 30-A of the Public Health Law and
Act 432-2002 of the Cattaraugus County Legislature.

WHEREAS, Act 634-2006 authorized the County Administrator to execute contracts with various individuals for emergency medical services instructors, the terms of which expire December 31, 2008, and

WHEREAS, the County Health Department is desirous of renewing the aforementioned contracts for a term commencing January 1, 2009 and terminating December 31, 2011, and

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

<u>Title</u>	<u>2009-2011 Hourly Rate</u>
NYS Certified Instructor Coordinator (CIC)	\$35.00
NYS Certified Lab Instructor	\$25.00
First Aid CPR Instructor Coordinator	\$20.00
First Aid CPR Assistant	\$15.00
Medical & Health Professionals (Physicians, Registered Nurses, competent in the management of patients requiring advanced life support care),	\$35.00

now, therefore, be it

RESOLVED, that the County Administrator be, and hereby is, authorized and directed to execute contracts, on behalf of Cattaraugus County, with various individuals, for the provision of emergency medical services training, according to the above-described terms.

MR. SNYDER moved, seconded by Mrs. Witte to waive Rule 12. Carried.

Adopted December 10, 2008 by voice vote.

ACT NO. 742-2008 by Mr. Snyder
who asks immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT
WITH OLEAN MEDICAL GROUP 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 261-2007 authorized a contract with the Olean Medical Group, 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, 2008, and

WHEREAS, the County Health Department is desirous of continuing the aforementioned contract to December 31, 2009, at the same rates, and

WHEREAS, the Olean Medical Group, 535 Main Street, Olean, New York 14760, can provide the aforementioned medical director services, in the event the County Health Department's current medical director is unavailable, for an amount of \$160 per hour, and

WHEREAS, sufficient funds are included in the 2009 budget to cover the costs of the aforementioned services, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute an amended contract, on behalf of Cattaraugus County, with the Olean Medical Group, for the provision of the above-described services, for a term commencing January 1, 2009 and terminating December 31, 2009, according to the above-described terms.

MR. ELLIS moved, seconded by Mr. Giardini to waive Rule 12. Carried.

Adopted December 10, 2008 by voice vote.

ACT NO. 743-2008 by Mr. Snyder
who asks immediate consideration

**AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE AMENDED CONTRACT
WITH CORNELL COOPERATIVE EXTENSION
FOR HEALTH DEPARTMENT NUTRITION PROGRAM AIDE**

Pursuant to 10 NYCRR Part 40-1 and
Act 432-2002 of the Cattaraugus County Legislature.

WHEREAS, Act 514-2008 authorized a contract with Cornell Cooperative Extension, 28 Parkside Drive, Ellicottville, New York 14731, for the provision of a nutrition program aide for the Health Department WIC Program for an amount of \$14.68 per hour, not to exceed \$28,621, the term of which expires September 30, 2009, and

WHEREAS, the Public Health Director has requested an increase in the hourly rate for the aforementioned nutrition program aide, from \$14.68 per hour to \$15.78 per hour, and

WHEREAS, the Health Department is also desirous of adding an additional nutrition program aide for the WIC program, and

WHEREAS, Cornell Cooperative Extension has agreed to provide a second nutrition program aide for the WIC Program at a rate of \$15.78 per hour, and

WHEREAS, the County shall pay to Cornell Cooperative Extension a total amount of \$56,157 to cover the cost of the two (2) nutrition program aides, and

WHEREAS, this program is 100% funded through the WIC Program, now, therefore, be it

RESOLVED, that the County Administrator be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Cornell Cooperative Extension for the provision of the above-described services, for a term commencing October 1, 2008 and terminating September 30, 2009, according to the above-described terms.

MR. VECCHIARELLA moved, seconded by Mr. McClune to waive Rule 12. Carried.

Adopted December 10, 2008 by voice vote.

ACT NO. 744-2008 by Mr. Snyder
who asks immediate consideration

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

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

WHEREAS, Act 688-2007 authorized a contract with Jamestown Community College, P.O. Box 5901, Olean, New York 14760-5901, for an employee education and training program, the term of which expires December 31, 2008, and

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

WHEREAS, Jamestown Community College has agreed to provide a full-time training coordinator who will provide the above-described staff

development services to employees of the Cattaraugus County Department of Social Services, and

WHEREAS, the maximum amount for 2009 is \$87,978.80, of which \$61,585.18 is charged to the Cattaraugus County Department of Social Services, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Jamestown Community College, for the provision of the above-described employee education program, for a term commencing January 1, 2009 and terminating December 31, 2009, according to the above-described terms, and be it further

RESOLVED, that upon reduction or termination of either state or federal funding for this program, then this program shall be automatically abolished.

MR. NEAL moved, seconded by Mr. Padlo to waive Rule 12. Carried.

Adopted December 10, 2008 by voice vote.

ACT NO. 745-2008 by Mr. Snyder
who asks immediate consideration

**AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACTS WITH
VARIOUS ENTITIES FOR AMBULETTE TRANSPORTATION SERVICES FOR
MEDICAID-ELIGIBLE RECIPIENTS**

Pursuant to 42 CFR Section 431.53, 18 NYCRR
Section 505.10, Section 365-a(2)(j) of the Social Services Law and
Act 432-2002 of the Cattaraugus County Legislature.

WHEREAS, Act 69-2008 authorized contracts with various entities for ambulette transportation services for Medicaid-eligible recipients, the terms of which expire December 31, 2008, and

WHEREAS, the County Department of Social Services is mandated to continue the aforementioned ambulette transportation services for Medicaid-eligible recipients, and

WHEREAS, the following various entities shall provide ambulette services (wheelchair transport):

Trans-Am Ambulance Service, Inc.
305 N. 8th Street
Olean, NY 14760

Carrier Coach, Inc.
271 Buffalo Street
Gowanda, NY 14070,

WCA Services, Inc.
207 Foote Avenue, PO Box 41
Jamestown, NY 14702,

and

WHEREAS, the above-described ambulette services shall be provided at the following rates:

Base One Way	\$ 36.00
Mileage (per loaded mile)	\$ 1.85
Attendant (prior approved-max.2 hours)	\$ 15.00/hour,

and

WHEREAS, in the event that, during any given quarter annual period of the term of the contract, the price of fuel rises by 25% or more above the price charged on November 1, 2005, as measured by the price for GAS REG as shown in the New York State Office of General Services Fuel Contract Pricing List, then during the following quarter annual period, commencing January 1, 2008, a surcharge of \$.05 per mile will be deemed added to the mileage charge in the preceding paragraph, and

WHEREAS, in the event that, during any given quarter annual period of the term of the contract, the price of fuel declines by 25% or more below the price charged on November 1, 2005, as measured by the price for GAS REG as shown in the New York State Office of General Services Fuel Contract Pricing List, then during the following quarter annual period, commencing January 1, 2008, the mileage charge paid to the entity in the preceding quarter shall be decreased by \$.05 cents per mile, and

WHEREAS, VMC, Inc., in its capacity as Mobility Manager for Cattaraugus County, will facilitate the scheduling and prior approval process for the aforementioned service, and

WHEREAS, this program is funded with 50% federal funds, 25% state funds and 25% county funds, now, therefore, be it

RESOLVED, that the County Administrator be, and hereby is, authorized and directed to execute contracts, on behalf of Cattaraugus County, with the above-listed various entities for the provision of the above-described services, for a term commencing January 1, 2009 and terminating December 31, 2009, according to the above-described terms, and be it further

RESOLVED, that upon reduction or termination of either state or federal funding for this program, then this program shall automatically be abolished.

MR. MARSH moved, seconded by Mr. Burrell to waive Rule 12. Carried.

Adopted December 10, 2008 by voice vote.

ACT NO. 746-2008 by Mr. Snyder
who asks immediate consideration

**AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACTS WITH
VARIOUS ENTITIES FOR NON-EMERGENT/EMERGENCY AMBULANCE
TRANSPORTATION SERVICES FOR MEDICAID-ELIGIBLE RECIPIENTS**

Pursuant to 42 CFR Section 431.53, 18 NYCRR
Section 505.10, Section 365-a(2)(j) of the Social Services Law and
Act 432-2002 of the Cattaraugus County Legislature.

WHEREAS, Act 70-2008 authorized contracts with various entities for the provision of non-emergent/emergency ambulance transportation services to medical assistance recipients of Cattaraugus County, the terms of which expire December 31, 2008, and

WHEREAS, the County Department of Social Services is required to provide non-emergent/emergency ambulance transportation services to medical assistance recipients of Cattaraugus County and is desirous of renewing the aforementioned contracts, and

WHEREAS, the following various entities shall provide non-emergent/emergency ambulance transportation services to medical assistance recipients:

City of Olean
Municipal Building
Olean, NY 14760

City of Salamanca
225 Wildwood Avenue
Salamanca, NY 14779

Trans-Am Ambulance Service, Inc.
305 N. 8th Street
Olean, NY 14760

WCA Services, Inc.
207 Foote Avenue, PO Box 41
Jamestown, NY 14702,

and

WHEREAS, the above-described non-emergent/emergency ambulance transportation services shall be provided at the following rates:

Basic Life Support	\$121.62
Advanced Life Support	\$171.29
Mileage (per loaded mile)	\$ 2.70
Oxygen (after 20 miles)	\$ 15.00

**NOTE - expenditures are based on utilization,
and

WHEREAS, in the event that, during any given quarter annual period of the term of the contract, the price of fuel rises by 25% or more above the price charged on November 1, 2005, as measured by the price for DIESEL REG as shown in the New York State Office of General Services Fuel Contract Pricing List, then during the following quarter annual period, commencing January 1, 2008, a surcharge of \$.05 per mile will be deemed added to the mileage charge in the preceding paragraph, and

WHEREAS, in the event that, during any given quarter annual period of the term of the contract, the price of fuel declines by 25% or more below the price charged on November 1, 2005, as measured by the price for DIESEL REG as shown in the New York State Office of General Services Fuel Contract Pricing List, then during the following quarter annual period, commencing January 1, 2008, the mileage charge paid to the entity in the preceding quarter shall be decreased by \$.05 cents per mile, and

WHEREAS, this program is 50% federal, 25% state and 25% county funded, now, therefore, be it

RESOLVED, that the County Administrator be, and hereby is, authorized and directed to execute contracts, on behalf of Cattaraugus County, with the above-listed various entities, for the provision of the above-described services, for a term commencing January 1, 2009 and terminating December 31, 2009, according to the above-described terms, and be it further

RESOLVED, that upon reduction or termination of either state or federal funding for this program, then this program shall automatically be abolished.

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

Adopted December 10, 2008 by voice vote.

ACT NO. 747-2008 by Mr. Snyder
who asks immediate consideration

**AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACT
WITH GREATER BUFFALO CHAPTER OF THE AMERICAN RED CROSS
FOR EMERGENCY DISASTER ASSISTANCE**

Pursuant to P.L. 93-288, 36 USCS 2 and
Act 432-2002 of the Cattaraugus County Legislature.

WHEREAS, Act 654-2007 authorized a contract with the Greater Buffalo Chapter of the American Red Cross for the provision of such care, assistance and treatment that may be necessary to assure that persons are maintained in, or restored to, their domicile(s) with sufficient food and clothing to meet their needs pursuant to the New York State Social Services Law, which includes the responsibility for emergency assistance to recipients of public assistance, if made necessary as a result of disaster, the term of which expires December 31, 2008, and

WHEREAS, the parties are desirous of continuing the provision of the aforementioned services, and

WHEREAS, the Greater Buffalo Chapter of the American Red Cross has agreed to continue providing the aforementioned emergency assistance, and

WHEREAS, the County Department of Social Services is responsible for the payment of emergency needs only, as follows:

Clothing:

Birth to 5 years	\$48.00 per individual
6 to 11 years	\$73.00 per individual
12 years to Adult	\$89.00 per individual

Food:

An allowance of \$10.00 per day per individual up to a maximum of 3 days

Shelter:

Shelter provided for a maximum of 3 days at reasonable cost,

and

WHEREAS, it is economically and organizationally feasible for the County to contract with the Greater Buffalo Chapter of the American Red Cross for the provision of this assistance, now, therefore, be it

RESOLVED, that the County Administrator be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with the Greater Buffalo Chapter of the American Red Cross for the provision of the above-described emergency disaster assistance for a term commencing January 1, 2009 and terminating December 31, 2009, according to the above-described terms.

MR. ELLIS moved, seconded by Mrs. Witte to waive Rule 12. Carried.

Adopted December 10, 2008 by voice vote.

ACT NO. 748-2008 by Mr. Snyder
who asks immediate consideration

**AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACTS WITH
VARIOUS ENTITIES FOR ADVANCED LIFE SUPPORT INTERFACE SERVICES FOR
MEDICAID-ELIGIBLE RECIPIENTS**

Pursuant to 42 CFR Section 431.53, 18 NYCRR
Section 505.10, Section 365-a(2)(j) of the Social Services Law and
Act 432-2002 of the Cattaraugus County Legislature.

WHEREAS, Act 695-2007 authorized contracts with various entities
for the provision of advanced life support interface services for Medicaid-
eligible recipients, the terms of which expire December 31, 2008, and

WHEREAS, the Department of Social Services is desirous of
contracting with the following entities for the provision of advanced life
support interface services to medical assistance recipients for an amount of
\$82 per interface trip:

Trans-Am Ambulance Service, Inc.	WCA Services, Inc.
305 North 8 th Street	207 Foote Avenue, P.O. Box 41
Olean, New York 14760	Jamestown, New York 14702,

and

WHEREAS, this program is 50% federal, 25% state and 25% county
funded, and

WHEREAS, sufficient funds are included in the 2009 budget to
cover the costs of the aforementioned services, now, therefore, be it

RESOLVED, that the County Administrator be, and hereby is,
authorized and directed to execute contracts, on behalf of Cattaraugus
County, with various entities, for the provision of the above-described
services, for a term commencing January 1, 2009 and terminating December 31,
2009, according to the above-described terms.

MR. AIELLO moved, seconded by Mr. Hebdon to waive Rule 12. Carried.

Adopted December 10, 2008 by voice vote.

ACT NO. 749-2008 by Mr. Snyder
who asks immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
ACCORD CORPORATION FOR MEDICAID REIMBURSABLE COMPREHENSIVE
CASE MANAGEMENT SERVICES TO YOUTH IN CATTARAUGUS COUNTY**

Pursuant to 42 CFR Section 435, Section 363 of the
Social Services Law and Section 450 of the County Law.

WHEREAS, Act 655-2007 authorized a contract with the Accord
Corporation, 84 Schuyler Street, Belmont, New York 14813, for the provision
of Teen Age Services Act (TASA) Medicaid reimbursable comprehensive case
management services to youth in Cattaraugus County, the term of which expires
December 31, 2008, and

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

WHEREAS, the Accord Corporation shall provide case management services to Medicaid-eligible individuals, pursuant to the Teen Age Services Act (TASA), for an amount of \$200,000, which is the same rate as the 2008 rate, and

WHEREAS, this program is 50% federal, 25% state and 25% county funded, and

WHEREAS, sufficient funds are included in the 2009 budget to cover the costs of the aforementioned services, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with the Accord Corporation, for the provision of the above-described services, for a term commencing January 1, 2009 and terminating December 31, 2009, according to the above-described terms.

MR. O'BRIEN moved, seconded by Mr. Ward to waive Rule 12. Carried.

Adopted December 10, 2008 by voice vote.

ACT NO. 750-2008 by Mr. Neal
who asks immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT
WITH P & NP COMPUTER SERVICES, INC. FOR
DEPARTMENT OF NURSING HOMES SOFTWARE MAINTENANCE SERVICES**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 635-2007 authorized a contract with P & NP Computer Services, Inc., 66 North Main Street, Brockport, New York 14420-1649, for the provision of software maintenance services for the Department of Nursing Homes, the term of which expires December 31, 2008, and

WHEREAS, the Department of Nursing Homes still needs the maintenance services, and

WHEREAS, P & NP Computer Services, Inc., has agreed to provide the aforementioned maintenance services for a total amount of \$6,937.50, as follows:

Olean Campus	\$3,468.75
Machias Campus	\$3,468.75,

and

WHEREAS, sufficient funds are included in the 2009 budget to cover the costs of the aforementioned services, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with P & NP Computer Services, Inc., for the provision of the above-described services, for a term commencing January 1, 2009 and terminating December 31, 2009, according to the above-described terms.

MR. VECCHIARELLA moved, seconded by Mr. Giardini to waive Rule 12. Carried.

Adopted December 10, 2008 by voice vote.

ACT NO. 751-2008 by Mr. Vecchiarella
who asks immediate consideration

**AUTHORIZING THE CHAIR TO APPLY FOR FUNDING
THROUGH U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES
FOR RURAL ACCESS TO EMERGENCY DEVICES GRANT PROGRAM
(Sheriff's Office, Health Department and
Office of Emergency Services)**

Pursuant to 42 U.S.C. Section 254(c) and
Section 450 of the County Law.

WHEREAS, up to \$100,000 is available through the U.S. Department of Health and Human Services, Health Resources and Services Administration, Office of Rural Health Policy, for the Rural Access to Emergency Devices Grant Program (RAED), and

WHEREAS, the purpose of the RAED grant program is to purchase automated external defibrillators, provide defibrillator and basic life support training in automated external defibrillator usage, and place the automatic defibrillators in rural communities, and

WHEREAS, the County should apply for the aforementioned RAED grant, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a grant application, on behalf of Cattaraugus County, with the U.S. Department of Health and Human Services, in order to apply for the aforementioned grant, according to the above-described terms.

MR. BURRELL moved, seconded by Mr. Teachman to waive Rule 12. Carried.

Adopted December 10, 2008 by voice vote.

ACT NO. 752-2008 by Mr. O'Brien
who asks immediate consideration

**TRANSFER OF FUNDS
(Contingent Fund - Various)**

Pursuant to Sections 363 and 365 of the County Law.

WHEREAS, due to shortfalls in the Special Prosecutor and Legal Defense to Indigents appropriations, a transfer must be made from the Contingent Fund, now, therefore, be it

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

Decrease Appropriation Account:		
A.1990.445	Contingent Fund	\$31,475.00
Increase Appropriation Accounts:		
A.1120.445	Special Prosecutor	\$12,264.00
A.1171.445	Misdemeanors/Violations	\$19,211.00.

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

Adopted December 10, 2008 by voice vote.

ACT NO. 753-2008 by Public Works Committee:

Mr. Giardini, Mr. Ellis, Mr. Aiello, Mr. Burrell, Mr. Marsh,
Mr. O'Brien, Mr. Boser, Mr. Hebdon and Mr. McClune
and Mr. Padlo¹

who ask immediate consideration

**AUTHORIZING THE CHAIR TO APPLY FOR NEW YORK STATE
DEPARTMENT OF STATE, DIVISION OF LOCAL GOVERNMENT EFFICIENCY
IMPLEMENTATION GRANT FOR CONSTRUCTING A SHARED CITY/COUNTY,
TOWN/VILLAGE SAND/SALT FACILITY IN SOUTHERN CATTARAUGUS COUNTY**

Pursuant to Section 450 of the County Law.

WHEREAS, funding is available through the New York State Department of State, Division of Local Government Efficiency Implementation Grant, and

WHEREAS, the County of Cattaraugus, the City of Olean, which is a fiscally distressed city and the Town and Village of Allegany are desirous of constructing a shared city/county/town/village sand/salt storage facility located at the Cattaraugus County Allegany Highway Barn, and

WHEREAS, Cattaraugus County is desirous of applying jointly with the City of Olean, the Town and Village of Allegany for the aforementioned grant, and

WHEREAS, the amount requested for the grant is 90% of the \$660,000 project, which is \$594,000, and

WHEREAS, the local share is 10%, which will be funded by Cattaraugus County (\$66,000), and

WHEREAS, Cattaraugus County's share will be funded through savings in the sand/salt storage building program, and

WHEREAS, the Cattaraugus County Department of Public Works would act as lead agency in the above-described project, and

WHEREAS, the application deadline for this grant program is January 14, 2009, now, there, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a grant application, on behalf of Cattaraugus County, with the New York State Department of State, in order to apply for the above-described grant from the Division of Local Government Efficiency Implementation Grant.

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

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

Adopted December 10, 2008 by voice vote.

ACT NO. 754-2008 by Public Works Committee:
Mr. Giardini, Mr. Ellis, Mr. Aiello, Mr. Burrell, Mr. Marsh,
Mr. O'Brien, Mr. Boser, Mr. Hebdon and Mr. McClune
who ask immediate consideration

**AUTHORIZING THE CHAIR TO APPLY FOR FUNDING
THROUGH NEW YORK STATE DEPARTMENT OF STATE
FOR EFFICIENCY IMPLEMENTATION GRANT FOR
PAINT STRIPING EQUIPMENT**

Pursuant to Section 153 of the County Law.

WHEREAS, a grant in an amount up to \$200,000 is available to each municipality through the New York State Department of State, Division of Local Government Services Efficiency Implementation Grant, (formerly shared services), to assist local governments in funding improvements to service delivery to residents, and

WHEREAS, Cattaraugus County is desirous of applying jointly with Chautauqua County for a grant to purchase new paint striping equipment, and

WHEREAS, this new equipment would replace antiquated and undersized equipment to improve efficiencies and eliminate the costs of constant repair of old equipment and payments to outside contractors, and

WHEREAS, if approved, Chautauqua County and Cattaraugus County, would each commit to the minimum local share of 5% of the estimated purchase price of \$300,000, and

WHEREAS, the local share of 5%, which will be funded by Cattaraugus County, is \$15,000, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a grant application, on behalf of Cattaraugus County, with the New York State Department of State, in order to apply for the above-described grant.

MR. PADLO moved, seconded by Mr. McLarney to waive Rule 12. Carried.

Adopted December 10, 2008 by voice vote.

ACT NO. 755-2008 by Mr. Neal and Mr. Snyder
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT
WITH COMMUNITY CARE OF WESTERN NEW YORK, INC.
FOR HOME HEALTH CARE SERVICES**

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

WHEREAS, Act 737-2007 authorized the Chair to execute a contract with Community Care of Western New York, Inc., for the provision of home health care services, the term of which expires December 31, 2008, and

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

WHEREAS, Community Care of Western New York, Inc., 1225 West State Street, Olean, New York 14760, has agreed to provide home health care services to Cattaraugus County, in accordance with the following rate limits and terms:

Level of Care:	2008 rate limits**	2009 rate limits**
Home Attendant/Housekeeper (Personal Care 1)	\$ 18.37/hr.	\$18.37/hr.
Personal Care Aide (Personal Care 2)	\$ 18.84/hr.	\$18.84/hr.
Shared Aide - ¼ hour (Personal Care 1)	\$ 4.59/¼ hr.	\$ 4.59/¼ hr.
Shared Aide - ¼ hour (Personal Care 2)	\$ 4.71/¼ hr.	\$ 4.71/¼ hr.
Certified Home Health Aide	\$ 19.40/hr.	\$19.40/hr.
Licensed Practical Nurse (LPN) (DSS)	\$ 21.00/hr.	\$21.00/hr.
Licensed Practical Nurse (LPN) (Health Dept)	\$ 26.25/hr.	\$26.25/hr.
Registered Nurse (RN) (Health Dept)	\$ 37.30/hr.	\$37.30/hr.
Registered Nurse (RN) (Social Services Dept)	\$ 26.00/hr.	\$26.00/hr.
Nursing Supervision Visit	\$ 62.87/hr.	\$62.87/hr.

**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 recruitment and retention add-on funds for 2008.

Assumptions:

- In the event the initial Medicaid rates for 2009 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.
- At least 75% of the 2009 increase will be paid by Community Care of Western New York, Inc., to its direct care staff for salaries and fringe benefits.,

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 Community Care of Western New York, Inc., for the provision of the above-described services for a term commencing January 1, 2009 and terminating December 31, 2009.

MR. MARSH moved, seconded by Mr. Hebdon to waive Rule 12. Carried.

Adopted December 10, 2008 by voice vote.

ACT NO. 756-2008 by Mr. Snyder
who asks immediate consideration

**AUTHORIZING HEALTH DEPARTMENT TO EXECUTE CONTRACT WITH
DAVID PORTER FOR ADMINISTRATIVE HEARING OFFICER SERVICES**

Pursuant to Section 309 of the Public Health Law and
Part 9 of the Cattaraugus County Sanitary Code.

WHEREAS, Act 280-2008 authorized a contract with David Porter, 1180 Four Mile Road, Allegany, New York 14706, for Administrative Hearing Officer services for the County Health Department, at the rate of \$20.00 per

hour, plus meal cost during Board of Health meetings, the term of which expires December 31, 2009, and

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

WHEREAS, David Porter has agreed to act as Administrative Hearing Officer for the Cattaraugus County Health Department at the rate of \$20.00 per hour, which includes mileage, plus meal cost during Board of Health meetings, and

WHEREAS, the County Health Department is eligible to receive 36% state aid for the aforementioned services, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature hereby authorizes the Health Department to execute a contract, on behalf of Cattaraugus County, with David Porter for the provision of the Administrative Hearing Officer Services, for a term commencing January 1, 2009 and terminating December 31, 2009, according to the above-described terms.

MR. MARSH moved, seconded by Mr. Giardini to waive Rule 12. Carried.

Adopted December 10, 2008 by voice vote.

ACT NO. 757-2008 by Mr. Vecchiarella
who asks immediate consideration

REACTIVATION OF ARSON TASK FORCE

Pursuant to Section 235 of the County Law.

WHEREAS, Act 6-1981, as amended, created the Cattaraugus County Arson Task Force to combat arson in Cattaraugus County, and

WHEREAS, the Task Force has been inactive for the past several years, and

WHEREAS, the Task Force should be reactivated in an advisory capacity to study arson in Cattaraugus County, and

WHEREAS, the Task Force will provide recommendations for combating arson in Cattaraugus County, now, therefore, be it

RESOLVED, that the Cattaraugus County Arson Task Force is hereby reactivated, and be it further

RESOLVED, that the purpose of the Task Force shall be as described above, and be it further

RESOLVED, that the Task Force shall consist of nine (9) members to be appointed by the Chairman of the Cattaraugus County Legislature, and be it further

RESOLVED, that the Cattaraugus County Arson Task Force shall terminate on December 31, 2011.

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

Adopted December 10, 2008 by voice vote.

ACT NO. 758-2008 by Mr. Snyder
and Mr. McClune¹
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
CATTARAUGUS-ALLEGANY WORKFORCE INVESTMENT BOARD, INC. FOR
2008 INCENTIVE GRANT AWARD**

Pursuant to Workforce Investment Act of 1998 and
Section 450 of the County Law.

WHEREAS, the New York State Department of Labor (NYSDOL) has allocated incentive funds to the Cattaraugus-Allegany Workforce Investment Area, and outlined a service plan for the expenditure of such funds, and

WHEREAS, 2008 Incentive Grant funds are available for the County's One-Stop program, and

WHEREAS, the Cattaraugus-Allegany Workforce Investment Board, Inc., has the authority to regulate and provide funding for program services and desires to contract with skilled parties possessing the necessary resources to provide these services, and

WHEREAS, the County Department of Social Services is desirous of accepting the grant funds in the amount of \$1,314.50 from the Cattaraugus-Allegany Workforce Investment Board, Inc., for various training programs, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with the Cattaraugus-Allegany Workforce Investment Board, Inc., for the provision of the above-described services, for a term commencing November 1, 2008 and terminating October 31, 2009, according to the above-described terms, and be it further

RESOLVED, that upon reduction or termination of either state or federal funding for this program, then this program shall be automatically abolished.

MR. AIELLO moved, seconded by Mr. Ellis to waive Rule 12. Carried.

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

Adopted December 10, 2008 by voice vote.

ACT NO. 759-2008 by Mr. Vecchiarella
and Mr. Aiello, Mr. Ellis, Mr. Murphy, Mr. Neal, Mr. Teachman,
Mr. Hebdon, Mr. McClune, Mr. Padlo and Mr. Sprague¹
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
NEW YORK STATE DIVISION OF PROBATION AND CORRECTIONAL ALTERNATIVES
FOR ALTERNATIVE TO INCARCERATION PROGRAMS FOR JAIL DIVERSION
AND/OR RE-ENTRY IN NEW YORK STATE**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 524-2008 authorized the Chair to apply for funding through the New York State Division of Probation and Correctional Alternatives for Alternative To Incarceration (ATI) Programs for jail/prison diversion and/or re-entry in New York State, and

WHEREAS, the purpose of the above-described program is to provide programs serving the felony jail or prison-bound population and/or programs which increase the effectiveness of existing ATI programs as an alternative to jail or prison for felony charged and/or convicted offenders, and

WHEREAS, the Department of Probation has been awarded a grant in the amount of \$178,910 for the aforementioned program, and

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

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with the New York State Division of Probation and Correctional Alternatives, in order to accept the aforementioned grant funding, for a term commencing January 1, 2009 and terminating December 31, 2009, according to the above-described terms, and be it further

RESOLVED, that upon reduction or termination of either state or federal funding for this program, then this program shall be automatically abolished.

MR. BURRELL moved, seconded by Mr. Ward to waive Rule 12. Carried.

¹ The following Legislators requested their names be listed as additional sponsors: "Mr. Aiello, Mr. Ellis, Mr. Murphy, Mr. Neal, Mr. Teachman, Mr. Hebdon, Mr. McClune, Mr. Padlo and Mr. Sprague".

Adopted December 10, 2008 by voice vote.

ACT NO. 760-2008 by Mr. Snyder
who asks immediate consideration

**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 65-2008 authorized a contract with Chautauqua County for the provision of lead risk assessment services, the term of which expires December 31, 2008, and

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

WHEREAS, Chautauqua County, County Office Building, 3 North Erie Street, Mayville, New York 14757, has 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 not to exceed \$10,000 over a three-year period, as follows:

- 2009 - \$28.25/hour plus work-related mileage at the prevailing IRS rate,
- 2010 - \$29.10/hour plus work-related mileage at the prevailing IRS rate,
- 2011 - \$29.70/hour plus work-related mileage at the prevailing IRS rate,

and

WHEREAS, the County shall also reimburse Chautauqua County a maximum amount of \$10 (including tip) for meals and shipping or analytical fees associated with any required dust wipe, soil or water samples, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Chautauqua County, for the provision of the above-described services, for a term commencing January 1, 2009 and terminating December 31, 2011, according to the above-described terms, and be it further

RESOLVED, that upon reduction or termination of either state or federal funding for this program, then this program shall be automatically abolished.

MR. O'BRIEN moved, seconded by Mr. McLarney to waive Rule 12. Carried.

Adopted December 10, 2008 by voice vote.

ACT NO. 761-2008 by Mr. Snyder
and Mr. Aiello and Mr. McClune¹
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT
WITH SOUTHERN TIER ENVIRONMENTS FOR LIVING, INC.
FOR SUPPORTIVE CASE MANAGEMENT SERVICES FOR
DEPARTMENT OF COMMUNITY SERVICES**

Pursuant to Section 450 of the County Law.

WHEREAS, the County Department of Community Services is in need of supportive case management services for eligible clients, and

WHEREAS, Southern Tier Environments for Living, Inc., 715 Central Avenue, Dunkirk, New York 14048, can provide supportive case management services to eligible clients for an amount not to exceed \$26,206, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Southern Tier Environments for Living, Inc., for the provision of the above-described services, for a term commencing January 1, 2009 and terminating December 31, 2009, according to the above-described terms, and be it further

RESOLVED, that upon reduction or termination of either state or federal funding for this program, then this program shall be automatically abolished.

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

¹ The following Legislators requested their names be listed as additional sponsors: "Mr. Aiello and Mr. McClune".

Adopted December 10, 2008 by voice vote.

ACT NO. 762-2008 by Mr. Snyder
who asks immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT
WITH CATHOLIC CHARITIES OF BUFFALO, INC.
FOR SOCIAL WORKER/MENTAL HEALTH THERAPIST FOR
DEPARTMENT OF COMMUNITY SERVICES ADULT MENTAL HEALTH CLINIC**

Pursuant to Section 450 of the County Law.

WHEREAS, the County Department of Community Services is in need of a social worker/mental health therapist for its Adult Mental Health Clinic, and

WHEREAS, Catholic Charities of Buffalo, Inc., 525 Washington Street, Buffalo, New York 14203, can provide a clinician to provide the services of a social worker/mental health therapist for an amount not to exceed \$59,000, and

WHEREAS, the Department of Community Services shall receive revenue through client billings for services provided, 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 Catholic Charities of Buffalo, Inc., for the provision of the above-described services, for a term commencing January 1, 2009 and terminating December 31, 2009, according to the above-described terms, and be it further

RESOLVED, that upon reduction or termination of either state or federal funding for this program, then this program shall be automatically abolished.

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

Adopted December 10, 2008 by voice vote.

ACT NO. 763-2008 by Mr. Vecchiarella
who asks immediate consideration

**CREATING ONE POSITION OF CORRECTIONAL ALTERNATIVES SPECIALIST IN
PROBATION DEPARTMENT, ESTABLISHING COMPENSATION FOR SAME
(Probation Department)**

Pursuant to Sections 204 and 205 of the County Law and
Section 22 of the Civil Service Law.

WHEREAS, Act 524-2008 authorized the Chair to apply for funding through New York State Division of Probation and Correctional Alternatives for Alternative to Incarceration Programs for jail diversion and/or re-entry in New York State, and

WHEREAS, this funding has been approved by the New York State Division of Probation and Correctional Alternatives in the amount of \$178,910, and

WHEREAS, implementation of the program requires the services of an additional staff member in the Probation Department to provide the required programs serving the felony jail or prison-bound population, and

WHEREAS, there are no increased costs to the County for the additional staff, and

WHEREAS, the New Position Duties Statement has been submitted to the Cattaraugus County Civil Service Commission, which has approved and certified the title as Correctional Alternatives Specialist in accordance with Section 22 of the Civil Service Law, now, therefore, be it

RESOLVED, that effective immediately, there is hereby created one position of Correctional Alternatives Specialist in the Probation Department to be compensated at Grade 17 (\$15.78 - \$17.48 per hour), General Bargaining Unit, and be it further

RESOLVED, that upon reduction or termination of either state or federal funding for this program, then this position shall be automatically abolished.

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

Adopted December 10, 2008 by voice vote.

ACT NO. 764-2008 by Mrs. Abers, Mr. Aiello, Mr. Burrell, Mr. Ellis, Mr. Marsh, Mr. McLarney, Mr. Murphy, Mr. Neal, Mr. O'Brien, Mr. Snyder, Mr. Teachman, Mr. Vecchiarella, Ms. Vickman, Mr. Boser, Mr. Giardini, Mr. Hebdon, Mr. McClune, Mr. Padlo, Mr. Sprague, Mr. Ward and Mrs. Witte who ask immediate consideration

CONGRATULATING COUNTY EMPLOYEES ON THEIR RETIREMENT

Pursuant to Section 153 of the County Law.

WHEREAS, the following County employees have dedicated years of service to the County of Cattaraugus in various positions and capacities:

NAME	DEPARTMENT	YEARS OF SERVICE
Donald Auge	Sheriff's Office	21 ½
Kathleen Baldwin	Public Works	3 ¾
Ann Barron	Health	4 ½
Gary Beck	Health	31
Shirley Belleisle	Nursing Home	26 ¼
Dennis Crawford	Public Works	31 ½
Mark Damon	Public Works	25
Rebecca Ferry	Nursing Home	22 ¼
Sharon Fisher	Social Services	31 ½
Stella Frank	Nursing Home	20
Sue Gardner	Social Services	30 ¼
Sherry Greene	Nursing Homes	35 ½
Miriam Griffith	Social Services	16 ¼
Linda Hatch	Social Services	34 ½
Vicki Hitchcock	Emergency Services	18 ¼

Danny Hollamby	Health	33 $\frac{1}{4}$
Cheryl Jennings	Social Services	36 $\frac{3}{4}$
John Kiefer	Public Works	25
John Mallen	Public Works	31 $\frac{1}{4}$
Deborah Maroney	Economic Development	18 $\frac{1}{2}$
Rebecca McGlynn	Public Works	7
Sally McKerrow	Nursing Home	14 $\frac{1}{4}$
Linda Milks	Sheriff's Office	24
Sandra Miller	Aging	9 $\frac{1}{4}$
Kathleen O'Dell	Health	18 $\frac{3}{4}$
Stephen Piccirillo	Public Works	33
Jack Pollard	Public Works	25
Vanda Samol	Health	21
Ruth Vincent	Aging	18 $\frac{1}{2}$
Russell Wilber	Public Works	26 $\frac{1}{2}$
Jeanne Zoccali	Social Services	<u>19 $\frac{3}{4}$</u>

TOTAL 713 $\frac{3}{4}$ years,

and

WHEREAS, the above-listed County employees are retiring from County service and should be congratulated, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature does hereby express its deepest gratitude to the above-listed County employees for all that they have done for Cattaraugus County, and be it further

RESOLVED, that the Clerk of the Legislature is hereby directed to forward a certified copy of this resolution to each of the above-listed employees.

MR. MARSH moved, seconded by Mr. Teachman to waive Rule 12. Carried.

Adopted December 10, 2008 by voice vote.

ACT NO. 765-2008 by Mr. O'Brien
who asks immediate consideration

AUTHORIZATION FOR ORGANIZATIONAL MEETING

Pursuant to Section 151 of the County Law.

RESOLVED, that the organizational meeting of the Cattaraugus County Legislature shall be held in the Legislature's Chambers, County Office Building, 303 Court Street, Little Valley, New York on the 5th day of January, 2009, at 3:00 p.m., and be it further

RESOLVED, that the Clerk of the Legislature shall serve upon each member a notice stating the time, place and date of such meeting to organize the Legislature, and that the Chairman will then be elected; such notice shall be in writing and shall be served by mail addressed to each member to his or her last known post office address at least 48 hours before the date of the meeting.

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

Adopted December 10, 2008 by voice vote.

ACT NO. 766-2008 by Mrs. Abers, Mr. Aiello, Mr. Burrell, Mr. Ellis, Mr. Marsh, Mr. McLarney, Mr. Murphy, Mr. Neal, Mr. O'Brien, Mr. Snyder, Mr. Teachman, Mr. Vecchiarella, Ms. Vickman, Mr. Boser, Mr. Giardini, Mr. Hebdon, Mr. McClune, Mr. Padlo, Mr. Sprague, Mr. Ward and Mrs. Witte who ask immediate consideration

MEMORIALS

Pursuant to Section 211 of the County Law.

WHEREAS, death has taken individuals during the years 2007 and 2008 and who have heretofore served Cattaraugus County, now, therefore, be it

RESOLVED, that the passing of such individuals be here noted upon the minutes as follows:

C. William Baker	former County Auditor and Clerk of the Legislature
Charles L. Kenney, Sr.	former Civil Service Commissioner
Rev. Joseph K. Lowry	former County Jail and Legislative Chaplain
Staff Sergeant David Textor	Army Staff Sergeant stationed in Iraq
Erik J. Peterson	five year old boy
Barbara E. Lockwood	wife of former Democratic Election Commissioner, James Lockwood
Stanley M. Waite	former member of the County Board of Supervisors.

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

Adopted December 10, 2008 by voice vote.

MR. SNYDER moved, seconded by Mr. Vecchiarella to adjourn until January 5, 2009 at 3:00 p.m.

Meeting adjourned at 4:01 p.m.

Ann Giglio
Journal Clerk