



# CATTARAUGUS COUNTY

John R. Searles, County Administrator

Contingent Fund Balance: \$325,280

Tobacco Settlement Proceeds to Date: \$16,553,868

The following committees will meet on **Wednesday, June 1, 2011**, at the County Center in Little Valley, New York, at the indicated times:

|   |           |
|---|-----------|
| Public Works                                  | 4:00 p.m. |
| County Operations                             | 5:00 p.m. |
| Public Safety                                 | 5:15 p.m. |
| Development & Agriculture                     | 5:30 p.m. |
| - <i>Presentation by Chambers of Commerce</i> |           |
| Human Services                                | 6:00 p.m. |
| Senior Services                               | 6:15 p.m. |
| Labor Relations                               | 6:30 p.m. |
| Finance                                       | 6:45 p.m. |

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**ACT NO.**

**REFERRED RESOLUTIONS**

245-2011 Mr. Burrell  
ALLOCATION OF CATTARAUGUS COUNTY HOTEL AND MOTEL TAX ***Additional sponsors: Mr. McLarney and Mr. Boser***

**PREFILED RESOLUTIONS**

251-2011 Mr. Giardini and Mr. Ellis  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT EXTENSION WITH WENDEL DUCHSCHERER ARCHITECTS & ENGINEERS FOR OLEAN COUNTY CENTER SERVER ROOM AIR CONDITIONING UNIT REPLACEMENT PROJECT ENGINEERING SERVICES

252-2011 Mr. Giardini and Mr. Ellis  
AUTHORIZING THE CHAIR TO EXECUTE LICENSE AGREEMENT WITH ADMINISTRATIVE OFFICE OF THE UNITED STATES BANKRUPTCY COURT FOR FEDERAL USE OF COUNTY PROPERTY

253-2011 Mr. McLarney and Mr. Boser  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH SENECA-SALAMANCA AREA CHAMBER OF COMMERCE, INC. FOR INFORMATION CENTER MANAGER/COORDINATOR

254-2011 Mr. O'Brien, Mr. Vecchiarella and Mr. Ward  
DEFERRED COMPENSATION COMMITTEE RESOLUTION TO ADOPT SCHEDULE "A"

255-2011 Mr. O'Brien, Mr. Vecchiarella and Mr. Ward  
AUTHORIZING THE CHAIR TO EXECUTE ONE-YEAR CONTRACT EXTENSION WITH HARTFORD LIFE INSURANCE COMPANY FOR ADMINISTRATION OF DEFERRED COMPENSATION PLAN

256-2011 Mr. Burrell  
TRANSFER OF FUNDS (Contingent Fund – Debt Service Fund)

- 257-2011 Mr. Snyder and Mrs. Stockman  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACTS WITH VARIOUS EARLY INTERVENTION PROVIDERS AND EVALUATORS
- 258-2011 Mr. Snyder and Mrs. Stockman  
AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH CORNELL COOPERATIVE EXTENSION-CATTARAUGUS COUNTY FOR HEALTH DEPARTMENT WIC PROGRAM PART-TIME PEER COUNSELORS AND ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS (Health Department)
- 259-2011 Mr. Padlo  
LOCAL LAW NUMBER 2-2011 – A LOCAL LAW IMPLEMENTING A SILVER ALERT SYSTEM IN CATTARAUGUS COUNTY
- 260-2011 Mr. Padlo  
AUTHORIZING PUBLIC HEARING ON LOCAL LAW NUMBER 2-2011
- 261-2011 Mr. Snyder and Mrs. Stockman  
LOCAL LAW NUMBER 3-2011 – A LOCAL LAW ESTABLISHING FEES FOR CATTARAUGUS COUNTY HEALTH DEPARTMENT SERVICES AND REPEALING LOCAL LAW NUMBER 6-1999 (INTRO NUMBER 5-1999), AS AMENDED
- 262-2011 Mr. Snyder and Mrs. Stockman  
AUTHORIZING PUBLIC HEARING ON LOCAL LAW NUMBER 3-2011
- 263-2011 Mr. Snyder and Mrs. Stockman  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH CATTARAUGUS COMMUNITY ACTION, INC., FOR YOUTH PLACEMENT PREVENTION PROGRAMMING (FAST)
- 264-2011 Mr. Snyder and Mrs. Stockman  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH CATTARAUGUS COMMUNITY ACTION, INC. FOR DEPARTMENT OF SOCIAL SERVICES TRUANCY PREVENTION PROGRAM
- 265-2011 Mr. Snyder and Mrs. Stockman  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH EVERYWOMAN OPPORTUNITY CENTER, INC. FOR DEPARTMENT OF SOCIAL SERVICES TANF SERVICES GRANT FUNDING
- 266-2011 Mr. Snyder and Mrs. Stockman  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACTS WITH VARIOUS ENTITIES FOR DEPARTMENT OF SOCIAL SERVICES PSYCHOLOGICAL EVALUATIONS AND ASSESSMENTS
- 267-2011 Mr. Snyder and Mrs. Stockman  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACTS WITH VARIOUS ENTITIES FOR RESIDENTIAL INSTITUTIONAL FOSTER CARE
- 268-2011 Mr. Snyder and Mrs. Stockman  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH OLEAN YMCA FOR YMCA MEMBERSHIPS FOR FAMILIES WITH CHILDREN AT RISK OF PLACEMENT
- 269-2011 Mr. Marsh and Mr. Teachman  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH ESRI FOR SMALL MUNICIPAL AND COUNTY GOVERNMENT ENTERPRISE LICENSE AGREEMENT PROGRAM

- 270-2011 Mr. Vecchiarella  
SUPPORTING SENATE BILL S.3269 REGARDING AMENDMENT OF NEW YORK STATE  
EXECUTIVE LAW TO FURTHER DEFINE QUALIFIED AGENCIES
- 271-2011 Ms. Vickman, Mr. Boser and Mr. McClune  
AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACTS WITH VARIOUS  
ENTITIES FOR DEPARTMENT OF NURSING HOMES ANCILLARY SERVICES

| Cattaraugus County Legislative Committee Referrals<br>Committee Meeting June 1, 2011 |           |               |          |                    |                       |                   |                      |                  |                    |
|--|-----------|---------------|----------|--------------------|-----------------------|-------------------|----------------------|------------------|--------------------|
| Act #  | Finance   | County<br>Ops | DPW      | Senior<br>Services | Strategic<br>Planning | Human<br>Services | Dev &<br>Agriculture | Public<br>Safety | Labor<br>Relations |
| 245  | X         |               |          |                    |                       |                   | X                    |                  |                    |
| 251  | X         | X             | X        |                    |                       |                   |                      |                  |                    |
| 252  | X         |               | X        |                    |                       |                   |                      |                  |                    |
| 253  | X         |               |          |                    |                       |                   | X                    |                  |                    |
| 254  | X         |               |          |                    |                       |                   |                      |                  | X                  |
| 255  | X         |               |          |                    |                       |                   |                      |                  | X                  |
| 256  | X         |               |          |                    |                       |                   |                      |                  |                    |
| 257  | X         |               |          |                    |                       | X                 |                      |                  |                    |
| 258  | X         |               |          |                    |                       | X                 |                      |                  |                    |
| 259  | X         |               |          | X                  |                       |                   |                      | X                |                    |
| 260  | X         |               |          | X                  |                       |                   |                      | X                |                    |
| 261  | X         |               |          |                    |                       | X                 |                      |                  |                    |
| 262  | X         |               |          |                    |                       | X                 |                      |                  |                    |
| 263  | X         |               |          |                    |                       | X                 |                      |                  |                    |
| 264  | X         |               |          |                    |                       | X                 |                      |                  |                    |
| 265  | X         |               |          |                    |                       | X                 |                      |                  |                    |
| 266  | X         |               |          |                    |                       | X                 |                      |                  |                    |
| 267  | X         |               |          |                    |                       | X                 |                      |                  |                    |
| 268  | X         |               |          |                    |                       | X                 |                      |                  |                    |
| 269  | X         | X             |          |                    |                       |                   |                      |                  |                    |
| 270  | X         |               |          |                    |                       |                   |                      | X                |                    |
| 271  | X         |               |          | X                  |                       |                   |                      |                  |                    |
| <b>TOTAL</b>   | <b>22</b> | <b>2</b>      | <b>2</b> | <b>3</b>           |                       | <b>10</b>         | <b>2</b>             | <b>3</b>         | <b>2</b>           |

**ALLOCATION OF CATTARAUGUS COUNTY HOTEL AND MOTEL TAX**

Pursuant to Local Law No. 20-2003 (Intro No. 21-2003).

I. WHEREAS, the Cattaraugus County Legislature is committed to the development and expansion of the County's economy, with emphasis on its tourism, industrial, agricultural and small business assets, and

II. WHEREAS, the diverse natural and recreational assets and cultural resources located in Cattaraugus County have made the county a significant tourist destination in the northeast, and

III. WHEREAS, examples of such resources include the Seneca Nation of Indians and its Seneca Allegany Casino, the Amish communities, Holiday Valley and Holimont ski resorts, Allegany State Park, Onoville Marina, Rock City, Griffis Sculpture Park, East Otto Country, several hundred miles of well-maintained snowmobile and hiking trails, equine trails, many hunting and fishing destinations, Lime Lake and an array of museums, and

IV. WHEREAS, the retention, creation and expansion of small businesses, including farms and other agribusinesses, and industrial and other commercial endeavors is also of paramount importance, and

V. WHEREAS, Local Law No. 20-2003 (Intro No. 21-2003), adopted by the Cattaraugus County Legislature on November 12, 2003, established the Cattaraugus County Hotel and Motel Tax, and

VI. WHEREAS, the intent and purpose of Local Law No. 20-2003, as expressed therein, was to impose a tax on facilities providing lodging on an overnight basis and provide for the collection thereof in order to make funds available for tourism and economic development throughout Cattaraugus County, and

VII. WHEREAS, since the adoption of Local Law No. 20-2003, the Cattaraugus County Legislature has apportioned annually a significant portion of funds received from the Hotel and Motel Tax directly to the Ellicottville, Olean and Salamanca Chambers of Commerce, and

VIII. WHEREAS, a significant number of complaints have been received alleging that the current hotel and motel tax allocation system is not equitable in all cases, and

IX. WHEREAS, the County is desirous of establishing a fair and equitable process for the provision of economic development services, funded by the Hotel

and Motel Tax, to all geographic areas within Cattaraugus County, now, therefore, be it

I. RESOLVED, that on or before the first day of December, 2011 and in each year thereafter, any Chamber of Commerce, person or other organization or entity which seeks financial assistance from the County's Hotel and Motel Tax receipts for the promotion of a festival or other event proposed to be held during the next calendar year shall submit an application for such assistance to the Economic Development, Planning and Tourism Department ("the Department") on a form which shall be available at the office of the Department, and be it further

II. RESOLVED, that in the event any business seeks financial assistance from the County's Hotel and Motel Tax receipts for the promotion or expansion of such business, an application for such assistance shall be submitted to the Department of Economic Development, Planning and Tourism ("the Department") on a form which shall be available at the office of the Department, and be it further

III. RESOLVED, that the Department shall review such applications and determine which businesses and events shall be promoted by the County from a portion of the Hotel and Motel tax receipts during the succeeding year, and it is further

IV. RESOLVED, that during the month of January, 2012 and in each year thereafter, the Department is authorized and directed to seek proposals from marketing professionals to promote such activities and events by advertising and by such other means as the Director of the Department deems appropriate, and be it further

V. RESOLVED, that the Department is directed to prefile a resolution with the Clerk of the Legislature on or before the first day of March, 2012 and in each year thereafter, to seek the Legislature's authority for the County to contract with a marketing professional to promote such businesses and events during the year and to expend such amounts as may be necessary therefore, within the amounts budgeted for such purpose by the Legislature, and be it further

VI. RESOLVED, that the requirements established by this resolution shall be effective for a period of three years and, unless otherwise extended by the Legislature, shall expire on December 31, 2014.

***Referred to Finance and Development & Agriculture Committees at May 25, 2011 Board Meeting***

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT EXTENSION WITH  
WENDEL DUCHSCHERER ARCHITECTS & ENGINEERS FOR  
OLEAN COUNTY CENTER SERVER ROOM AIR CONDITIONING UNIT  
REPLACEMENT PROJECT ENGINEERING SERVICES**

Pursuant to Sections 215 and 450 of the County Law.

I. WHEREAS, Act 412-2010 authorized a contract with Wendel Duchscherer Architects & Engineers, 140 John James Audubon Parkway, Suite 201, Amherst, New York 14228, for engineering services related to the replacement of the air conditioning unit located in the server room at the Olean County Center, the term of which expired March 31, 2011, and

II. WHEREAS, Wendel Duchscherer Architects & Engineers, has requested an extension of the contract to August 31, 2011, in order to complete the aforementioned project, at no additional cost to the County, now, therefore, be it

I. RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract extension, on behalf of Cattaraugus County, with Wendel Duchscherer Architects & Engineers, for the provision of the above-described services, for a term commencing July 29, 2010 and terminating August 31, 2011, according to the above-described terms.

Resolution Referred to:

|                    |                                     |                 |                          |
|--------------------|-------------------------------------|-----------------|--------------------------|
| Finance            | <input checked="" type="checkbox"/> | Human Services  | <input type="checkbox"/> |
| Co. Operations     | <input checked="" type="checkbox"/> | Develop. & Ag   | <input type="checkbox"/> |
| DPW                | <input checked="" type="checkbox"/> | Public Safety   | <input type="checkbox"/> |
| Senior Services    | <input type="checkbox"/>            | Labor Relations | <input type="checkbox"/> |
| Strategic Planning | <input type="checkbox"/>            | _____           | <input type="checkbox"/> |

**AUTHORIZING THE CHAIR TO EXECUTE LICENSE AGREEMENT WITH  
ADMINISTRATIVE OFFICE OF THE UNITED STATES BANKRUPTCY COURT FOR  
FEDERAL USE OF COUNTY PROPERTY**

Pursuant to Sections 215 and 450 of the County Law.

I. WHEREAS, Act 247-2010 authorized a license agreement with the Administrative Office of the United States Bankruptcy Court for the use of the County's court facility located in the Olean Office Building one day each month, the term of which expires September 30, 2011, and

II. WHEREAS, the United States Bankruptcy Court is desirous of continuing the aforementioned license agreement under the same terms, and

III. WHEREAS, the County has agreed to allow the United States Bankruptcy Court to utilize the County's court facility located in the Olean Office Building once per month for an amount of \$600 per month, now, therefore, be it

I. RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a license agreement, on behalf of Cattaraugus County, with the Administrative Office of the United States Courts to use the above-described space for a term commencing October 1, 2011, and terminating September 30, 2012, according to the above-described terms.

|                         |                                     |                 |                          |
|-------------------------|-------------------------------------|-----------------|--------------------------|
| Resolution Referred to: |                                     |                 |                          |
| Finance                 | <input checked="" type="checkbox"/> | Human Services  | <input type="checkbox"/> |
| Co. Operations          | <input type="checkbox"/>            | Develop. & Ag   | <input type="checkbox"/> |
| DPW                     | <input checked="" type="checkbox"/> | Public Safety   | <input type="checkbox"/> |
| Senior Services         | <input type="checkbox"/>            | Labor Relations | <input type="checkbox"/> |
| Strategic Planning      | <input type="checkbox"/>            | _____           | <input type="checkbox"/> |

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
SENECA-SALAMANCA AREA CHAMBER OF COMMERCE, INC., FOR  
INFORMATION CENTER MANAGER/COORDINATOR**

Pursuant to Sections 224(14) and 450 of the County Law.

I. WHEREAS, Act 389-2010 authorized a contract with the Salamanca Area Chamber of Commerce, Inc., 26 Main Street, Salamanca, New York 14779, for the provision of an information center manager for the I-86 (westbound) rest area, the term of which expires June 30, 2011, and

II. WHEREAS, the County is responsible for staffing the rest area on I-86 (westbound) in the Town of Allegany for a minimum of five (5) hours per day for 151 days per year, plus additional hours per day during the holiday periods of Thanksgiving, Christmas and Easter, and

III. WHEREAS, the County Department of Economic Development, Planning and Tourism does not have sufficient staff to provide management of the information center, and

IV. WHEREAS, the Seneca-Salamanca Area Chamber of Commerce, Inc., 26 Main Street, Salamanca, New York 14779, can provide an information center manager/coordinator for a minimum of 20 hours per week, with six (6) to eight (8) hours on Sundays (mandatory), as well as holiday periods, for an amount of \$15,000, per year, and

V. WHEREAS, funding for this program is provided through casino proceeds, now, therefore, be it

I. RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with the Seneca-Salamanca Area Chamber of Commerce, Inc., for the provision of the above-described services, for a term commencing July 1, 2011 and terminating June 30, 2012, according to the above-described terms, and be it further

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

Resolution Referred to:

|                    |                                     |                 |                                     |
|--------------------|-------------------------------------|-----------------|-------------------------------------|
| Finance            | <input checked="" type="checkbox"/> | Human Services  | <input type="checkbox"/>            |
| Co. Operations     | <input type="checkbox"/>            | Develop. & Ag   | <input checked="" type="checkbox"/> |
| DPW                | <input type="checkbox"/>            | Public Safety   | <input type="checkbox"/>            |
| Senior Services    | <input type="checkbox"/>            | Labor Relations | <input type="checkbox"/>            |
| Strategic Planning | <input type="checkbox"/>            | _____           | <input type="checkbox"/>            |



**DEFERRED COMPENSATION COMMITTEE RESOLUTION  
TO ADOPT SCHEDULE "A"**

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

I. WHEREAS, the Cattaraugus County Deferred Compensation Committee is required from time-to-time to adopt certain optional Plan amendments and provisions, and

II. WHEREAS, the Cattaraugus County Deferred Compensation Committee recently met and discussed certain optional Plan revisions, such as a Roth Program, Suspension Of Deferrals, Plan Rollovers, Automatic Distribution of inactive accounts, Plan Loans, etc., as included as Appendix A below, and

III. WHEREAS, the Cattaraugus County Deferred Compensation Committee recommends the adoption of Schedule A to accompany its Model Plan, now, therefore, be it

I. RESOLVED, that effective immediately, Cattaraugus County hereby adopts the Optional Plan revisions attached hereto as Schedule A.

Resolution Referred to:

|                    |                                     |                 |                                     |
|--------------------|-------------------------------------|-----------------|-------------------------------------|
| Finance            | <input checked="" type="checkbox"/> | Human Services  | <input type="checkbox"/>            |
| Co. Operations     | <input type="checkbox"/>            | Develop. & Ag   | <input type="checkbox"/>            |
| DPW                | <input type="checkbox"/>            | Public Safety   | <input type="checkbox"/>            |
| Senior Services    | <input type="checkbox"/>            | Labor Relations | <input checked="" type="checkbox"/> |
| Strategic Planning | <input type="checkbox"/>            | _____           | <input type="checkbox"/>            |

## SCHEDULE A

Effective date of last completion or amendment of this Schedule A: 5/10/11

### Instructions

This Schedule A and all later amendments to this Schedule A are part of the Plan document and should remain attached to the Plan document.

Schedule A is used by the Committee (1) TO ACTIVATE or TERMINATE optional Plan provisions described below, (2) TO MODIFY the default provisions of the Plan described below or (3) TO INDICATE that the default provisions described below will continue to apply under the Plan.

Each section of this Schedule A must be completed by the Committee in connection with the adoption of this amendment and restatement of the Plan. All selections made shall remain effective until this Schedule A is later amended by the Committee.

All section references refer to the corresponding sections of the Plan and all defined terms have the meanings ascribed to them in the Plan.

### Committee Elections – Optional Plan Provisions

#### **3.1(c) ROTH PROGRAM**

***Section 3.1(c) of the Plan permits Roth Contributions only if the Committee checks YES below. The Committee must also indicate below the effective date of this election. The Committee should check NO below to indicate that Roth Contributions will not be permitted under the Plan or, at a later time, to change prospectively (as of a specified effective date) a prior election under this section.***

The Plan shall maintain a Roth Program under which Participants may make Roth Contributions to the Plan, which Roth Contributions will be made and separately accounted for in compliance with the relevant provisions of the Plan and the Code.

☐ YES

☒ NO

Effective date: 5/10/11

#### **8.4(d) IN-PLAN ROLLOVER TO A ROTH ACCOUNT**

*Section 8.4(d) of the Plan permits Roth Contributions only if the Committee has checked YES above (permitting a Roth Program) and checked YES below allowing amounts that otherwise qualify as Eligible Rollover Distributions not attributable to Roth Contributions to be directly contributed to a Roth Account under the Plan. The Committee must also indicate below the effective date of this election. The Committee should check NO below to indicate that Eligible Rollover Distributions may not be directly rolled over to a Roth Account under the Plan or, at a later time, to change prospectively (as of a specified effective date) a prior election under this section.*

To the extent the Committee has resolved to implement and maintain a Roth Program pursuant to Section 3.1(c) of Schedule A, a Participant may elect to have the portion of his or her Eligible Rollover Distribution that is not attributable to Roth Contributions directly rolled over into a Roth Account in the Plan.

☐ YES (do not check YES unless Roth Program is in effect)

☒ NO

Effective date: 5/19/11

#### **3.1(e) SUSPENSION OF DEFERRALS AND CONTRIBUTIONS FOLLOWING AN UNFORESEEABLE EMERGENCY WITHDRAWAL**

*Section 3.1(e) of the Plan allows the Employer automatically to suspend deferrals and contributions for six months following the date a Participant receives an Unforeseeable Emergency Withdrawal only if the Committee checks YES below. The Committee must also indicate below the effective date of this election. The Committee should check NO below to indicate that a suspension of deferrals and contributions will not be required or, at a later time, to change prospectively (as of a specified effective date) a prior election under this section.*

A Participant's deferrals and contributions will be suspended for a period of six months following a distribution due to an Unforeseeable Emergency withdrawal.

☐ YES

☒ NO

Effective date: 5/10/11

**7.2(b) AUTOMATIC DISTRIBUTION OF SMALL ACCOUNTS FOLLOWING A SEVERANCE FROM EMPLOYMENT**

*Section 7.2(b) of the Plan allows the Employer to automatically distribute certain small account balances following a Severance from Employment only if the Committee has checked YES below. The Committee must also indicate below the effective date of this election. The Committee should check NO to indicate that no automatic distribution will occur following a Severance from Employment or, at a later time, prospectively to change (as of a specified effective date) a prior election under this section.*

With respect to a Participant or an Alternate Payee whose Account or Alternate Payee Account does not exceed the amount set forth in Section 7.2(a) of the Plan, the Committee shall direct the automatic distribution of the Participant's Account and Rollover Account or the Alternate Payee's Alternate Payee Account as soon as practicable following the Participant's Severance from Employment.

☐ YES

☒ NO

Effective date: 5/10/11

**7.2(b) AUTOMATIC DISTRIBUTION OF INACTIVE SMALL ACCOUNTS**

*Section 7.2(b) of the Plan allows the Employer to automatically distribute certain small account balances in inactive accounts only if the Committee has checked YES below and indicated the small account amount below. The Committee must also indicate below the effective date of this election. The Committee should check NO to indicate that no automatic distribution of inactive small accounts will occur or, at a later time, prospectively to change (as of a specified effective date) a prior election under this section.*

**7.2(b) Automatic Distributions after a Severance from Employment.**

With respect to a Participant or an Alternate Payee whose Account or Alternate Payee Account does not exceed the amount set forth in Section 7.2(a) of the Plan, upon an Account Participant's Plan Benefit falling below \$ \_\_\_\_\_, *[Insert any whole dollar amount up to the dollar limit under Section 411(a)(11)(A) of the Code]* to the extent that the requirements of Section 7.2(a) of the Plan are met, the Committee shall direct the automatic distribution of the Participant's Account and Rollover Account or the Alternate Payee's Alternate Payee Account in accordance with 7.2(b) of the Plan.

☐ YES (do not check YES unless a permissible amount is specified above)

☒ NO

Effective date: 5/10/11

### 7.3 PLAN LOANS FOR ACTIVE EMPLOYEES

*Section 7.3 of the Plan allows active Employees to request a Plan loan only if the Committee has checked YES below. The Committee must also indicate below the effective date of this election. The Committee should check NO to indicate that no Plan loans will be permitted or, at a later time, prospectively (as of a specified effective date) to change a prior election under this section.*

Participants who are active Employees shall be eligible to request a Plan loan and may be granted a loan pursuant to the requirements of Section 7.3 of the Plan.

☐ YES

☒ NO

Effective date: 5/10/11

### 7.3(a) PLAN LOANS FOR PARTICIPANTS ON AN APPROVED LEAVE OF ABSENCE

*Section 7.3(a) of the Plan allows Participants who are on an approved leave of absence to be eligible to request a Plan loan only if the Committee has checked YES above (permitting Plan loans for active Employees) and checked YES below extending the loan provisions to Participants on an approved leave of absence. The Committee must also indicate below the effective date of this election. The Committee should check NO to indicate that no Plan loans will be permitted for Participants on an approved leave of absence or, at a later time, prospectively to change (as of a specified effective date) a prior election under this section.*

Participants who are on an approved leave of absence from their Employer shall be eligible to request a Plan loan and may be granted a loan pursuant to the requirements of Section 7.3 of the Plan.

☐ YES (do not check YES unless Plan Loans are authorized for active Employees)

☒ NO

Effective date: 5/10/11

**Committee Elections – Modification of Default Plan Provisions**

**7.3(f) DURATION OF LOAN GRACE PERIOD**

*Section 7.3 of the Plan allows the Committee to permit Plan loans (see elections above). If the Committee permits Plan loans, the Plan document states that, unless the Committee makes an election below, any such loan will be in default if a Participant fails to make a required loan repayment within 90 days following the due date for such repayment. The Plan document refers to this period as the "Loan Grace Period."*

*Section 7.3(f) of the Plan allows the Committee to specify a shorter Loan Grace Period by indicating a period of fewer than 90 days below and by indicating that such election will apply to Plan loans made after the effective date specified below. The Committee may, at a later time, indicate (as of a specified effective date) a different Loan Grace Period by making a new election under this section.*

The Loan Grace Period for purposes of Section 7.3(f) shall be 0 days *[a number of days greater than 0 but less than 90]* following the due date of a Participant's scheduled loan repayment.

Effective date: 5/10/11

**8.1(c)(i) and (iii) MINIMUM LUMP SUM AMOUNT**

*Sections 8.1(c)(i) and (iii) of the Plan allow a Participant who is otherwise eligible for a distribution under the Plan to elect to receive that distribution in a total or partial lump sum. The Plan document states that, unless the Committee makes an election below, the amount of a partial lump sum distribution cannot be less than \$100. The Plan document refers to this amount as the "Minimum Lump Sum Amount."*

*Sections 8.1(c)(i) and (iii) of the Plan allow the Committee to specify a different Minimum Lump Sum Amount by indicating a dollar amount below and by indicating that such Minimum Lump Sum Amount will apply to distributions made after the effective date specified below. The Committee may also indicate there is no Minimum Lump Sum Amount by inserting the "none" or "0" below. The Committee may, at a later time, indicate (as of a specified effective date) on a prospective basis a different Minimum Lump Sum Amount by making a new election under this section.*

The Minimum Lump Sum Amount shall be \$ 100<sup>00</sup>.

Effective date: 5/10/11

**8.1(c)(ii) MINIMUM INSTALLMENT AMOUNT**

*Section 8.1(c)(ii) of the Plan allows a Participant who is otherwise eligible for a distribution under the Plan to elect to receive that distribution in periodic monthly, quarterly, semi-annual or annual installments. The Plan document states that, unless the Committee makes an election below, the amount of an installment distribution cannot be less than \$100. The Plan document refers to this amount as the "Minimum Installment Amount."*

*Section 8.1(c)(ii) of the Plan allows the Committee to specify a different Minimum Installment Amount by indicating a dollar amount below and by indicating that such Minimum Installment Amount will apply to distributions made after the effective date specified below. The Committee may also indicate there is no Minimum Installment Amount by inserting the "none" or "0" below. The Committee may, at a later time, indicate (as of a specified effective date) on a prospective basis a different Minimum Installment Amount by making a new election under this section.*

The Minimum Installment Amount shall be \$ 100<sup>00</sup>.

Effective date: 5/10/11

**8.1(c)(i) and (iii) MAXIMUM ANNUAL NUMBER OF PARTIAL DISTRIBUTIONS PER PLAN YEAR**

*Sections 8.1(c)(i) and (iii) of the Plan allow a Participant who is otherwise eligible for a distribution under the Plan to elect to receive that distribution in a total or partial lump sum. The Plan document states that, unless the Committee makes an election below, the maximum number of partial lump sum distributions in a Plan Year may not exceed 12. The Plan document refers to this amount as the "Maximum Annual Number of Partial Distributions."*

*Sections 8.1(c)(i) and (iii) of the Plan allow the Committee to specify a different Maximum Number of Partial Distributions per Plan Year by indicating a different limit below and by indicating that such limit will apply to distributions made after the effective date specified below. The Committee may, at a later time, indicate (as of a specified effective date) on a prospective basis a different Maximum Number of Partial Distributions for a Plan Year by making a new election under this section.*

The Maximum Annual Number of Partial Distributions for each Plan Year shall be Twelve (12)

Effective date: 5/10/11

**8.1(e) DISTRIBUTION WAITING PERIOD**

*Section 8.1(c) of the Plan allows a Participant who is otherwise eligible for a distribution under the Plan to elect to receive that distribution in a total or partial lump sum or in installments. Section 8.1(e) of the Plan document also states that, unless the Committee makes an election below, a distribution will be delayed for 45 days if the distribution would result in the Participant having an account balance of less than \$500. The Plan document refers to this period as the "Distribution Waiting Period."*

*Section 8.1(e) of the Plan allows the Committee to specify a different Distribution Waiting Period by indicating a different limit below and by indicating that such limit will apply to distributions made after the effective date specified below. The Committee may also indicate there is no Distribution Waiting Period by inserting the word "none" below. The Committee may, at a later time, indicate (as of a specified effective date) on a prospective basis a different Distribution Waiting Period for a Plan Year by making a new election under this Schedule A.*

The Distribution Waiting Period shall be 0 days.

Effective date: 5/10/11

*Paul R. Martin*  
*Plan Administrator*  
*5/10/11*



**AUTHORIZING THE CHAIR TO EXECUTE ONE-YEAR CONTRACT EXTENSION WITH  
HARTFORD LIFE INSURANCE COMPANY FOR  
ADMINISTRATION OF DEFERRED COMPENSATION PLAN**

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

I. WHEREAS, Act 351-2006 authorized a contract with the Hartford Life Insurance Company, 457 Plan Service Group, 179 Sully's Trail, Suite 200, Pittsford, New York 14534, for the administration of a Deferred Compensation plan for its employees, the term of which expired May 25, 2011, and

II. WHEREAS, the purpose of the Deferred Compensation Plan is to provide employees with a convenient and tax-favored method of saving on a regular and long-term basis and thereby provide for their retirement, and

III. WHEREAS, Section 9003.5 (b) of the Rules and Regulations of the New York State Deferred Compensation Board allows for an additional one-year extension from the expiration date of the contract, and

IV. WHEREAS, the Cattaraugus County Deferred Compensation Committee has concluded, upon due deliberation, that it is in the best interest of Cattaraugus County to extend the term of the contract with the Hartford Life Insurance Company for a period of one year for the preservation of the stability of the Plan's administration, to have additional time to evaluate the effectiveness of programs and to prepare for the solicitation and evaluation of competitive proposals in accordance with Section 9003.3 of the Rules and Regulations of the New York State Deferred Compensation Board, and

IV. WHEREAS, it is the recommendation of the Cattaraugus County Deferred Compensation Committee to authorize a one-year extension of the current contract with Hartford Life Insurance Company, now, therefore, be it

I. RESOLVED, that the Chair of the Legislature and the Deferred Compensation Plan administration, in conjunction with Reliance Trust Company, as Trustee be, and hereby are, authorized and directed to execute a one-year contract extension, on behalf of Cattaraugus County, with the Hartford Life Insurance Company, for a term which expires May 25, 2012.

Resolution Referred to:

|                    |                                     |                 |                                     |
|--------------------|-------------------------------------|-----------------|-------------------------------------|
| Finance            | <input checked="" type="checkbox"/> | Human Services  | <input type="checkbox"/>            |
| Co. Operations     | <input type="checkbox"/>            | Develop. & Ag   | <input type="checkbox"/>            |
| DPW                | <input type="checkbox"/>            | Public Safety   | <input type="checkbox"/>            |
| Senior Services    | <input type="checkbox"/>            | Labor Relations | <input checked="" type="checkbox"/> |
| Strategic Planning | <input type="checkbox"/>            |                 | <input type="checkbox"/>            |

**TRANSFER OF FUNDS  
(Contingent Fund - Debt Service Fund)**

Pursuant to Sections 363 and 365 of the County Law.

- I. WHEREAS, the 2011 budget was adopted on November 23, 2010, and
- II. WHEREAS, 2010 bonds were issued after the adoption of the 2010 budget, which caused a shortfall in the 2011 debt service of bond issue, now, therefore, be it
- I. RESOLVED, that the County Administrator is hereby directed to make the following budgetary changes:

Decrease Appropriation Account:

|                       |                 |             |
|-----------------------|-----------------|-------------|
| A.901.1990.0000.40601 | Contingent Fund | \$ 9,245.00 |
|-----------------------|-----------------|-------------|

Increase Appropriation Accounts:

|                       |                               |             |
|-----------------------|-------------------------------|-------------|
| A.990.9901.0000.90970 | Transfer to Debt Service Fund | \$ 9,245.00 |
| V.970.9710.0000.60111 | 2010 Bonds (A)                | \$19,000.00 |
| V.970.9710.0000.60112 | 2010 Bonds (D)                | \$16,000.00 |
| V.970.9710.0000.70111 | 2010 Bonds (A)                | \$10,048.00 |
| V.970.9710.0000.70112 | 2010 Bonds (D)                | \$ 2,703.00 |

Increase Estimated Revenue Accounts:

|                         |                             |              |
|-------------------------|-----------------------------|--------------|
| V.990.9901.0000.5050.1  | Transfer from General Fund  | \$ 9,245.00  |
| V.970.9710.0000.4989.01 | RZED Bonds Interest Subsidy | \$ 4,892.00  |
| V.970.9710.0000.4989.02 | BAB Bonds Interest Subsidy  | \$33,614.00. |

Resolution Referred to:

|                    |                                     |                 |                          |
|--------------------|-------------------------------------|-----------------|--------------------------|
| Finance            | <input checked="" type="checkbox"/> | Human Services  | <input type="checkbox"/> |
| Co. Operations     | <input type="checkbox"/>            | Develop. & Ag   | <input type="checkbox"/> |
| DPW                | <input type="checkbox"/>            | Public Safety   | <input type="checkbox"/> |
| Senior Services    | <input type="checkbox"/>            | Labor Relations | <input type="checkbox"/> |
| Strategic Planning | <input type="checkbox"/>            | _____           | <input type="checkbox"/> |

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACTS WITH  
VARIOUS EARLY INTERVENTION PROVIDERS AND EVALUATORS**

Pursuant to Section 450 of the County Law and  
Section 2540 et. seq. of the Public Health Law.

I. WHEREAS, Act 273-2009 authorized contracts with various early intervention providers and evaluators for the general administration and provision of early intervention services and evaluations, the terms of which expire June 30, 2011, and

II. WHEREAS, early intervention is a family-centered, holistic approach to evaluating and serving eligible infants and toddlers, strength-based, not deficit-oriented, collaborative in nature, and guarantees, where possible, infants and toddlers access to typical peers, and

III. WHEREAS, the County Health Department is responsible for the general administration and provision of early intervention services to infants and toddlers 0-2 years with developmental delays and disabilities and their families, and

IV. WHEREAS, the County Health Department is desirous of renewing the aforementioned contracts, and

V. WHEREAS, payments to the various early intervention providers and evaluators will be in accordance with the rates established by the New York State Department of Health, and

VI. WHEREAS, funding for the services and evaluations of this entitlement program is provided through Medicaid reimbursement, third party payors and special programs, now, therefore, be it

I. RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute contracts, on behalf of Cattaraugus County, with various early intervention providers and evaluators, for the provision of the above-described services and evaluations, for a term commencing July 1, 2011 and terminating June 30, 2013, according to the above-described terms.

Resolution Referred to:

|                    |                                     |                 |                                     |
|--------------------|-------------------------------------|-----------------|-------------------------------------|
| Finance            | <input checked="" type="checkbox"/> | Human Services  | <input checked="" type="checkbox"/> |
| Co. Operations     | <input type="checkbox"/>            | Develop. & Ag   | <input type="checkbox"/>            |
| DPW                | <input type="checkbox"/>            | Public Safety   | <input type="checkbox"/>            |
| Senior Services    | <input type="checkbox"/>            | Labor Relations | <input type="checkbox"/>            |
| Strategic Planning | <input type="checkbox"/>            | _____           | <input type="checkbox"/>            |

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH  
CORNELL COOPERATIVE EXTENSION-CATTARAUGUS COUNTY FOR  
HEALTH DEPARTMENT WIC PROGRAM PART-TIME PEER COUNSELORS AND  
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS  
(Health Department)**

Pursuant to 42 USCS Section 1786 and  
Sections 363, 366 and 450 of the County Law.

I. WHEREAS, Act 537-2010 authorized a contract with Cornell Cooperative Extension-Cattaraugus County, 28 Parkside Drive, Ellicottville, New York 14731, for the provision of two part-time breastfeeding peer counselors for the Health Department WIC program, the term of which expires September 30, 2011, and

II. WHEREAS, the County Health Department received additional COLA funding and is desirous of allocating \$2,000 of it for part-time WIC peer counselors to cover additional WIC clinics, and

III. WHEREAS, various appropriation and revenue accounts must be adjusted in order to allocate the aforementioned additional COLA funding for the part-time peer counselors, now, therefore, be it

I. 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 Cornell Cooperative Extension-Cattaraugus County, for allocation of the aforementioned additional COLA funding, for a term commencing October 1, 2010 and terminating September 30, 2011, according to the above-described terms, and be it further

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

Increase Estimated Revenue Account:

|                      |           |            |
|----------------------|-----------|------------|
| A.401.4082.0000.4482 | WIC Grant | \$2,000.00 |
|----------------------|-----------|------------|

Increase Appropriation Account:

|                          |  |             |
|--------------------------|--|-------------|
| A.401.4082.0000.41605.03 | Contracted Services WIC Peer Counselor | \$2,000.00. |
|--------------------------|--|-------------|

Resolution Referred to:

|   |  |
|---|--|
| Finance <input checked="" type="checkbox"/> | Human Services <input checked="" type="checkbox"/> |
| Co. Operations <input type="checkbox"/>     | Develop. & Ag <input type="checkbox"/>             |
| DPW <input type="checkbox"/>                | Public Safety <input type="checkbox"/>             |
| Senior Services <input type="checkbox"/>    | Labor Relations <input type="checkbox"/>           |
| Strategic Planning <input type="checkbox"/> | <input type="checkbox"/>                           |

**LOCAL LAW NUMBER 2 - 2011  
COUNTY OF CATTARAUGUS, NEW YORK**

Pursuant to Section 10 of the Municipal Home Rule Law.

**A LOCAL LAW IMPLEMENTING A SILVER ALERT SYSTEM IN CATTARAUGUS COUNTY**

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

SECTION 1. Legislative Intent. It is the intent of this Local Law to establish a uniform policy and procedure for handling silver alert incidents, which include, but are not limited to, missing individuals that suffer from dementia related disorders, other cognitive impairments, or are at risk due to older age or other circumstances.

SECTION 2. Purpose of the Silver Alert System.

A. Seventy percent (70%) of Alzheimer's disease and other dementia patients are cared for at home by family members, in what are often extraordinary and moving acts of love and devotion during the progress of the disease, which on average lasts between five (5) and fifteen (15) years, and is marked by progressive symptoms that over time make the patient completely dependent on their caregivers.

B. A common behavior of this disease that causes great concern for families and caregivers is wandering, and the risk to these vulnerable individuals increases exponentially the longer they remain missing. There have been several recent incidents in which a New York State citizen diagnosed with Alzheimer's disease or other form of dementia has engaged in wandering, and the locality was not equipped with the tools necessary to locate them in a timely manner, with the unfortunate result that these individuals never returned home to their families.

C. A number of states and municipalities as well as the federal government have either developed or are considering a "Silver Alert" System, similar to the Amber Alert System, which allows local law enforcement to disseminate to media outlets vital information about these vulnerable citizens who have wandered from their caretakers, to aid in the search and safe return of these individuals to those responsible for them.

D. The purpose of this local law is for Cattaraugus County, in its ongoing mission to provide essential services to protect its vulnerable population, to establish a Silver Alert System that will provide rapid

dissemination of information to the public regarding missing senior citizens and other individuals suffering from Alzheimer's disease, dementia and other cognitive disorders in an effort to expedite the search and safe recovery of those individuals.

SECTION 3. Definitions. As used in this article, the following terms shall have the meanings indicated:

A. County - The County of Cattaraugus, New York.

B. Silver Alert System - A system that will provide the rapid dissemination of information regarding missing senior citizens and other individuals suffering from Alzheimer's disease, dementia or other cognitive disorders.

SECTION 4. Procedures.

A. The Cattaraugus County Sheriff's Office, in conjunction with the Association of Police Chiefs, shall establish a Silver Alert System, develop guidelines and set up procedures for issuing a Silver Alert, and maintain a database of media, organizations and other outlets to be notified when a senior citizen or other individual suffering from Alzheimer's disease, dementia or other cognitive disorder is reported missing.

B. The Cattaraugus County Sheriff's Office will work jointly with the various town and village police departments within the County and the Alzheimer's Association National MedicAlert+ Safe Return Program to rapidly disseminate information regarding missing senior citizens and other individuals suffering from Alzheimer's disease, dementia or other cognitive disorders.

C. The Cattaraugus County Sheriff's Office will issue a Silver Alert, unless it is deemed inappropriate due to particular circumstances, each time a senior citizen or other individual suffering from Alzheimer's disease, dementia or other cognitive disorders is reported missing to the Sheriff's Office.

D. The Silver Alert distributed to the public shall contain the following information:

1. The missing individual's name;
2. The missing individual's age;
3. A physical description of the missing individual, including, if known, a description of the clothing the individual was last seen wearing;
4. The last location where the missing individual was seen, and
5. The description of any motor vehicle the missing may be driving and the direction in which it was last seen traveling.

SECTION 5. Severability. If any clause, sentence, paragraph, subdivision, section or part of this local law or the application thereof to any person, individual, corporation, firm, partnership, entity or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, effect or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this law or in its application to the person, individual corporation, firm, partnership, entity or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

SECTION 6. Effective Date. This Local Law shall become effective immediately upon the filing with the Secretary of State pursuant to Section 27 of the Municipal Home Rule Law.

Resolution Referred to:

|                    |                                     |                 |                                     |
|--------------------|-------------------------------------|-----------------|-------------------------------------|
| Finance            | <input checked="" type="checkbox"/> | Human Services  | <input type="checkbox"/>            |
| Co. Operations     | <input type="checkbox"/>            | Develop. & Ag   | <input type="checkbox"/>            |
| DPW                | <input type="checkbox"/>            | Public Safety   | <input checked="" type="checkbox"/> |
| Senior Services    | <input checked="" type="checkbox"/> | Labor Relations | <input type="checkbox"/>            |
| Strategic Planning | <input type="checkbox"/>            | _____           | <input type="checkbox"/>            |

**AUTHORIZING PUBLIC HEARING ON LOCAL LAW NUMBER 2-2011**

Pursuant to Section 20 of the Municipal Home Rule Law.

I. WHEREAS, there has been duly presented and introduced at a meeting of this Legislature held on June 8, 2011, a proposed Local Law entitled "A Local Law Implementing a Silver Alert System in Cattaraugus County", and

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

I. RESOLVED, that a public hearing shall be held on the proposed local law by this County Legislature on the 22nd day of June, at 3:01 p.m. at the Legislature's Chambers, County Office Building, 303 Court Street, Little Valley, New York, and that at least five days notice of such hearing shall be given by the Clerk by the due posting thereof upon the bulletin board of each County Court House within the County and by publishing such notice at least once in the official newspapers of the County.

Resolution Referred to:

|                    |                                     |                 |                                     |
|--------------------|-------------------------------------|-----------------|-------------------------------------|
| Finance            | <input checked="" type="checkbox"/> | Human Services  | <input type="checkbox"/>            |
| Co. Operations     | <input type="checkbox"/>            | Develop. & Ag   | <input type="checkbox"/>            |
| DPW                | <input type="checkbox"/>            | Public Safety   | <input checked="" type="checkbox"/> |
| Senior Services    | <input checked="" type="checkbox"/> | Labor Relations | <input type="checkbox"/>            |
| Strategic Planning | <input type="checkbox"/>            | _____           | <input type="checkbox"/>            |



**LOCAL LAW NUMBER 3 - 2011  
COUNTY OF CATTARAUGUS, NEW YORK**

Pursuant to Section 10 of the Municipal Home Rule Law.

**A LOCAL LAW ESTABLISHING FEES FOR CATTARAUGUS COUNTY  
HEALTH DEPARTMENT SERVICES AND REPEALING LOCAL LAW  
NUMBER 6-1999 (INTRO NUMBER 5-1999), AS AMENDED**

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

SECTION 1. Legislative Intent. It is the intent of this Local Law to revise the fee schedule currently in effect for certain services provided by the Cattaraugus County Health Department.

SECTION 2. Fee Schedule. Effective August 1, 2011, the following fees shall be charged by the Cattaraugus County Health Department.

| <b>Program Area</b>            | <b>Service</b>  | <b>Fee</b> |
|--------------------------------|---|------------|
| <b>A. Food Protection</b>      | <b>Food Service Establishments (P)</b>                                |            |
|                                | High Risk Food  |            |
|                                | ▪ (0-50 seats)  | \$125.00   |
|                                | ▪ (51-100 seats)  | \$165.00   |
|                                | ▪ (101 + seats)/Catering  | \$210.00   |
|                                | Moderate Risk Food  | \$100.00   |
|                                | Low Risk Food   | \$ 75.00   |
|                                | Permissions to Operate  | \$ 25.00   |
|                                | <b>Temporary Food (P)</b>   |            |
|                                | ▪ Application   | \$ 40.00   |
|                                | <b>Frozen Desserts (P)</b>  | \$ 25.00   |
| <b>B. Camps/Recreation</b>     | <b>Bathing Facilities (P)</b>   |            |
|                                | ▪ Swimming Pool/Spa   | \$100.00   |
|                                | ▪ Each Additional Pool/Spa  | \$ 25.00   |
|                                | ▪ Beach (Mandatory Sampling Required)                                 | \$ 75.00   |
|                                | <b>Temporary Residence (P)</b>  |            |
|                                | Hotel/Motel   |            |
|                                | ▪ Base Fee & Fire Safety  |            |
|                                | ▪ (0-20 rooms)  | \$ 75.00   |
|                                | ▪ (21-50 rooms)   | \$100.00   |
|                                | ▪ (51-100 rooms)  | \$125.00   |
|                                | ▪ (101 + rooms)   | \$175.00   |
|                                | Campgrounds (P)   |            |
|                                | ▪ Base Fee  |            |
|                                | ▪ (0-50 sites)  | \$ 75.00   |
|                                | ▪ (51-100 sites)  | \$100.00   |
|                                | ▪ (101 - 200 sites)   | \$125.00   |
|                                | ▪ (201 + sites)   | \$175.00   |
|                                | <b>Children's Camps (P)</b>   |            |
|                                | Basic Facility & Safety Plans   | \$200.00   |
|                                | <i>(fee for profit only; non-profits are exempt<br/>per 10 NYCRR)</i> |            |
|                                | <b>Mass Gathering (P)</b>   |            |
|                                | Attendance/Ticket Sales   |            |
|                                | ▪ (5,000-10,000)  | \$1,000.00 |
|                                | ▪ (10,000+)   | \$1,500.00 |
| <b>C. Community Sanitation</b> | <b>Mobile Home Parks (P)</b>  |            |
|                                | ▪ Base Fee  | \$ 50.00   |

|  |   |             |
|--|---|-------------|
|  | ▪ Unit Fee (per site)   | \$ 4.00     |
|  | <b>Day Care Center (I)</b>  | \$ 75.00    |
|  | (as regulated per NYSDOH Tech.Ref. Item# CSFP 159)  |             |
|  | <b>Labor Camp (P)</b>   |             |
|  | ▪ Base Fee  | \$150.00    |
|  | ▪ With Food Service (add)   | \$ 75.00    |
|  | <b>Real Property Transfer/Mortgage Refinancing (I)</b>  |             |
|  | ▪ Water Supply  | \$ 75.00    |
|  | ▪ Sewage System   | \$175.00    |
|  | ▪ Water and Sewage Systems  | \$250.00    |
|  | ▪ Privy Only  | \$ 75.00    |
|  | ▪ Residential Well Water Quality Test (U.S. HUD Mortgage Requirements)                                  | \$150.00    |
|  | <b>Small Sewage Disposal System (P)</b>   |             |
|  | ▪ New System  | \$175.00    |
|  | ▪ Full or Partial Replacement   | \$125.00    |
|  | ▪ Septic Tank Only Replacement  | \$ 75.00    |
|  | ▪ Privy   | \$ 75.00    |
|  | ▪ Sewage Disposal System Construction   | \$ 35.00    |
|  | ▪ Renewal Fee (After 1 year)  |             |
|  | ▪   |             |
| <b>D. Onsite Public Water/Sewage</b>           | For all Regulated Facilities which have onsite water and/or sewage disposal systems, add the following: |             |
|  | ▪ Community Public Water Supply (I)   | \$100.00    |
|  | ▪ Non-Community Public Water Supply (I)   | \$ 50.00    |
|  | ▪ Onsite Sewage Disposal (I)  | \$ 30.00    |
| <b>E. Communicable Disease Prevention</b>      | Tattoo Shops (P)  | \$100.00    |
| <b>F. Environmental Reviews/Investigations</b> | Environmental Audit File Review   | \$ 50.00    |
|  | SEQRA-Positive Declaration -EIS Required  | \$ 1,000.00 |
|  | SEQRA-Negative Declaration-Full EAF   | \$ 200.00   |
|  | SEQRA-Negative Declaration-Short EAF  | \$ 100.00   |
| <b>G. Plan Review/Approval</b>                 | Onsite Sewage Treatment System  |             |
|  | ▪ (Less than 1,000 gpd)   | \$ 50.00    |
|  | ▪ (Greater than 1,000 gpd)  | \$ 100.00   |
|  | Hotel/Motel (Base Fee)  | \$ 100.00   |
|  | ▪ Room Fee (Per Room/Unit) (now the responsibility of BCEO)   | \$ 0.00     |
|  | ▪ With Fire Sprinkler System (add) (now the responsibility of BCEO)                                     | \$ 0.00     |
|  | Mobile Home Park (site Plan)  | \$ 100.00   |
|  | Campground (Site Plan)  | \$ 100.00   |
|  | Realty Subdivision (Per Lot)  | \$ 25.00    |
|  | Public Bathing Facility   |             |
|  | ▪ Pool/Spa (Per Filter System)  | \$ 150.00   |
|  | ▪ Beach   | \$ 50.00    |
|  | Public Water Supply   |             |
|  | ▪ Treatment   | \$ 150.00   |
|  | ▪ Distribution  | \$ 150.00   |
|  | ▪ Storage   | \$ 100.00   |
|  | ▪ Source  | \$ 100.00   |
|  | Cross Connection Control (Per Device)   | \$ 50.00    |
|  | Sanitary Sewer Extension  | \$ 150.00   |
|  | Food Service Establishment  |             |
|  | ▪ New Construction  | \$ 100.00   |
|  | ▪ Renovation  | \$ 50.00    |
|  | Mass Gathering (Site Plan)  | \$1,000.00  |
|  | <b>Clean Indoor Air Act</b>   |             |
|  | ▪ Waiver Application (BOH voted to no longer issue waivers)   | \$ 150.00   |

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

SECTION 4. Repeal Local Law Number 6-1999. Local Law Number 6-1999 (Intro Number 5-1999) is hereby repealed.

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

Resolution Referred to:

|                    |                                     |                 |                                     |
|--------------------|-------------------------------------|-----------------|-------------------------------------|
| Finance            | <input checked="" type="checkbox"/> | Human Services  | <input checked="" type="checkbox"/> |
| Co. Operations     | <input type="checkbox"/>            | Develop. & Ag   | <input type="checkbox"/>            |
| DPW                | <input type="checkbox"/>            | Public Safety   | <input type="checkbox"/>            |
| Senior Services    | <input type="checkbox"/>            | Labor Relations | <input type="checkbox"/>            |
| Strategic Planning | <input type="checkbox"/>            | _____           | <input type="checkbox"/>            |

**AUTHORIZING PUBLIC HEARING ON LOCAL LAW NUMBER 3-2011**

Pursuant to Section 20 of the Municipal Home Rule Law.

I. WHEREAS, there has been duly presented and introduced at a meeting of this Legislature held on June 8, 2011, a proposed Local Law entitled "A Local Law Establishing Fees for Cattaraugus County Health Department Services and Repealing Local Law Number 6-1999 (Intro Number 5-1999), as amended", and

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

I. RESOLVED, that a public hearing shall be held on the proposed local law by this County Legislature on the 22<sup>nd</sup> day of June, at 3:02 p.m. at the Legislature's Chambers, County Office Building, 303 Court Street, Little Valley, New York, and that at least five days notice of such hearing shall be given by the Clerk by the due posting thereof upon the bulletin board of each County Court House within the County and by publishing such notice at least once in the official newspapers of the County.

Resolution Referred to:

|                    |                                     |                 |                                     |
|--------------------|-------------------------------------|-----------------|-------------------------------------|
| Finance            | <input checked="" type="checkbox"/> | Human Services  | <input checked="" type="checkbox"/> |
| Co. Operations     | <input type="checkbox"/>            | Develop. & Ag   | <input type="checkbox"/>            |
| DPW                | <input type="checkbox"/>            | Public Safety   | <input type="checkbox"/>            |
| Senior Services    | <input type="checkbox"/>            | Labor Relations | <input type="checkbox"/>            |
| Strategic Planning | <input type="checkbox"/>            | _____           | <input type="checkbox"/>            |

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
CATTARAUGUS COMMUNITY ACTION, INC., FOR  
YOUTH PLACEMENT PREVENTION PROGRAMMING (FAST)**

Pursuant to 9 NYCRR Subpart 165-1, Section 501 of the Executive Law, and  
Section 450 of the County Law.

I. WHEREAS, Act 374-2010 authorized a contract with Cattaraugus Community Action, Inc., 25 Jefferson Street, P.O. Box 398, Salamanca, New York 14779, through its "Families and Schools Together (FAST) Program", for the provision of a placement prevention program to reduce the number of Cattaraugus County youth that are court-ordered to placement due to a history of PINS and/or juvenile delinquency behavior, the term of which expires June 30, 2011, and

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

III. WHEREAS, Cattaraugus Community Action, Inc., through its "Families and Schools Together (FAST) Program", will target specific school districts mutually agreed upon by both parties, except the Olean City School District, and has agreed to continue the aforementioned placement prevention program for an amount not to exceed \$189,548.00, to be paid on a monthly basis for services provided during the preceding month, as invoiced, and

IV. WHEREAS, this program is 62% state and 38% county funded, now, therefore, be it

I. 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 Youth Placement Prevention Programming, for a term commencing July 1, 2011 and terminating June 30, 2012, according to the above-described terms, and be it further

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

Resolution Referred to:

|                    |                                     |                 |                                     |
|--------------------|-------------------------------------|-----------------|-------------------------------------|
| Finance            | <input checked="" type="checkbox"/> | Human Services  | <input checked="" type="checkbox"/> |
| Co. Operations     | <input type="checkbox"/>            | Develop. & Ag   | <input type="checkbox"/>            |
| DPW                | <input type="checkbox"/>            | Public Safety   | <input type="checkbox"/>            |
| Senior Services    | <input type="checkbox"/>            | Labor Relations | <input type="checkbox"/>            |
| Strategic Planning | <input type="checkbox"/>            | _____           | <input type="checkbox"/>            |

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

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

I. WHEREAS, Act 373-2010 authorized a contract with Cattaraugus Community Action, Inc., 25 Jefferson Street, P.O. Box 308, Salamanca, New York 14779, for the implementation of a truancy prevention program in Cattaraugus County, in an attempt to reduce the percentage of poor attendance and chronic absenteeism in area school districts, the term of which expires June 30, 2011, and

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

III. WHEREAS, Cattaraugus Community Action, Inc., has agreed to provide a truancy prevention program in Cattaraugus County for an amount not to exceed \$197,853.00, to be paid on a monthly basis for services provided during the preceding month, as invoiced, and

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

I. 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 July 1, 2011 and terminating September 30, 2012, according to the above-described terms, and be it further

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

Resolution Referred to:

|                    |                                     |                 |                                     |
|--------------------|-------------------------------------|-----------------|-------------------------------------|
| Finance            | <input checked="" type="checkbox"/> | Human Services  | <input checked="" type="checkbox"/> |
| Co. Operations     | <input type="checkbox"/>            | Develop. & Ag   | <input type="checkbox"/>            |
| DPW                | <input type="checkbox"/>            | Public Safety   | <input type="checkbox"/>            |
| Senior Services    | <input type="checkbox"/>            | Labor Relations | <input type="checkbox"/>            |
| Strategic Planning | <input type="checkbox"/>            |                 | <input type="checkbox"/>            |

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
EVERYWOMAN OPPORTUNITY CENTER, INC. FOR DEPARTMENT OF  
SOCIAL SERVICES TANF SERVICES GRANT FUNDING**

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

I. WHEREAS, Act 392-2010, as amended by Act 470-2010, authorized a contract with Everywoman Opportunity Center, Inc., 132 North Union Street, Suite 107, Olean, New York 14760, for the provision of comprehensive pre-employment related and supportive services to TANF-eligible recipients and 200% TANF-eligible recipients, the term of which expires June 30, 2011, and

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

III. WHEREAS, Everywoman Opportunity Center, Inc., has agreed to continue the provision of the above-described services for TANF recipients for an amount of \$18,750.00, to be paid on a monthly basis for services provided during the preceding month, as invoiced, and

IV. WHEREAS, this program is 100% federally funded through the Flexible Fund for Family Services, now, therefore, be it

I. RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Everywoman Opportunity Center, Inc., for the provision of the above-described services, for a term commencing July 1, 2011 and terminating September 30, 2012, according to the above-described terms, and be it further

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

Resolution Referred to:

|                    |                                     |                 |                                     |
|--------------------|-------------------------------------|-----------------|-------------------------------------|
| Finance            | <input checked="" type="checkbox"/> | Human Services  | <input checked="" type="checkbox"/> |
| Co. Operations     | <input type="checkbox"/>            | Develop. & Ag   | <input type="checkbox"/>            |
| DPW                | <input type="checkbox"/>            | Public Safety   | <input type="checkbox"/>            |
| Senior Services    | <input type="checkbox"/>            | Labor Relations | <input type="checkbox"/>            |
| Strategic Planning | <input type="checkbox"/>            |                 | <input type="checkbox"/>            |

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACTS WITH  
VARIOUS ENTITIES FOR DEPARTMENT OF SOCIAL SERVICES  
PSYCHOLOGICAL EVALUATIONS AND ASSESSMENTS**

Pursuant to Section 251 of the Family Court Act and  
Section 450 of the County Law.

I. WHEREAS, Act 320-2010 authorized contracts with various entities for psychological evaluation and assessment services, which consist of interviews with clients, consultation with other care providers and case managers and preparation of reports, including recommendations for placement, treatment or custody/visitation, the terms of which expire June 30, 2011, and

II. WHEREAS, contracts are needed with various entities for the provision of the above-described services, with a maximum rate based on the current highest acceptable rate within the service area which are as follows:

| <u>Position</u>                  |               | <u>Rate</u>       |
|----------------------------------|---------------|-------------------|
| Doctor of Psychiatry             | Not to Exceed | \$185 per session |
| Doctor of Psychology             | Not to Exceed | \$175 per session |
| Licensed Mental Health Counselor | Not to Exceed | \$125 per session |
| Family Counseling                | Not to Exceed | \$100 per session |
| Preparation & Court Testimony    | Not to Exceed | \$175 per hour    |
| Testing                          | Not to Exceed | \$180 per hour,   |

and

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

I. RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute contracts, on behalf of Cattaraugus County, with various entities, for the provision of the aforementioned court-ordered psychological assessments and evaluations, for a term commencing July 1, 2011 and terminating June 30, 2012, according to the above-described terms.

Resolution Referred to:

|                    |                                     |                 |                                     |
|--------------------|-------------------------------------|-----------------|-------------------------------------|
| Finance            | <input checked="" type="checkbox"/> | Human Services  | <input checked="" type="checkbox"/> |
| Co. Operations     | <input type="checkbox"/>            | Develop. & Ag   | <input type="checkbox"/>            |
| DPW                | <input type="checkbox"/>            | Public Safety   | <input type="checkbox"/>            |
| Senior Services    | <input type="checkbox"/>            | Labor Relations | <input type="checkbox"/>            |
| Strategic Planning | <input type="checkbox"/>            | _____           | <input type="checkbox"/>            |



**AUTHORIZING THE CHAIR TO EXECUTE CONTRACTS WITH  
VARIOUS ENTITIES FOR RESIDENTIAL  
INSTITUTIONAL FOSTER CARE**

Pursuant to 18 NYCRR Part 405 and  
Section 450 of the County Law.

I. WHEREAS, Act 319-2010 authorized contracts with various residential foster care institutions throughout New York State for the provision of residential-therapeutic foster care services in accordance with a New York State approved fee schedule for the approved listing of residential institutions throughout New York State, the terms of which expire June 30, 2011, and

II. WHEREAS, the County Department of Social Services has the responsibility of placing children at risk into foster care, and

III. WHEREAS, the County Department of Social Services is desirous of renewing the aforementioned contracts with various residential foster care institutions in accordance with a New York State fee schedule for the approved listing of residential institutions throughout New York State, and

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

I. RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute contracts, on behalf of Cattaraugus County, with various residential foster care institutions for the provision of the above-described services for a term commencing July 1, 2011 and terminating June 30, 2012, according to the above-described terms, and be it further

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

Resolution Referred to:

|                    |                                     |                 |                                     |
|--------------------|-------------------------------------|-----------------|-------------------------------------|
| Finance            | <input checked="" type="checkbox"/> | Human Services  | <input checked="" type="checkbox"/> |
| Co. Operations     | <input type="checkbox"/>            | Develop. & Ag   | <input type="checkbox"/>            |
| DPW                | <input type="checkbox"/>            | Public Safety   | <input type="checkbox"/>            |
| Senior Services    | <input type="checkbox"/>            | Labor Relations | <input type="checkbox"/>            |
| Strategic Planning | <input type="checkbox"/>            | _____           | <input type="checkbox"/>            |

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
OLEAN YMCA FOR YMCA MEMBERSHIPS FOR  
FAMILIES WITH CHILDREN AT RISK OF PLACEMENT**

Pursuant to 9 NYCRR Sections 771.6 and 771.7,  
Public Law 104-193 and Section 450 of the County Law.

I. WHEREAS, Act 393-2010 authorized a contract with the Olean YMCA, 1011 Wayne Street, Olean, New York 14760, for the provision of YMCA memberships for family activities for at-risk youth and families in an effort to reduce at-risk factors and out-of-home placement, the term of which expires June 30, 2011, and

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

III. WHEREAS, the Olean YMCA has agreed to continue the provision of the above-described services for an amount not to exceed \$15,000.00 to be paid on a monthly basis for memberships provided during the preceding month, as invoiced, and

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

I. RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with the Olean YMCA, for the provision of the above-described services, for a term commencing July 1, 2011 and terminating September 30, 2012, according to the above-described terms, and be it further

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

Resolution Referred to:

|                    |                                     |                 |                                     |
|--------------------|-------------------------------------|-----------------|-------------------------------------|
| Finance            | <input checked="" type="checkbox"/> | Human Services  | <input checked="" type="checkbox"/> |
| Co. Operations     | <input type="checkbox"/>            | Develop. & Ag   | <input type="checkbox"/>            |
| DPW                | <input type="checkbox"/>            | Public Safety   | <input type="checkbox"/>            |
| Senior Services    | <input type="checkbox"/>            | Labor Relations | <input type="checkbox"/>            |
| Strategic Planning | <input type="checkbox"/>            |                 | <input type="checkbox"/>            |

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
ESRI FOR SMALL MUNICIPAL AND COUNTY GOVERNMENT  
ENTERPRISE LICENSE AGREEMENT PROGRAM**

Pursuant to Section 450 of the County Law.

I. WHEREAS, Act 389-2008 authorized a contract with ESRI, 380 New York Street, Redlands, California 92373, for the provision of GIS software through the Small Municipal and County Governments Enterprise License Agreement (ELA) program, the term of which expires July 31, 2011, and

II. WHEREAS, the County Office of Real Property Services is desirous of renewing the County's GIS software license agreement, and

III. WHEREAS, ESRI can provide GIS software through the Small Municipal and County Governments Enterprise License Agreement (ELA) program for an amount of \$50,000 per year for a three year term, for a total not to exceed \$150,000.00, and

IV. WHEREAS, the Small Municipal and County Governments Enterprise License Agreement (ELA) program includes the ESRI products and services listed below:

- ArcGIS desktop products -ArcInfo, ArcEditor, ArcView;
- ArcGIS desktop extensions - 3D Analyst, Spatial Analyst, Geostatistical Analyst, ArcScan, Publisher, Maplex, Network Analyst, Schematics and Job Tracking Extension;
- ArcGIS server-based products - ArcGIS Server (advanced, standard, basic/workgroup enterprise);
- ArcIMS;
- ArcGIS Server Extensions - 3D Analyst, network Analyst, Spatial Analyst;
- ArcGIS Engine Runtime Deployments;
- ArcGIS Engine Runtime extensions - 3D Analyst, Spatial Analyst, Geodatabase Update network Analyst, ArcGIS Schematics and Maplex;
- ESRI Developer Network - 1 annual subscription to the ESRI Developer Network; and
- Instructor-Led Training - 5% discount on all courses at ESRI facilities,

and

V. WHEREAS, sufficient funds are included in the 2011 budget to cover the costs of the aforementioned services, now, therefore, be it

I. RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with ESRI, for the provision of the above-described services, for a term commencing August 10, 2011 and terminating August 9, 2014, according to the above-described terms.

Resolution Referred to:

|                    |                                     |                 |                          |
|--------------------|-------------------------------------|-----------------|--------------------------|
| Finance            | <input checked="" type="checkbox"/> | Human Services  | <input type="checkbox"/> |
| Co. Operations     | <input checked="" type="checkbox"/> | Develop. & Ag   | <input type="checkbox"/> |
| DPW                | <input type="checkbox"/>            | Public Safety   | <input type="checkbox"/> |
| Senior Services    | <input type="checkbox"/>            | Labor Relations | <input type="checkbox"/> |
| Strategic Planning | <input type="checkbox"/>            | _____           | <input type="checkbox"/> |

**SUPPORTING SENATE BILL S.3269 REGARDING  
AMENDMENT OF NEW YORK STATE EXECUTIVE LAW TO  
FURTHER DEFINE QUALIFIED AGENCIES**

Pursuant to Section 153 of the County Law.

I. WHEREAS, Public Defenders, Legal Aid Societies and Assigned Counsel Administrators must have access to a client's criminal history as soon as they are assigned to the client's case, in order to more effectively and efficiently represent that client, and

II. WHEREAS, under the law, such access is not permitted, and

III. WHEREAS, Senate Bill S.3269 has been introduced to amend subdivision 9 of Section 835 of the Executive Law to include public defenders, legal aid societies and assigned counsel administrators in the definition of "qualified agencies", which are authorized to receive such information, now, therefore, be it

I. RESOLVED, that the Cattaraugus County Legislature hereby supports adoption of Senate Bill S.3269 to amend subdivision 9 of Section 835 of the New York State Executive Law for the above-described reasons, and be it further

II. RESOLVED, that the Clerk of the Legislature is hereby directed to forward a certified copy of this resolution to Governor Cuomo, Senate President Pro Tempore Skelos, Assembly Speaker Silver, Senator Young, Assembly Member Giglio, the New York State Association of Counties and the Western New York Inter-County Association.

Resolution Referred to:

|                    |                                     |                 |                                     |
|--------------------|-------------------------------------|-----------------|-------------------------------------|
| Finance            | <input checked="" type="checkbox"/> | Human Services  | <input type="checkbox"/>            |
| Co. Operations     | <input type="checkbox"/>            | Develop. & Ag   | <input type="checkbox"/>            |
| DPW                | <input type="checkbox"/>            | Public Safety   | <input checked="" type="checkbox"/> |
| Senior Services    | <input type="checkbox"/>            | Labor Relations | <input type="checkbox"/>            |
| Strategic Planning | <input type="checkbox"/>            | _____           | <input type="checkbox"/>            |

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACTS WITH  
VARIOUS ENTITIES FOR DEPARTMENT OF  
NURSING HOMES ANCILLARY SERVICES**

Pursuant to Section 4405 of the Public Health Law and  
Section 450 of the County Law.

I. WHEREAS, Act 722-2009 authorized contracts for reimbursement for Department of Nursing Homes skilled nursing services for individuals enrolled with Independent Health Association, Inc., and each of its subsidiaries and affiliates, and

II. WHEREAS, Independent Health Association, Inc., 511 Farber Lakes Drive, Buffalo, New York 14221, and each of its subsidiaries and affiliates, has increased the Skilled Nursing Facility Services reimbursement to an amount of \$242 per diem effective April 1, 2011, at the Pines Healthcare and Rehabilitation Center - Machias Campus, and

III. WHEREAS, contract amendments are necessary with Independent Health Association, Inc., and each of its subsidiaries and affiliates, for the Pines Healthcare and Rehabilitation Center - Machias Campus, now, therefore, be it

I. RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute amended contracts, on behalf of Cattaraugus County, with Independent Health Association, Inc., and each of its subsidiaries and affiliates, for the provision of the above-described services to the Pines Healthcare and Rehabilitation Center - Machias Campus, for a term commencing April 1, 2011 to continue in full force and effect at the same rates until terminated by either party, according to the above-described terms.

Resolution Referred to:

|                    |                                     |                 |                          |
|--------------------|-------------------------------------|-----------------|--------------------------|
| Finance            | <input checked="" type="checkbox"/> | Human Services  | <input type="checkbox"/> |
| Co. Operations     | <input type="checkbox"/>            | Develop. & Ag   | <input type="checkbox"/> |
| DPW                | <input type="checkbox"/>            | Public Safety   | <input type="checkbox"/> |
| Senior Services    | <input checked="" type="checkbox"/> | Labor Relations | <input type="checkbox"/> |
| Strategic Planning | <input type="checkbox"/>            |                 | <input type="checkbox"/> |