



CATTARAUGUS COUNTY

John R. Searles, County Administrator

Contingent Fund Balance: \$156,676

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

The following committees will meet on **Wednesday, November 16, 2011**, at the County Center in Little Valley, New York, at the indicated times:

Public Works	4:00 p.m.
County Operations	4:45 p.m.
Development & Agriculture	5:00 p.m.
Public Safety	5:15 p.m.
Human Services	5:30 p.m.
Senior Services	6:00 p.m.
Finance	6:15 p.m.

ACT NO.

PREFILED RESOLUTIONS

- 501-11 Mr. Marsh
SALE OF TAX TITLE PROPERTIES
- 502-11 Mr. Giardini and Mr. Marsh and Mr. Ward
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH ABATE ASSOCIATES ENGINEERS & SURVEYORS, P.C. FOR CONSTRUCTION INSPECTION SERVICES FOR COUNTY ROAD NO. 30 IMPROVEMENT PROJECTS
- 503-11 Mr. Giardini and Mr. Burrell, Mr. Ellis, Ms. Vickman and Mr. Hebdon
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT EXTENSION WITH MCMAHON & MANN CONSULTING ENGINEERS, P.C. FOR GEOTECHNICAL EVALUATION SERVICES FOR COUNTY ROAD NO. 21 SLOPE FAILURE AREA
- 504-11 Mr. Giardini and Mr. Ellis, Mr. O'Brien and Mr. McLarney
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT EXTENSION WITH HUNT ENGINEERS ARCHITECTS & LAND SURVEYORS, P.C. FOR PHASE III ENGINEERING SERVICES FOR COUNTY ROAD NO. 27 RECONSTRUCTION/REHABILITATION PROJECT
- 505-11 Mr. Giardini and Mr. Ellis and Mr. Murphy
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT EXTENSION WITH STANTEC CONSULTING SERVICES, INC. FOR ENGINEERING SERVICES FOR NEW ALBION BRIDGE NO. 35 FEDERAL-AID REPLACEMENT PROJECT
- 506-11 Mr. Giardini and Mr. Ellis
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT EXTENSION WITH WENDEL DUCHSCHERER ARCHITECTS & ENGINEERS FOR COUNTY-WIDE BUILDING/SPACE STUDY UPDATE
- 507-11 Mr. Giardini and Mr. Ellis and Mr. Murphy
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT EXTENSION WITH ABATE ASSOCIATES ENGINEERS & SURVEYORS, P.C. FOR ENGINEERING SERVICES FOR OTTO BRIDGE NO. 12 FEDERAL AID REPLACEMENT PROJECT

- 508-11 Mr. Giardini and Mr. Ellis
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT EXTENSION WITH TOWN OF ALLEGANY FOR ADMINISTRATION OF ST. BONAVENTURE UNIVERSITY CAMPUS ACCESS PROJECTS
- 509-11 Mr. Giardini and Mr. Ellis and Mr. Ward
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT EXTENSION WITH BERGMANN ASSOCIATES, P.C. FOR ENGINEERING DESIGN SERVICES FOR GREAT VALLEY BRIDGE NO. 9 FEDERAL AID REPLACEMENT PROJECT
- 510-11 Mr. Giardini and Mr. Ellis, Mr. Boser and Mr. Ward
AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH FISHER ASSOCIATES, P.E., L.S., P.C. FOR COUNTY ROAD NO. 30 REHABILITATION PROJECT ENVIRONMENTAL CONSULTING SERVICES
- 511-11 Mr. Giardini and Mr. Ellis
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH CATTARAUGUS COUNTY SOIL & WATER CONSERVATION DISTRICT FOR 2012 STREAMBANK RESTORATION PROGRAM
- 512-11 Mr. Giardini and Mr. Ellis
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH E & M ENGINEERS AND SURVEYORS, P.C. FOR BRIDGE AND MISCELLANEOUS ENGINEERING SERVICES
- 513-11 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
- 514-11 Mr. Snyder and Mrs. Stockman
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH DOMINIC DISPENZA FOR DEPARTMENT OF SOCIAL SERVICES SEXUAL OFFENDER RISK EVALUATIONS
- 515-11 Mr. Snyder and Mrs. Stockman
AUTHORIZING THE CHAIR TO EXECUTE GRANT DOCUMENTS WITH NEW YORK STATE DEPARTMENT OF HEALTH FOR ARRA IMMUNIZATION BUREAU FUNDING AND ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS (Department of Health)
- 516-11 Mr. Snyder and Mrs. Stockman
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH HOUGHTON COLLEGE FOR COUNTY HEALTH DEPARTMENT PARTICIPATION IN TEAMBUILDING AND OUTDOOR ADVENTURE
- 517-11 Mr. Snyder and Mrs. Stockman
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH WELCO, LKA, INC. FOR HEALTH DEPARTMENT CLEAN INDOOR AIR ACT COMPLIANCE CHECKS
- 518-11 Mr. Snyder and Mrs. Stockman
AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH NEW YORK STATE DEPARTMENT OF HEALTH FOR FAMILY PLANNING PROGRAMS
- 519-11 Mr. Snyder and Mrs. Stockman
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH OLEAN GENERAL HOSPITAL FOR FAMILY PLANNING CLINIC LABORATORY SERVICES

- 520-11 Mr. Snyder and Mrs. Stockman
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH OLEAN GENERAL
HEALTHCARE SYSTEMS, LLC FOR HEALTH DEPARTMENT HOME HEALTH CARE
PROGRAM RESPIRATORY THERAPY SERVICES
- 521-11 Mr. Snyder and Mrs. Stockman
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH KELLIE SZKATULSKI FOR
HEALTH DEPARTMENT SPEECH THERAPY SERVICES
- 522-11 Mr. Snyder and Mrs. Stockman
AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACTS WITH VARIOUS
ENTITIES FOR HEALTH DEPARTMENT WIC CLINIC SPACE
- 523-11 Mr. Snyder and Mrs. Stockman
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH OLEAN GENERAL
HOSPITAL FOR LABORATORY, RADIOLOGY AND MAMMOGRAPHY SERVICES
- 524-11 Mr. Snyder and Mrs. Stockman
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH JAMESTOWN REHAB
SERVICES, PT, OT, SLP, PLLC FOR HEALTH DEPARTMENT HOME HEALTH CARE
PROGRAM THERAPY SERVICES
- 525-11 Mr. Snyder and Mrs. Stockman
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH SUSAN K. YOWELL FOR
HEALTH DEPARTMENT SPEECH THERAPY SERVICES
- 526-11 Mr. Snyder and Mrs. Stockman
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH OLEAN MEDICAL GROUP,
LLP FOR HEALTH DEPARTMENT CONTINGENT MEDICAL DIRECTOR SERVICES
- 527-11 Mr. Snyder and Mrs. Stockman
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH OLEAN MEDICAL GROUP,
LLP FOR HEALTH DEPARTMENT FAMILY PLANNING MEDICAL CONSULTANT
- 528-11 Mr. Snyder and Mrs. Stockman
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH CAROLYN C. RUFFNER, P.T.
FOR HEALTH DEPARTMENT PHYSICAL THERAPY SERVICES
- 529-11 Mr. Snyder and Mrs. Stockman
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH ERIE COUNTY FOR
MEDICAL EXAMINER OFFICE SERVICES
- 530-11 Mr. Snyder and Mrs. Stockman
LOCAL LAW NUMBER 16-2011 – A LOCAL LAW REGULATING ELECTRONIC
CIGARETTES (“E-CIGARETTES”) AND HERBAL CIGARETTES
- 531-11 Mr. Snyder and Mrs. Stockman
AUTHORIZING PUBLIC HEARING ON LOCAL LAW NUMBER 16-2011
- 532-11 Ms. Vickman and Mr. McClune
AUTHORIZING THE CHAIR TO EXECUTE GRANT DOCUMENTS WITH NEW YORK
STATE OFFICE FOR THE AGING FOR VARIOUS PROGRAMS FOR DEPARTMENT OF
AGING
- 533-11 Mr. Vecchiarella
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT EXTENSION WITH NEW YORK
STATE DIVISION OF CRIMINAL JUSTICE SERVICES FOR DOMESTIC VIOLENCE
PROGRAM HOME VISIT FUNDING

- 534-11 Mr. Vecchiarella
AUTHORIZING THE CHAIR TO APPLY FOR FUNDING THROUGH NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES FOR 2011 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE (JAG) PROGRAM
- 535-11 Ms. Vickman and Mr. McClune
AUTHORIZING THE CHAIR TO EXECUTE GRANT DOCUMENTS WITH NEW YORK STATE OFFICE FOR THE AGING FOR FUNDING UNDER VARIOUS TITLES OF THE OLDER AMERICANS ACT OF 1965, AS AMENDED
- 536-11 Mr. Snyder and Mrs. Stockman
AUTHORIZING THE CHAIR TO EXECUTE GRANT DOCUMENTS WITH NEW YORK STATE CONFERENCE OF LOCAL MENTAL HYGIENE DIRECTORS FOR ENHANCEMENT OF SYSTEMS OF CARE FOR CATTARAUGUS COUNTY RESIDENTS
- 537-11 Mr. Snyder and Mrs. Stockman
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH PINE PHARMACY OF NIAGARA FALLS, LLC FOR PROVISION OF HALDOL INJECTABLE FOR DEPARTMENT OF COMMUNITY SERVICES CLIENTS AND ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS (Department of Community Services)
- 538-11 Mr. Snyder and Mrs. Stockman
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH PINE PHARMACY AND HOME CARE PRODUCTS CENTER, INC. FOR PROVISION OF PROLIXIN DECANOATE INJECTABLE FOR DEPARTMENT OF COMMUNITY SERVICES CLIENTS AND ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
- 539-11 Mr. Snyder and Mrs. Stockman
AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH KIMBERLY CONROY, RN, MS, CS, NPP FOR DEPARTMENT OF COMMUNITY SERVICES PSYCHIATRIC NURSE PRACTITIONER SERVICES FOR PROS PROGRAM AND ADJUSTING VARIOUS APPROPRIATION ACCOUNTS (Department of Community Services)
- 540-11 Ms. Vickman and Mr. McClune
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH TOTAL SENIOR CARE, INC. FOR PACE PROGRAM MEALS
- 541-11 Human Services Committee: Mr. Snyder, Mrs. Stockman, Ms. Edstrom, Mr. Vecchiarella, Ms. Vickman, Mr. McClune and Mr. Ward
REQUESTING NEW YORK STATE TO ESTABLISH FULL FUNDING AND MEMORANDUM OF UNDERSTANDING FOR COUNTY HEALTH DEPARTMENT ACTIVITIES ASSOCIATED WITH GAS WELL DRILLING IN NEW YORK STATE
- 542-11 Mr. Snyder and Mrs. Stockman
AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACT WITH McBEE ASSOCIATES, INC. FOR MEDICARE REVENUE RECOVERY SERVICES
- 543-11 Mr. Aiello, Mr. Burrell and Mr. Marsh
LOCAL LAW NUMBER 17-2011 – A LOCAL LAW OVERRIDING TAX LEVY LIMIT FOR FISCAL YEAR 2012
- 544-11 Mr. Aiello, Mr. Burrell and Mr. Marsh
AUTHORIZING PUBLIC HEARING ON LOCAL LAW NUMBER 17-2011

Committee referrals for the November 16, 2011 Committee meetings									
Act #	Finance	County Ops	DPW	Senior Services	Strategic Planning	Human Services	Develop. & Agriculture	Public Safety	Labor Relations
501	X	X							
502	X		X						
503	X		X						
504	X		X						
505	X		X						
506	X		X						
507	X		X						
508	X		X						
509	X		X						
510	X		X						
511	X		X						
512	X		X						
513	X	X							
514	X					X			
515	X					X			
516	X					X			
517	X					X			
518	X					X			
519	X					X			
520	X					X			
521	X					X			
522	X					X			
523	X					X			
524	X					X			
525	X					X			
526	X					X			
527	X					X			
528	X					X			
529	X					X			
530	X					X			
531	X					X			
532	X			X					
533	X							X	
534	X							X	
535	X			X					
536	X					X			
537	X					X			
538	X					X			
539	X					X			
540	X			X					
541	X						X		
542	X					X			
543	X								
544	X								
Totals	44	2	11	3	0	23	1	2	0

SALE OF TAX TITLE PROPERTIES

Pursuant to Section 215 of the County Law and Rule 40 of the Rules of Order of the Cattaraugus County Legislature.

I. WHEREAS, Cattaraugus County has tax title to certain properties situate in Cattaraugus County, as described below, and

II. WHEREAS, the properties were exposed to bid at public auction as required by Rule 40 of the Rules of Order of the Cattaraugus County Legislature, and

III. WHEREAS, the highest bids received for the properties were the bids listed below, now, therefore, be it

I. RESOLVED, that if the tender by the high bidder of the total purchase price is not made within 30 days after the adoption hereof, then the acceptance of that individual's bid shall thereafter be void and of no further effect, as of course, and the bid deposit shall be forfeited pursuant to Rule 40.8 of the Rules of Order, and be it further

II. RESOLVED, that the County Treasurer be, and hereby is, authorized and directed to execute County Treasurer's Deeds conveying the properties to the following individuals at the bid prices listed:

TOWN OF NEW ALBION

PARCEL NO.	TAX MAP NO.	HIGH BIDDER	ADDRESS	COUNTY INVOLVEMENT	BID AMOUNT
247	35.081-3-6	Richard Horth Diane Horth	25 Washington St. Cattaraugus, NY 14719	\$6,699.07	\$100

TOWN OF PORTVILLE

PARCEL NO.	TAX MAP NO.	HIGH BIDDER	ADDRESS	COUNTY INVOLVEMENT	BID AMOUNT
357	104.004-1-30	Chris Travis	29 S. Main St. PO Box 633 Portville, NY 14770	\$1,290.40	\$100

CITY OF OLEAN

PARCEL NO.	TAX MAP NO.	HIGH BIDDER	ADDRESS	COUNTY INVOLVEMENT	BID AMOUNT
236	94.039-1-8	Trevor Horsley	109 Madison Ave. Olean, NY 14760	\$901.69	\$30
275	94.064-3-28	Ronald B. Malek	5194 Humphrey Rd. PO Box 212 Great Valley, NY 14741	\$14,349.53	\$5,000
280	94.049-1-87	Jodie Martin	1523 Happy Hollow Olean, NY 14760	\$11,784.25	\$7,000
281	94.050-2-67	Barry Armprester Venita Armprester	121 N. 12 th St. Olean, NY 14760	\$17,718.18	\$1,300

296	94.065-5-9	Richard Middaugh	6148 Co. Rd. 18 Alma, NY 14708	\$18,947.73	\$1,100
				Totals	\$71,690.85 \$14,630.00
				Loss	\$57,060.85

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"/>

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
ABATE ASSOCIATES ENGINEERS & SURVEYORS, P.C. FOR
CONSTRUCTION INSPECTION SERVICES FOR
COUNTY ROAD NO. 30 IMPROVEMENT PROJECT**

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

I. WHEREAS, the County is in need of construction inspection services for the County Road No. 30 (South Nine Mile Road and Chipmunk Road) Improvement Project in the Town of Carrollton, and

II. WHEREAS, Abate Associates Engineers & Surveyors, P.C., 4455 Genesee Street, Buffalo, New York 14225-0218, has agreed to provide the construction inspection services for the County Road No. 30 Improvement Project for an amount not to exceed \$164,605.00, to be paid periodically on a percent of completion basis as determined by the Department of Public Works, and

III. WHEREAS, sufficient funds are included in the 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 Abate Associates Engineers & Surveyors, P.C., for the provision of the above-described engineering services, for a term commencing November 22, 2011 and terminating December 31, 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 EXTENSION WITH
MCMAHON & MANN CONSULTING ENGINEERS, P.C. FOR
GEOTECHNICAL EVALUATION SERVICES FOR
COUNTY ROAD NO. 21 SLOPE FAILURE AREA**

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

I. WHEREAS, Act 244-2010, as amended by Act 625-2010, authorized a contract with McMahon & Mann Consulting Engineers, P.C., 2495 Main Street, Suite 432, Buffalo, New York 14214, for the provision of geotechnical engineering services for the County Road No. 21 slope failure located in the Town of Freedom, the term of which expires December 31, 2011, and

II. WHEREAS, the Department of Public Works is desirous of extending the term of the aforementioned contract to December 31, 2013, in order to complete the geotechnical evaluation services of the remediation project, at no additional cost to the County, and

III. WHEREAS, McMahon & Mann Consulting Engineers, P.C., has agreed to complete the aforementioned project by December 31, 2013, 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 McMahon & Mann Consulting Engineers, P.C., for the provision of the above-described services, for a term commencing April 29, 2010 and terminating December 31, 2013, 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 EXTENSION WITH
HUNT ENGINEERS ARCHITECTS & LAND SURVEYORS, P.C. FOR
PHASE III ENGINEERING SERVICES FOR COUNTY ROAD NO. 27
RECONSTRUCTION/REHABILITATION PROJECT**

Pursuant to Section 117 of the Highway Law and
Section 450 of the County Law.

I. WHEREAS, Act 612-2009 authorized a contract with Hunt Engineers Architects & Land Surveyors, P.C., Airport Corporate Park, 100 Hunt Center, Horseheads, New York 14845, for the provision of Phase III engineering services for the reconstruction and rehabilitation of County Road No. 27 (Haskell Road) in the Towns of Hinsdale and Portville, the term of which expires December 31, 2011, and

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

III. WHEREAS, Hunt Engineers Architects & Land Surveyors, P.C., has agreed to complete the aforementioned project by December 31, 2013, 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 Hunt Engineers Architects & Land Surveyors, P.C., for the provision of the above-described services, for a term commencing November 25, 2009 and terminating December 31, 2013, 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 EXTENSION WITH
STANTEC CONSULTING SERVICES, INC. FOR ENGINEERING SERVICES FOR
NEW ALBION BRIDGE NO. 35 FEDERAL-AID REPLACEMENT PROJECT**

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

I. WHEREAS, Act 95-2007, as amended by Acts 646-2008 and 549-2010, 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, 2011, and

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

III. WHEREAS, Stantec Consulting Services, Inc., has agreed to complete the aforementioned project by December 31, 2012, 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 Stantec Consulting Services, Inc., for the provision of the above-described services, for a term commencing February 15, 2007 and terminating December 31, 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 EXTENSION WITH
WENDEL DUCHSCHERER ARCHITECTS & ENGINEERS FOR
COUNTY-WIDE BUILDING/SPACE STUDY UPDATE**

Pursuant to Sections 215 and 450 of the County Law.

I. WHEREAS, Act 646-2009, as amended by Act 43-2011, authorized a contract with Wendel Duchscherer Architects & Engineers, 140 John James Audubon Parkway, Suite 201, Amherst, New York 14228, for the provision of a county-wide building/space study update, the term of which expires December 31, 2011, and

II. WHEREAS, the County Department of Public Works is desirous of extending the term of the aforementioned contract in order to allow for more time to complete the space study update, at no additional cost to the County, and

III. WHEREAS, Wendel Duchscherer Architects & Engineers, P.C., has agreed to complete the aforementioned county-wide building/space study update by December 31, 2012, 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 December 13, 2009 and terminating December 31, 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 EXTENSION WITH
ABATE ASSOCIATES ENGINEERS & SURVEYORS, P.C. FOR ENGINEERING SERVICES
FOR OTTO BRIDGE NO. 12 FEDERAL AID REPLACEMENT PROJECT**

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

I. WHEREAS, Act 732-2007, as amended by Act 86-2010, authorized a contract with Abate Associates Engineers & Surveyors, P.C., 4455 Genesee Street, P.O. Box 218, Buffalo, New York 14225-0218, for the provision of engineering services for the Otto Bridge No. 12, federal aid bridge replacement project, the term of which expires December 31, 2011, and

II. WHEREAS, the County Department of Public Works is desirous of extending the term of the aforementioned contract in order to allow for more time to complete the project, at no additional cost to the County, and

III. WHEREAS, Abate Associates Engineers & Surveyors, P.C., has agreed to complete the aforementioned project by December 31, 2012, 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 Abate Associates Engineers & Surveyors, P.C., for the provision of the above-described engineering services, for a term commencing December 12, 2007 and terminating December 31, 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 EXTENSION WITH
TOWN OF ALLEGANY FOR ADMINISTRATION OF
ST. BONAVENTURE UNIVERSITY CAMPUS ACCESS PROJECTS**

Pursuant to Section 450 of the County Law.

I. WHEREAS, Act 411-2008 authorized a contract with the Town of Allegany for the administration of the St. Bonaventure University Campus Access projects, the term of which expires December 31, 2011, and

II. WHEREAS, the County is desirous of extending the term of the aforementioned contract in order to allow for more time to complete the 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 the Town of Allegany, for the provision of the above-described services, for a term commencing June 9, 2008 and terminating December 31, 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 EXTENSION WITH
BERGMANN ASSOCIATES, P.C. FOR
ENGINEERING DESIGN SERVICES FOR
GREAT VALLEY BRIDGE NO. 9 FEDERAL AID REPLACEMENT PROJECT**

Pursuant to Sections 215 and 450 of the County Law.

I. WHEREAS, Act 569-2009, as amended by Act 623-2010, authorized a contract with Bergmann Associates, P.C., 200 First Federal Plaza, 28 East Main Street, Rochester, New York 14614, for the provision of engineering design services for the Great Valley Bridge No. 9 Federal Aid Replacement Project, the term of which expires December 31, 2012, and

II. WHEREAS, the County Department of Public Works is desirous of extending the term of the aforementioned contract in order to allow for more time to complete the project, at no additional cost to the County, and

III. WHEREAS, Bergmann Associates has agreed to complete the aforementioned project by December 31, 2013, 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 Bergmann Associates, P.C., for the provision of the above-described services, for a term commencing October 20, 2009 and terminating December 31, 2013, 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 AMENDED CONTRACT WITH
FISHER ASSOCIATES, P.E., L.S., P.C. FOR
COUNTY ROAD NO. 30 REHABILITATION PROJECT
ENVIRONMENTAL CONSULTING SERVICES**

Pursuant to Section 450 of the County Law.

I. WHEREAS, Act 274-2010, as amended by Act 42-2011, authorized a contract with Fisher Associates, P.E., L.S., P.C., 135 Calkins Road, Rochester, New York 14623, for the provision of comprehensive environmental services and wetlands mapping services, for the County Road No. 30 (South Nine Mile Road and Chipmunk Road) Rehabilitation Project in the Town of Carrollton, the term of which expires December 31, 2011, and

II. WHEREAS, additional services are required in order to complete the wetlands and environmental assessment of the aforementioned project, and

III. WHEREAS, the County Department of Public Works is desirous of extending the term of the aforementioned contract in order to allow for more time to complete the aforementioned project, and

IV. WHEREAS, Fisher Associates, P.E., L.S., P.C., has agreed to provide additional services required to complete the wetlands and environmental assessment, of the aforementioned project, for an additional amount of \$27,252.04, to be paid on a percent of completion basis, as invoiced, and

V. WHEREAS, sufficient funds are included in the 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 an amended contract, on behalf of Cattaraugus County, with Fisher Associates, P.E., L.S., P.C., for the provision of the above-described additional services, for a term commencing May 13, 2010 and terminating December 31, 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
CATTARAUGUS COUNTY SOIL & WATER CONSERVATION DISTRICT FOR
2012 STREAMBANK RESTORATION PROGRAM**

Pursuant to Section 9 of the Soil and Water Conservation
Districts Law and Section 450 of the County Law.

I. WHEREAS, 87-2011 authorized a contract with the Cattaraugus County Soil & Water Conservation District (SWCD), 8 Martha Street, P.O. Box 1765, Ellicottville, New York 14731, for the provision of inspection and technical services for four (4) streambank restoration projects, the term of which expires December 31, 2011, and

II. WHEREAS, inspection and technical services are needed for four (4) emergency streambank repair projects for the 2012 Streambank Restoration Program, and

III. WHEREAS, the Cattaraugus County Soil & Water Conservation District (SWCD), has agreed to provide the inspection and technical services necessary for the following projects for an amount not to exceed \$6,170.00, to be paid on a percent of completion basis as invoiced, as follows:

Bray Road - Freedom Bridge No. 19	\$2,020.00
Jones Road - Freedom Bridge No. 24	\$ 950.00
Sparks Road - Freedom Bridge No. 25	\$1,550.00
Eagle Street - Freedom Bridge No. 27	\$1,650.00,

now, therefore, be it

I. RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, contingent upon and subject to the inclusion in the 2012 budget of sufficient funds to cover the costs of the aforementioned services, on behalf of Cattaraugus County, with the Cattaraugus County Soil & Water Conservation District, for the provision of the above-described streambank restoration and bank protection inspection and technical services, for a term commencing January 1, 2012 and terminating December 31, 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
E & M ENGINEERS AND SURVEYORS, P.C. FOR
BRIDGE AND MISCELLANEOUS ENGINEERING SERVICES**

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

I. WHEREAS, Act 641-2009 authorized a contract with E & M Engineers and Surveyors, P.C., 24 Derrick Road, Bradford, Pennsylvania 16701, for the provision of survey tasks and load rating analysis of the assigned bridge structures, the term of which expires December 31, 2011, and

II. WHEREAS, the New York State Department of Transportation (NYSDOT) prepares rating screen listings which require the owner to arrange for Level I Load Ratings which are then used to confirm the need for posting and determine a posting value, and

III. WHEREAS, NYSDOT requires that localities have New York State licensed professional engineers certify and provide acceptable documentation that each bridge on the rating screen listing is operating at a safe load level, and

IV. WHEREAS, the Department of Public Works has a need for the review and certification of parcel maps prepared by its engineering division, by a licensed professional surveyor, and

V. WHEREAS, E & M Engineers and Surveyors, P.C. has submitted a proposal for the continuation of the load rating analysis of the assigned bridge structures and to perform the aforementioned survey services, at a cost not to exceed \$6,000.00 per year on an as-needed basis, now, therefore, be it

I. RESOLVED, that the County Administrator be, and hereby is, authorized and directed to execute a contract, contingent upon and subject to the inclusion in the 2012 budget of sufficient funds to cover the costs of the aforementioned services, on behalf of Cattaraugus County, with E & M Engineers and Surveyors, P.C., for the provision of the above-described services, for a term commencing January 1, 2012 and terminating December 31, 2013, 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
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.

I. WHEREAS, Act 688-2010 authorized a contract with Systems Development Group, Inc., 441 Trenton Avenue, Utica, New York 13502, for the provision of imaging software and services for the County Real Property Tax Service Agency online support, the term of which expires December 31, 2011, and

II. WHEREAS, the County Real Property Tax Service Agency is desirous of continuing the aforementioned technical support for the Image Mate online, and

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

Annual Fee	\$7,420.00
Software Support	\$85/hr, including travel time
Software Support	\$125/hour
Custom Software Enhancement	\$100/hour,

now, therefore, be it

I. RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, contingent upon, and subject to, inclusion in the 2012 budget of sufficient funds to cover the costs of the aforementioned services, on behalf of Cattaraugus County, with Systems Development Group, Inc., for the provision of the above-described services, for a term commencing January 1, 2012 and terminating December 31, 2012, 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"/>

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
DOMINIC DISPENZA FOR DEPARTMENT OF SOCIAL SERVICES
SEXUAL OFFENDER RISK EVALUATIONS**

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

I. WHEREAS, the County Department of Social Services is in need of sexual offender risk evaluation services, and

II. WHEREAS, Dominic Dispenza, 531 Center Road, West Seneca, New York 14224, can provide the aforementioned sexual offender risk evaluations for an amount of \$500.00 per assessment, and

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

IV. 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 Dominic Dispenza, for the provision of the aforementioned sexual offender risk evaluations, for a term commencing August 1, 2011 and terminating June 30, 2012, according to the above-described terms, and be it further

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

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

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

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 GRANT DOCUMENTS WITH
NEW YORK STATE DEPARTMENT OF HEALTH FOR
ARRA IMMUNIZATION BUREAU FUNDING AND
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
(Department of Health)**

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

I. WHEREAS, ARRA funding in an approximate amount of \$2,900.00 is available through the New York State Department of Health Immunization Bureau for the purchase of equipment and software, and

II. WHEREAS, the County Department of Health is desirous of applying for the aforementioned funding for the purchase of a laptop computer, medical card scanner and software for its immunization program, and

III. WHEREAS, a grant application must be executed in order to apply for, and receive, the aforementioned funding, and

IV. WHEREAS, various appropriation and revenue accounts must be adjusted, 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 New York State Department of Health, in order to apply for, and receive, the above-described funding, according to the above-described terms, and be it further

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

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

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

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

Increase Estimated Revenue Account:

A.401.4017.4034.4401.03	PH ARRA Immunizations	\$2,900.00
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Increase Appropriation Account:

A.401.4017.4034.20006	Computer Equipment	\$2,900.00.
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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
HOUGHTON COLLEGE FOR COUNTY HEALTH DEPARTMENT
PARTICIPATION IN TEAMBUILDING AND OUTDOOR ADVENTURE**

Pursuant to Section 450 of the County Law.

I. WHEREAS, Act 252-2010 authorized a contract with Houghton College, 1 Willard Avenue, Houghton, New York 14744, for participation in the Challenge Ropes Course, for the purpose of learning team building skills, such as cooperation, problem solving, communication and leadership, the term of which expired October 23, 2010, and

II. WHEREAS, the County Health Department is desirous of providing the opportunity for eligible individuals in the Family Planning Reproductive Health Program to participate in the Teambuilding and Outdoor Adventure Program at Houghton College, and

III. WHEREAS, Houghton College can allow the County Health Department to utilize its Challenge Ropes Course on December 3, 2011, for a total of 40 participants, for an amount of \$45.00 per participant, for a total amount of \$1,800.00, and

IV. 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 Houghton College for the provision of the above-described services, for a term commencing December 3, 2011 and terminating upon completion of the program on December 3, 2011, according to the above-described terms, and be it further

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

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

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

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
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.

I. WHEREAS, Act 142-2011 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, 2011, and

II. 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

III. 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 \$25 per site, plus mileage and meals, not to exceed an amount of \$2,697.20, and

IV. WHEREAS, this program is 100% state 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 WELCO, LKA, Inc., for the provision of the above-described services, for a term commencing October 1, 2011 and terminating March 30, 2012, according to the above-described terms, and be it further

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

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

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

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
NEW YORK STATE DEPARTMENT OF HEALTH FOR
FAMILY PLANNING PROGRAMS**

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

I. WHEREAS, Act 171-2011 authorized a contract with the New York State Department of Health, Division of Family & Local Health, Corning Tower, Empire State Plaza, Room 878, Albany, New York 12237-0675, for the provision of a Family Planning Program in the County's Health Department, the term of which expired June 30, 2011, and

II. WHEREAS, the New York State Health Department has awarded the County Health Department an amount of \$134,681.00 for the period June 1, 2011 through December 31, 2011, and

III. WHEREAS, a contract extension with the New York State Department of Health is needed so that the County can receive the aforementioned grant and extend the term of the contract to December 31, 2011, and

IV. WHEREAS, this program is 100% state funded, 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 the New York State Department of Health for the provision of a Family Planning program in Cattaraugus County, for a term commencing June 1, 2011 and terminating December 31, 2011, according to the above-described terms, and be it further

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

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

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

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 GENERAL HOSPITAL FOR FAMILY PLANNING CLINIC
LABORATORY SERVICES**

Pursuant to Section 2406 of the Public Health Law and
Section 450 of the County Law.

I. WHEREAS, Act 272-2009 authorized a contract with Olean General Hospital, 515 Main Street, Olean, New York 14760, for the provision of laboratory services for the family planning clinic, which includes the provision of services such as collection, testing, and analyzing of specimens and reporting the results to various providers, the term of which expired June 30, 2011, and

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

III. WHEREAS, the Olean General Hospital, 515 Main Street, Olean, New York 14760, can provide laboratory services for the County Health Department's family planning clinic, in accordance with the following rate schedule:

88142 Thin Layer Pap Smear	\$18.00
87621 HPV DNA, High Risk	\$35.00
88305 Biopsy	\$45.00
88175 Thin Layer Pap Smear with Imaging	\$25.00,

and

IV. WHEREAS, this program is fee based and funded through private insurances, Medicaid and State Family Planning Grant funds, 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 General Hospital, for the provision of the above-described services, for a term commencing July 1, 2011 and terminating June 30, 2013, according to the above-described terms, and be it further

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

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

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

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 GENERAL HEALTHCARE SYSTEMS, LLC FOR
HEALTH DEPARTMENT HOME HEALTH CARE
PROGRAM RESPIRATORY THERAPY SERVICES**

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

I. WHEREAS, Act 639-2010 authorized a contract with Olean General Healthcare Systems, LLC, 234 Homer Street, Olean, New York 14760, for the provision of respiratory therapy services for patients of the County Health Department Home Health Care Program, the term of which expires December 31, 2011, and

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

III. WHEREAS, Olean General Healthcare Systems, LLC, has agreed to provide respiratory therapy visits at a rate of \$70.00 per visit, with the stipulation that it not refuse any respiratory therapy cases referred to it, and \$28.00 per hour for attendance at meetings, and

IV. WHEREAS, if Olean General Healthcare Systems, LLC, refuses any respiratory therapy homecare case during the term of the 2012 contract, then the rate for respiratory therapy services shall revert back to the base rate of \$68 per visit, and

V. 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

I. RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, contingent upon and subject to the inclusion in the 2012 budget of sufficient funds to cover the costs of the aforementioned services, on behalf of Cattaraugus County, with Olean General Healthcare Systems, LLC, for the provision of the above-described services, for a term commencing January 1, 2012 and terminating December 31, 2012, according to the above-described terms, and be it further

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

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

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

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
KELLIE SZKATULSKI FOR
HEALTH DEPARTMENT SPEECH THERAPY SERVICES**

Pursuant to Section 450 of the County Law.

I. WHEREAS, Act 277-2011 authorized a contract with Kellie Szkatulski, 9811 Mosher Road, South Dayton, New York 14138, for the provision of speech therapy services for the County Health Department home health care program, the term of which expires December 31, 2011, and

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

III. WHEREAS, Kellie Szkatulski can provide speech therapy services as an independent contractor for home health care patients in accordance with a physician's orders, the patient's plan of care, and/or patient availability, for an amount of \$65.00 per visit, and

IV. WHEREAS, the aforementioned services shall be performed at the patient's home at a mutually agreed upon schedule between Kellie Szkatulski and the patient, but in all cases Kellie Szkatulski must adhere to the established Plan of Care for each patient, now, therefore, be it

I. RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, contingent upon and subject to the inclusion in the 2012 budget of sufficient funds to cover the costs of the aforementioned services, on behalf of Cattaraugus County, with Kellie Szkatulski for the provision of the above-described services, for a term commencing January 1, 2012 and terminating December 31, 2012, according to the above-described terms, and be it further

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

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

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

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

Pursuant to Section 215 of the County Law and
Act 290-2010 of the Cattaraugus County Legislature.

I. WHEREAS, Act 633-2010 authorized contracts with various entities for the utilization of space for the Health Department's WIC Program, the terms of which expire December 31, 2011, and

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

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

	<u>2011 Rate</u>	<u>2012 Rate</u>
Franklinville Free Methodist Church 41 South Main Street Franklinville, New York 14737	\$300/year	\$300/year
Gowanda Free Methodist Church 149 West Main Street Gowanda, New York 14070	\$60/day of use	\$60/day of use
Roberts Memorial Free Methodist Church 111 South Street Cattaraugus, New York 14719	\$100/year	\$100/year
Town of Randolph 72 Main Street Randolph, New York 14772	No Cost	No Cost
United Methodist Church of Little Valley 109 Court Street Little Valley, New York 14755,	\$50/month	\$50/month

and

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

I. RESOLVED, that the County Administrator be, and hereby is, authorized and directed to execute contracts, contingent upon and subject to the inclusion in the 2012 budget of sufficient funds to cover the costs of the aforementioned services, on behalf of Cattaraugus County, with the above-listed various entities for the utilization of the aforementioned space, for a term commencing January 1, 2012 and terminating December 31, 2012, according to the above-described terms, and be it further

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

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

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

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 GENERAL HOSPITAL
FOR LABORATORY, RADIOLOGY AND MAMMOGRAPHY SERVICES**

Pursuant to Section 450 of the County Law.

I. WHEREAS, Act 646-2010 authorized a contract with the Olean General Hospital, 515 Main Street, Olean, New York 14760, for the provision of laboratory, radiology and mammography services for the County Health Department, the term of which expires December 31, 2011, and

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

III. WHEREAS, the Olean General Hospital can provide the aforementioned laboratory, radiology and mammography services at the Olean General Hospital approved Medicaid rate, now, therefore, be it

I. RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, contingent upon and subject to the inclusion in the 2012 budget of sufficient funds to cover the costs of the aforementioned services, on behalf of Cattaraugus County, with Olean General Hospital, for the provision of the above-described services, for a term commencing January 1, 2012 and terminating December 31, 2012, according to the above-described terms, and be it further

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

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

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

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
JAMESTOWN REHAB SERVICES, PT, OT, SLP, PLLC FOR
HEALTH DEPARTMENT HOME HEALTH CARE PROGRAM
THERAPY SERVICES**

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

I. WHEREAS, Act 752-2010 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, 2011, and

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

III. 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 2012 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

IV. 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>2011 Rate</u>	<u>2012 Rate</u>
Physical Therapist	\$70/visit	\$71.40/visit
Occupational Therapist	\$70/visit	\$71.40/visit
Speech Therapist	\$70/visit	\$71.40/visit
Physical Therapy Assistant	\$55/visit	\$56.10/visit
Attendance at Meetings	\$28/hour	\$28.56/hour
Evaluations	\$70/visit	\$71.40/visit
PT only admission visit	\$80/visit	\$100/visit
Recruitment & Retention (to be determined by NYSDOH),		

and

V. 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

I. RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, contingent upon and subject to the inclusion in the 2012 budget of sufficient funds to cover the costs of the aforementioned services, 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, 2012 and terminating December 31, 2012, according to the above-described terms, and be it further

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

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

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

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
SUSAN K. YOWELL FOR
HEALTH DEPARTMENT SPEECH THERAPY SERVICES**

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

I. WHEREAS, Act 214-2011 authorized a contract with Susan K. Yowell, 713 Gleason Hollow Road, Portville, New York 14770, for the provision of speech therapy services for the County Health Department home health care program, the term of which expires December 31, 2011, and

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

III. WHEREAS, Susan K. Yowell can provide speech therapy services as an independent contractor for home health care patients in accordance with the doctor's orders, the patient's plan of care, and/or patient availability, for an amount of \$65.00 per visit, and

IV. WHEREAS, the aforementioned services shall be performed at the patient's home at a mutually agreed upon schedule between Susan K. Yowell and the patient, but in all cases Susan K. Yowell must adhere to the established Plan of Care for each patient, now, therefore, be it

I. RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, contingent upon and subject to the inclusion in the 2012 budget of sufficient funds to cover the costs of the aforementioned services, on behalf of Cattaraugus County, with Susan K. Yowell for the provision of the above-described services, for a term commencing January 1, 2012 and terminating December 31, 2012, according to the above-described terms, and be it further

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

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

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

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 MEDICAL GROUP, LLP FOR HEALTH DEPARTMENT
CONTINGENT MEDICAL DIRECTOR SERVICES**

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

I. WHEREAS, Act 645-2010 authorized a contract with the Olean Medical Group, LLP, 535 Main Street, Olean, New York 14760, for the provision of a contingent medical director, in the event the County Health Department's medical director is unavailable, the term of which expires December 31, 2011, and

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

III. WHEREAS, the Olean Medical Group, LLP, can provide the aforementioned medical director services, in the event the County Health Department's current medical director is unavailable, for an amount of \$160.00 per hour, now, therefore, be it

I. RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, contingent upon, and subject to, inclusion in the 2012 budget of sufficient funds to cover the costs of the aforementioned services, 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, 2012 and terminating December 31, 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 CONTRACT WITH
OLEAN MEDICAL GROUP, LLP FOR HEALTH DEPARTMENT
FAMILY PLANNING MEDICAL CONSULTANT**

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

I. WHEREAS, Act 713-2009 authorized a contract with the Olean Medical Group, LLP, 535 Main Street, Olean, New York 14760, for the provision of family planning services through its Family Planning and Reproductive Health programs, the term of which expires December 31, 2011, and

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

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

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

I. RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, contingent upon, and subject to, inclusion in the 2012 budget of sufficient funds to cover the costs of the aforementioned services, 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, 2012 and terminating December 31, 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 CONTRACT WITH
CAROLYN C. RUFFNER, P.T. FOR HEALTH DEPARTMENT
PHYSICAL THERAPY SERVICES**

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

I. WHEREAS, Act 640-2010 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, 2011, and

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

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

<u>Service</u>	<u>2011 Rate</u>	<u>2012 Rate</u>
Physical Therapist	\$68 per visit	\$ 68 per visit
Evaluations	\$70 per evaluation	\$ 70 per evaluation
PT only admission visit	\$80 per visit	\$100 per visit
Attendance at Meetings	\$28 per hour	\$ 28 per hour
Recruitment & Retention	to be determined by NYSDOH,	

and

IV. 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

I. RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, contingent upon, and subject to, inclusion in the 2012 budget of sufficient funds to cover the costs of the aforementioned services, on behalf of Cattaraugus County, with Carolyn C. Ruffner, P.T., for the provision of the above-described physical therapy services, for a term commencing January 1, 2012 and terminating December 31, 2012, according to the above-described terms, and be it further

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

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

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

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
ERIE COUNTY FOR MEDICAL EXAMINER OFFICE SERVICES**

Pursuant to Section 119-o of the General Municipal Law and
Sections 450, 673 and 674 of the County Law.

I. WHEREAS, Act 38-2009 authorized a contract with Erie County for medical examiner office services, including toxicology, the term of which expires December 31, 2011, and

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

III. WHEREAS, the Erie County Medical Examiner's Office shall provide autopsies, including toxicology services, for Cattaraugus County in accordance with the following fee schedule:

- guarantee up to 20 cases per year, as follows:

2012	\$1,900.00/case - lump sum amount	\$38,000.00
2013	\$1,957.00/case - lump sum amount	\$39,140.00
2014	\$2,015.71/case - lump sum amount	\$40,314.00

- above 20 cases per year, as follows:

2012

External Exam	\$1,590.00
Partial Autopsy	\$2,115.00
Full Autopsy	\$2,500.00
Autopsy on Inmate	\$2,900.00

2013

External Exam	\$1,638.00
Partial Autopsy	\$2,178.00
Full Autopsy	\$2,575.00
Autopsy on Inmate	\$2,987.00

2014

External Exam	\$1,687.00
Partial Autopsy	\$2,243.00
Full Autopsy	\$2,652.00
Autopsy on Inmate	\$3,077.00

- Dental Identification \$150.00 per case, when needed
- Court Testimony will be billed at the following rates:

Criminal/Consultation	\$250.00 per hour
Clerical Staff Time	\$ 50.00 per hour
Travel Expenses	\$250.00 per hour

- Examination of Non-Human \$110.00 per case
Remains (bones)

and
 ▪ Additional Costs: (when needed, will be billed to the County),

IV. WHEREAS, a new contract reflecting the revised fee schedule is necessary, now, therefore, be it

I. RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, contingent upon, and subject to, inclusion in the 2012 budget of sufficient funds to cover the costs of the aforementioned services, on behalf of Cattaraugus County, with the County of Erie, for the provision of the above-described services, for a term commencing January 1, 2012 and terminating December 31, 2014, 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"/>

**LOCAL LAW NUMBER 16 - 2011
COUNTY OF CATTARAUGUS, NEW YORK**

Pursuant to Article 13F of the Public Health Law.

**A LOCAL LAW REGULATING ELECTRONIC
CIGARETTES ("E-CIGARETTES") AND HERBAL CIGARETTES**

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

SECTION 1. Legislative Intent: The Legislature hereby makes the following findings and determinations:

a) The Legislature hereby finds and determines that new, unregulated high-tech smoking devices, commonly referred to as electronic cigarettes or e-cigarettes, have recently been made available to consumers. To "smoke" e-cigarettes, users inhale vaporized liquid nicotine created by heat through an electronic ignition system. The vapors are expelled through a cartridge that usually contains a concentration of pure nicotine. The cartridge and ignition system are housed in a device created to look like a traditional cigarette, cigar or pipe. After inhaling, the user then exhales the heated vapors producing a "cloud" of undetermined substances that is virtually indistinguishable from cigarettes, cigars and pipes.

b) The Legislature also finds that the nicotine content in e-cigarettes can vary in doses and presents a significant risk of rapid and or continual addiction.

c) The Legislature also finds that it is not in the best interests of the County or its residents to permit the use of e-cigarettes in public places or to permit their sale to persons under the age of eighteen (18).

d) The Legislature also determines that protecting Cattaraugus County residents from an untested nicotine product like e-cigarettes represents sound public health and fiscal policy.

e) Therefore, the purpose of this Local Law is to prohibit the smoking of e-cigarettes, herbal cigarettes, and like products in public places where traditional forms of smoking are already disallowed and to ban the sale of such products to persons under the age of eighteen (18).

SECTION 2. Definitions: As used in this Local Law, the following terms shall have the meanings indicated:

a) "electronic cigarette" or "e-cigarette" shall mean any battery operated device designed to emit a nicotine vapor upon inhalation without being lit. E-cigarettes are composed of a battery, a heating element or atomizer, and a cartridge. This term shall include such devices whether they are manufactured as e-cigarettes, e-cigars, e-pipes or under any other product name or style.

b) "electronic cigarette cartridge" or "e-cigarette cartridge" means a component of an e-cigarette that contains liquid nicotine.

c) "food service establishment" and "person" shall, for the purpose of this local law, be defined as such terms are defined in Public Health Law Section 1399-aa.

d) "herbal cigarettes" (also called tobacco free cigarettes or nicotine-free cigarettes) shall mean any product made primarily of an herb or combination of herbs, and

intended to be smoked in any of the methods that tobacco is smoked, including but not limited to, as cigarette, cigar or pipe filler.

e) "Board" shall mean the Cattaraugus County Board of Health.

SECTION 3. Sale to Minors Prohibited:

a) Any person operating a place of business wherein electronic cigarettes are sold or offered for sale is prohibited from selling such electronic to individuals under eighteen (18) years of age, and shall post in a conspicuous place a sign upon which there shall be imprinted the following statement: "SALE OF ELECTRONIC TO PERSONS UNDER 18 YEARS OF AGE IS PROHIBITED BY LAW". Such sign shall be printed on a white card in red letters at least one-half inch in height.

b) Sale of electronic cigarettes shall be made only to an individual who demonstrates, through (1) valid drivers license or non-drivers identification card issued by the Commissioner of Motor Vehicles, the federal government, any United States territory, commonwealth or possession, the District of Columbia, a state government within the United States or a provincial government of the Dominion of Canada; or (2) a valid passport issued by the United States government or any other country; or (3) an identification card issued by the Armed Forces of the United States, that the individual is at least eighteen (18) years of age. Such identification need not be required of any individual who reasonably appears to be at least twenty five (25) years of age, provided, however, that such appearance shall not constitute a defense in any proceeding alleging the sale of electronic cigarettes to an individual under eighteen (18) years of age.

(c) (1) No retailer or vendor shall display or store products containing herbal or electronic cigarettes, electronic cigars, electronic pipes, or under any other product name or style, in a manner which allows direct access to the product by the customer prior to the purchase.

(2) No vendor shall allow vending machines containing electronic cigarettes, electronic cigars, electronic pipes, or under any other product name or style to be placed in any location accessible to a person under the age of eighteen (18).

(3) (i) Any person operating a place of business wherein electronic cigarettes are sold or offered for sale may perform a transaction scan as a precondition for such purchases.

(ii) In any instance where the information deciphered by the transaction scan fails to match the information printed on the driver's license or non-driver identification card, or if the transaction scan indicates that the information is false or fraudulent, the attempted transaction shall be denied.

(iii) In any proceeding pursuant to this local law, it shall be an affirmative defense that such person had produced a driver's license or non-driver identification card apparently issued by a governmental entity, successfully completed that transaction scan, and that the electronic cigarettes had been sold, delivered or given to such person in reasonable reliance upon such identification and transaction scan. In evaluating the applicability of such affirmative defense, the Board shall take into consideration any written policy adopted or implemented by the seller to effectuate the provisions of this local law. The use of a transaction scan shall not excuse any person operating a place of business wherein electronic cigarettes are sold, or the agent or employee of such person, from the exercise of reasonable diligence. Notwithstanding

the above provisions, any such affirmative defense shall not be applicable in any civil or criminal proceeding, or in any other forum.

SECTION 4. Restrictions on Smoking Herbal or E-Cigarettes:

The smoking of herbal or electronic cigarettes shall not be permitted and no person shall smoke electronic or herbal cigarettes in indoor areas open to the public in which smoking is prohibited or restricted pursuant to Public Health Law Section 1399-o. For violations of this section, it shall be an affirmative defense that during the relevant time period actual control of the indoor area open to the public was not exercised by the respondent, but rather by a lessee, a sub-lessee or any other person. To establish an affirmative defense, the respondent shall submit an affidavit and may submit any other relevant proof indicating that the respondent did not exercise actual control of said area during the relevant time period. Such affidavit and other proof shall be mailed by certified mail to the Board within 30 days of receipt of such notice of violation.

SECTION 5. Enforcement:

a) The Board shall have sole jurisdiction to enforce the provisions of this local law.

b) If the Board determines after a hearing that a violation of section 3 of this local law has occurred, the Board may impose a civil penalty in the same amount as provided in Public Health Law Section 1399-ee(2), as the same may be amended from time to time. Presently, such civil penalties are as follows: in the minimum amount of \$300, but not to exceed \$1,000 for a first violation, and a minimum of \$500, but not to exceed \$2,000 for each subsequent violation. No other penalty, fine or sanction may be imposed, provided that nothing herein shall be construed to prohibit the Board from commencing a proceeding for injunctive relief to compel compliance with this local law.

c) If the Board determines after a hearing that a violation of Section 4 of this local law has occurred, the Board may impose a civil penalty in the same amount as provided in Public Health Law Section 1399-ee(2), as the same may be amended from time to time. Presently, such civil penalties are as follows: in the minimum amount of \$300, but not to exceed \$1,000 for a first violation, and a minimum of \$500, but not to exceed \$2,000 for each subsequent violation. No other penalty, fine or sanction may be imposed, provided that nothing herein shall be construed to prohibit the Board from commencing a proceeding for injunctive relief to compel compliance with this local law.

d) Hearings held pursuant to the authority of this local law shall be conducted pursuant to the procedures set forth in the Cattaraugus County Sanitary Code by the Board or its designee.

e) The decision of the Board shall be reviewable pursuant to Article 78 of the Civil Practice law and Rules.

f) The County Attorney may bring an action in the name of Cattaraugus County and/or the Board to recover the civil penalty provided by this local law in any court of competent jurisdiction.

SECTION 6. Reverse Preemption: This Local Law shall be null and void on the day that State-wide or federal legislation goes into effect, incorporating either the same or substantially similar provisions as are contained in this law, or in the event that a pertinent state or federal administrative agency issues and promulgates regulations preempting such action by the County of Cattaraugus. The County Legislature may determine by resolution whether or not identical or substantially similar state-wide legislation has been enacted for purposes of triggering the provisions of this section.

SECTION 7. Applicability: This law shall apply to all actions occurring on or after the effective date of this Local Law.

SECTION 8. Severability: If any clause, sentence, paragraph, subdivision, section or part of this 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 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 entered.

SECTION 9. SEQRA Determination: This Legislature, being the state environmental quality review act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II Action pursuant to Section 617.5 (c) (20), (21), and/or (27) of Title VI of the New York Code of Rules and Regulations and within the meaning of Section 8-0109 (2) of the New York Environmental Conservation Law as a promulgation of regulations, rules, policies, procedures and legislative decisions in connection with continuing agency administration, management and information collection. The County Administrator is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this law.

SECTION 10. Effective Date: This law shall take effect sixty days after its filing in the Office of the Secretary of State.

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 16-2011

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 November 22, 2011, a proposed Local Law entitled "A Local Law Regulating Electronic Cigarettes ("E-Cigarettes") and Herbal Cigarettes", 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 14th day of December, 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 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 GRANT DOCUMENTS WITH
NEW YORK STATE OFFICE FOR THE AGING FOR VARIOUS 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.

I. WHEREAS, Act 628-2010 authorized the Chair to apply for, and accept, funding through the New York State Office for the Aging for the 2011 program year for various programs, and

II. WHEREAS, funding is available for various programs through the New York State Office for the Aging for the 2012 program year, and

III. WHEREAS, the County Department of Aging is desirous of applying for the following program funding:

Community Services for the Elderly (CSEP)	\$ 97,518.00
Expanded In-Home Services for the Elderly	\$221,701.00
Congregate Services Initiative (CSI)	\$ 1,737.00
Caregiver Resource Center (CRC)	\$ 19,611.00
Supplemental Nutrition Assistance Program (SNAP)	\$212,678.00
Transportation	\$ 4,605.00
HIICAP	\$ 35,084.00
Weatherization Referral and Packaging (WRAP)	\$ 34,717.00,

and

IV. WHEREAS, a contract is necessary with the New York State Office for the Aging in order to accept the aforementioned funds, now, therefore, be it

I. RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, contingent upon and subject to the inclusion in the 2012 budget of sufficient funds to cover the costs of the aforementioned services, on behalf of Cattaraugus County, with the New York State Office for the Aging, in order to apply for, and accept, the aforementioned funds, for a term commencing April 1, 2012 and terminating March 31, 2013, and be it further

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

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

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

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"/>

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT EXTENSION WITH
NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES FOR
DOMESTIC VIOLENCE PROGRAM HOME VISIT FUNDING**

Pursuant to Section 450 of the County Law.

I. WHEREAS, Act 176-2011 authorized a contract with New York State Division of Criminal Justice Services for the Domestic Violence Program Home Visit Program, for a grant in the amount of \$25,000.00, the term of which expired September 30, 2011, and

II. WHEREAS, the term of the aforementioned contract should be extended to March 31, 2012, 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 the New York State Division of Criminal Justice Services, to extend the term of the aforementioned contract to March 31, 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 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 APPLY FOR FUNDING THROUGH
NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES
FOR 2011 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE (JAG) PROGRAM**

Pursuant to 42 U.S.C. Section 3751(a) and
Section 450 of the County Law.

I. WHEREAS, funding is available through the New York State Division of Criminal Justice Services for the 2011 Edward Byrne Memorial Justice Assistance Grant (JAG) Program, and

II. WHEREAS, JAG funds support all components of the criminal justice system, from multijurisdictional drug and gang task forces to crime prevention and domestic violence programs, courts, corrections, treatment, and justice information sharing initiatives, and

III. WHEREAS, the County Sheriff's Office is desirous of applying for the aforementioned JAG funding, and

IV. WHEREAS, this program is 100% funded through the 2011 Edward Byrne Memorial Justice Assistance Grant (JAG) Program, now, therefore, be it

I. 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 Division of Criminal Justice Services, in order to apply for the aforementioned funding, according to the above-described terms, and be it further

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

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

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

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 GRANT DOCUMENTS WITH
NEW YORK STATE OFFICE FOR THE AGING FOR FUNDING UNDER
VARIOUS TITLES OF THE OLDER AMERICANS ACT OF 1965, AS AMENDED**

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.

I. WHEREAS, Act 629-2010 authorized the Chair to apply for funding through the New York State Office for the Aging for the 2011 program year, and

II. 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 2012 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

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

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

Title III-B	- 90% federally funded	\$ 87,520.00
Title III-C1	- 90% federally funded	\$110,983.00
Title III-C2	- 90% federally funded	\$ 52,401.00
Title III-D	- 90% federally funded	\$ 5,462.00
Title III-E	- 75% federally funded	\$ 40,714.00,

now, therefore, be it

I. RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute the necessary grant applications, contingent upon and subject to the inclusion in the 2012 budget of sufficient funds to cover the costs of the aforementioned services, on behalf of Cattaraugus County, with the New York State Office for the Aging in order to apply for, and accept, funding under Titles III-B, III-C1, III-C2, III-D and III-E for the 2012 program year, and be it further

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

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

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

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"/>

**AUTHORIZING THE CHAIR TO EXECUTE GRANT DOCUMENTS WITH
NEW YORK STATE CONFERENCE OF LOCAL MENTAL HYGIENE DIRECTORS FOR
ENHANCEMENT OF SYSTEMS OF CARE FOR CATTARAUGUS COUNTY RESIDENTS**

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

I. WHEREAS, Act 480-2011 authorized the Chair to apply for funding through the New York State Conference of Local Mental Hygiene Directors for the purpose of providing training to enhance collaboration among service providers in Cattaraugus County and receive technical assistance with Systems of Care approach, and

II. WHEREAS, the County Department of Community Services has been awarded a grant in the amount of \$5,000.00 through the NYS Conference of Local Mental Hygiene Directors for the purpose of enhancing the systems of care for residents of Cattaraugus County, and

III. WHEREAS, the participating counties agree as follows:

- to participate in a one day educational/orientation session that provides an introduction to the principles of Systems of Care;
- to be actively involved in Learning Collaborative meetings to partner with colleagues to obtain clinical, technical and social supports related to the implementation of the Systems of Care approach;
- to make a commitment to adhere to the Systems of Care principles and values in their counties,

and

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

V. WHEREAS, this program is 100% funded through other sources, now, therefore, be it

I. 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 Conference of Local Mental Hygiene Directors, in order to receive the above-described funding, for a term commencing October 1, 2011 and terminating December 31, 2011, according to the above-described terms, and be it further

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

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

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

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 PINE PHARMACY OF NIAGARA FALLS, LLC FOR
PROVISION OF HALDOL INJECTABLE FOR
DEPARTMENT OF COMMUNITY SERVICES CLIENTS AND
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
(Department of Community Services)**

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

I. WHEREAS, the Department of Community Services is in need of the prescription medication Haldol Injectable for certain clients of the Mental Health Clinics and the PROS Facility, and

II. WHEREAS, Pine Pharmacy of Niagara Falls, LLC, 1806 Pine Avenue, Niagara Falls, New York 14301, can provide the prescription medication Haldol Injectable for the clients of the Department of Community Services, and

III. WHEREAS, the Department of Community Services will bill Medicaid and other third party insurance carriers for reimbursement of the cost of the aforementioned prescription medication, and

IV. WHEREAS, various appropriation and revenue accounts must be adjusted, 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 Pine Pharmacy of Niagara Falls, LLC, for the provision of the above-described services, for a term commencing November 9, 2011 to continue in full force and effect until terminated by either party hereto, 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.431.4330.2100.1620.02	Mental Health Fees - Medicaid	\$6,000.00
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Increase Appropriation Account:

A.431.4330.2100.47037	Adult Clinic: Prescription Drugs	\$6,000.00.
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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
PINE PHARMACY AND HOME CARE PRODUCTS CENTER, INC. FOR
PROVISION OF PROLIXIN DECANOATE INJECTABLE FOR
DEPARTMENT OF COMMUNITY SERVICES CLIENTS AND
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
(Department of Community Services)**

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

I. WHEREAS, the Department of Community Services is in need of the prescription medication Prolixin Decanoate Injectable for certain clients of the Mental Health Clinics and the PROS Facility, and

II. WHEREAS, Pine Pharmacy and Home Care Products Center, Inc., 5110 Main Street, Store 101, Williamsville, New York 14221, can provide the prescription medication Prolixin Decanoate Injectable for the clients of the Department of Community Services, and

III. WHEREAS, the Department of Community Services will bill Medicaid and other third party insurance carriers for reimbursement of the cost of the aforementioned prescription medication, and

IV. WHEREAS, various appropriation and revenue accounts must be adjusted, 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 Pine Pharmacy and Home Care Products Center, Inc., for the provision of the above-described services, for a term commencing November 9, 2011 to continue in full force and effect until terminated by either party hereto, 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 Accounts:

A.431.4330.2100.1620.02	Mental Health Fees - Medicaid	\$1,955.00
A.431.4340.6340.1620.02	Mental Health Fees - Medicaid	\$ 170.00

Increase Appropriation Accounts:

A.431.4330.2100.47037	Adult Clinic: Prescription Drugs	\$1,955.00
A.431.4340.6340.47037	PROS: Prescription Drugs	\$ 170.00.

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"/>

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT
WITH KIMBERLY CONROY, RN, MS, CS, NPP
FOR DEPARTMENT OF COMMUNITY SERVICES
PSYCHIATRIC NURSE PRACTITIONER SERVICES FOR PROS PROGRAM
AND ADJUSTING VARIOUS APPROPRIATION ACCOUNTS
(Department of Community Services)**

Pursuant to Section 41.07 of the Mental Hygiene Law and
Sections 363, 366 and 450 of the County Law.

I. WHEREAS, Act 717-2010 authorized a contract with Kimberly Conroy, RN, MS, CS, NPP, 2656 West State Street, Suite 502, Olean, New York 14760, for the provision of psychiatric nurse practitioner services for clients in the PROS program, the term of which expires December 31, 2011, and

II. WHEREAS, Act 730-2010 authorized a contract with Jamestown Psychiatric, P.C., for the provision of psychiatric services for the Department of Community Services' clients in the PROS program, the term of which expires December 31, 2011, and

III. WHEREAS, Jamestown Psychiatric, P.C. is unable to provide the number of hours of service required by the County Department of Community Services, and

IV. WHEREAS, the County Department of Community Services is desirous of increasing the number of service hours that Kimberly Conroy provides, from 286 hours per year to 306 hours per year, and

V. WHEREAS, Kimberly Conroy, RN, MS, CS, NPP, can provide psychiatric nurse practitioner services to clients in the PROS facility for an amount of \$110.00 per direct care hour, for a maximum of 306 hours per year, not to exceed \$33,660.00, and

VI. WHEREAS, various appropriation accounts must be adjusted, 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 Kimberly Conroy, RN, MS, CS, NPP, for the provision of the above-described services, for a term commencing January 1, 2011 and terminating December 31, 2011, according to the above-described terms, and be it further

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

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

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

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

Decrease Appropriation Account:

A.431.4340.6340.41237 PROS: Psychiatrist Services \$2,200.00

Increase Appropriation Account:

A.431.4340.6340.41219 PROS: Nurse Practitioner Services \$2,200.00.

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"/>

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
TOTAL SENIOR CARE, INC. FOR
PACE PROGRAM MEALS**

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

I. WHEREAS, Act 454-2010 authorized a contract with Total Senior Care, Inc., 519 North Union Street, Olean, New York 14760, to purchase home delivered meals and congregate meals from the County Department of Aging for PACE Program participants as part of a comprehensive program of services to participants, the term of which expires August 31, 2011, and

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

III. WHEREAS, the Department of Aging has agreed to provide the aforementioned meals through its Senior Nutrition Program to PACE Program participants in accordance with the following rates:

Hot Noon Meal and Cold Supper combined:	Medicaid Rate
Hot Noon Meal only:	Medicaid Rate
Congregate Meal:	\$3.75 per meal,

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 Total Senior Care, Inc., for the provision of the above-described meal services, for a term commencing September 1, 2011 and terminating August 31, 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 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"/>

**REQUESTING NEW YORK STATE TO ESTABLISH FULL FUNDING AND
MEMORANDUM OF UNDERSTANDING FOR COUNTY HEALTH DEPARTMENT ACTIVITIES
ASSOCIATED WITH GAS WELL DRILLING IN NEW YORK STATE**

Pursuant to Section 153 of the County Law.

- I. WHEREAS, there is intense interest in the reserves of natural gas in New York State due to improved technology and demand, and
- II. WHEREAS, tapping these reserves will involve drilling, production, waste handling, infrastructure development, and the investigation and remediation of gas well related impacts, particularly with respect to the use of horizontal drilling into low permeability formations such as the Marcellus and Utica Shales and the high volume hydraulic fracturing (HVHF) process, and
- III. WHEREAS, there is significant public concern about potential environmental, socioeconomic, and human health impacts associated with increased gas drilling, as has been documented in other states, and
- IV. WHEREAS, the New York State Department of Environmental Conservation has released a revised draft Supplemental Generic Environmental Impact Statement (dSGEIS) to determine the methods, controls, resources and authority necessary for the protection of public and environmental health, and
- V. WHEREAS, Section 7.1 of the dSGEIS identifies a myriad of potential impacts, testing, and mitigation measures necessary to monitor and protect water resources, including private and public water supplies, and Section 7.1.4.1 proposes a protocol whereby county health departments will receive such testing data and have primary responsibility for interpreting results, investigating all complaints, and educating the public concerning health effects and treatment options, and
- VI. WHEREAS, the Environmental Health and Public Health professionals in New York State's county health departments (CHDs) have responsibility at a local level for ensuring the safety of drinking water supplies and responding to a broad range of public health impacts, emergencies, and nuisance complaints, including air and water contamination, chemical spills, and radiation hazards, and
- VII. WHEREAS, local CHDs are the primary point of contact for members of the public that are concerned that they may have health-related impacts or are affected by nuisance conditions caused by gas drilling activities, and
- VIII. WHEREAS, local CHDs are dependent on state aid and state grants to supplement local assistance particularly when new mandates or guidelines increase program responsibilities, and
- IX. WHEREAS, local CHDs will experience a substantial increase in workload if proposals in the dSGEIS are adopted, thereby requiring the addition of an estimated 1 to 2 full-time qualified staff in each affected county, and

X. WHEREAS, without full funding, this significant workload represents a new unfunded mandate from the State in fiscally difficult times, and

XI. WHEREAS, funding needed to support appropriate multiple-agency oversight can and should be derived from the gas well permit fees and not be a burden borne by county and state taxpayers, and

XII. WHEREAS, NYSDEC Commissioner Martens established a HVHF Advisory Panel to consider these issues and this panel does not have representatives from CHDs, and

XIII. WHEREAS, the New York State Department of Health presented resource needs to the Advisory Panel which did not include the needs of CHDs, and

XIV. WHEREAS, Section 7.1.4.1 of the dSGEIS also references an informal, obsolete, and inadequately detailed memorandum of understanding (MOU) from 1985 between DEC and three western New York CHDs related to procedures for investigating well and gas drilling complaints, and

XV. WHEREAS, a new, formal, and sufficiently detailed MOU needs to be negotiated with all CHDs statewide which will be impacted by expanded gas well drilling and HVHF in New York State, and

XVI. WHEREAS, the Cattaraugus County Human Services Committee has met, considered and by unanimous vote, approved this resolution, now, therefore, be it

I. RESOLVED, that the Cattaraugus County Legislature hereby requests that Governor Cuomo and the New York State Legislature establish full funding (100%) for necessary professional staff and resources in CHDs impacted by expanded gas well development in New York State, such funding to be derived from permit fees paid by those companies who will profit significantly from gas production, and that such burden not be adopted as an unfunded State mandate to counties and their taxpayers, and be it further

II. RESOLVED, that NYSDEC Commissioner Martens require the HVHF Advisory Panel to obtain input directly from CHDs concerning potential impacts and resource needs for gas drilling oversight in the impacted counties, and be it further

III. RESOLVED, that the Governor direct NYSDEC Commissioner Martens to negotiate a formal MOU with CHDs which adequately outlines the procedures, roles, and responsibilities of both DEC and CHD staff in the investigation and resolution of complaints related to gas well drilling and HVHF impacts to ground water resources and public and private drinking water supplies, and be it further

IV. RESOLVED, that the Cattaraugus County Legislature further requests that the aforementioned funding and agreements be put into place prior to permitting of new gas wells in the Marcellus Shale or other low permeability formations anywhere in the state, and be it further

V. RESOLVED, that the Clerk of the Legislature is hereby directed to forward certified copies of this resolution to Governor Cuomo, Senate Majority Leader Skelos, Assembly Speaker Silver, Senator Young, Assembly Member Giglio, the NYS Association of County Health Officials (NYSACHO), the NYS Conference of Environmental Health Directors (CEHD), the NYS Association of Counties (NYSAC), NYSDOH Commissioner Shah, NYSDEC

Commissioner Martens, Chair of Senate-Environmental Conservation Committee Grisanti, Chair of Assembly Environmental Conservation Committee Sweeney, Chair of Senate Health Committee Hannon, Chair of Assembly Health Committee Gottfried, NYS Attorney General Schneiderman, United States Senators Schumer and Gillibrand, Cattaraugus County Board of Health, and the NYS High Volume Hydraulic Fracturing Advisory Panel.

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"/>

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

Pursuant to Act 290-2011 of the Cattaraugus County Legislature.

I. WHEREAS, Act 636-2010 authorized a contract with McBee Associates, Inc., for the provision of Medicare revenue recovery services for the period October 1, 2009 through December 31, 2010, the term of which expires December 31, 2011, and

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

III. WHEREAS, McBee Associates, Inc., has agreed to conduct a comprehensive review of all paid Medicare claims for the County Health Department for the period January 1, 2011 through December 31, 2011, for the purpose of correct payment and identifying correction actions that can be implemented by the Department of Health to avoid future lost revenue, and

IV. WHEREAS, McBee Associates, Inc., can provide the aforementioned services 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

V. WHEREAS, there is no fee if the County does not receive an adjustment, and

VI. WHEREAS, there will also be no charge if there is a negative adjustment, and

VII. WHEREAS, the County should enter into an agreement with McBee Associates, Inc., in order to review the County Health Department's claims for Medicare reimbursement, now, therefore, be it

I. RESOLVED, that the County Administrator be, and hereby is, authorized and directed to execute a contract, contingent upon and subject to the inclusion in the 2012 budget of sufficient funds to cover the costs of the aforementioned services, on behalf of Cattaraugus County, with McBee Associates, Inc., for the provision of the above-described services, for a term commencing January 1, 2012 and terminating December 31, 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"/>

LOCAL LAW NUMBER 17 - 2011
COUNTY OF CATTARAUGUS, NEW YORK

Pursuant to Chapter 97-2011 of the Laws of the State of New York and
 Section 3-c of the General Municipal Law.

A LOCAL LAW OVERRIDING TAX LEVY LIMIT FOR FISCAL YEAR 2012

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

SECTION 1. Overriding Tax Levy Limit for 2012. For fiscal year 2012, the County of Cattaraugus shall override the real property tax levy limit established by Chapter 97 of the Laws of 2011 of the State of New York and may adopt a budget requiring a tax levy that is greater than such tax levy limit.

SECTION 2. Effective Date. This Local Law shall become effective immediately.

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 PUBLIC HEARING ON LOCAL LAW NUMBER 17-2011

Pursuant to Section 10 of the Municipal Home Rule Law.

I. WHEREAS, there has been duly presented and introduced at a meeting of this Legislature held on November 22, 2011, a proposed Local Law entitled "A Local Law Overriding Tax Levy Limit For Fiscal Year 2012", 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 14th day of December, 2011, at 3:02 p.m. at the Legislature's Chambers, County Center, 303 Court Street, Little Valley, New York, and that at least five days notice of such hearing shall be given by the Clerk by the due posting thereof upon the bulletin board of each County Court House within the County and by publishing such notice at least once in the official newspapers of the County.

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"/>