



# CATTARAUGUS COUNTY

John R. Searles, County Administrator

The Legislature of Cattaraugus County will meet in adjourned session at the County Center, Little Valley, New York, on **Wednesday, December 14, 2011**, for the transaction of such business as may properly come before the meeting.

Contingent Fund Balance: \$156,676

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

3:00 p.m.      CALL TO ORDER  
ROLL CALL  
INVOCATION  
MINUTES OF PREVIOUS MEETING  
COMMUNICATIONS  
PRIVILEGE OF THE FLOOR  
    Public Hearing  
        • Local Law Number 16-2011  
RESOLUTIONS READY FOR ACTION  
UNFINISHED BUSINESS  
RESOLUTIONS – IMMEDIATE CONSIDERATION  
ADJOURNMENT

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## ACT NO.

## RESOLUTIONS HELD IN COMMITTEE

662-11      Mr. McLarney  
LOCAL LAW NUMBER 18-2011 – A LOCAL LAW CHANGING THE DATE OF BUDGET SUBMISSION BY THE BUDGET OFFICER

663-11      Mr. McLarney  
AUTHORIZING PUBLIC HEARING ON LOCAL LAW NUMBER 18-2011

## RESOLUTIONS, MOTIONS AND NOTICES READY FOR ACTION

530-11      Mr. Snyder and Mrs. Stockman  
LOCAL LAW NUMBER 16-2011 – A LOCAL LAW REGULATING ELECTRONIC CIGARETTES ("E-CIGARETTES") AND HERBAL CIGARETTES

576-11      Mr. Giardini and Mr. Ellis  
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS (Department of Public Works)  
Approved by 8 Finance and 8 Public Works

577-11      Mr. Giardini and Mr. Ellis  
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS (Department of Public Works)  
Approved by 8 Finance and 8 Public Works

- 578-11 Mr. Giardini and Mr. Ellis  
REPEALING BOND AUTHORIZATIONS AND ADJUSTING VARIOUS APPROPRIATION  
AND REVENUE ACCOUNTS  
Approved by 8 Finance and 8 Public Works
- 579-11 Mr. Giardini and Mr. Ellis  
REPEALING BOND AUTHORIZATIONS AND ADJUSTING VARIOUS APPROPRIATION  
AND REVENUE ACCOUNTS  
Approved by 8 Finance and 8 Public Works
- 580-11 Mr. Giardini and Mr. Ellis  
AUTHORIZING THE CHAIR TO CONTRACT WITH NEW YORK STATE EMERGENCY  
MANAGEMENT OFFICE FOR HAZARD MITIGATION GRANT PROGRAM AND  
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS (Hazard Mitigation  
Plan)  
Approved by 8 Finance and 8 Public Works
- 581-11 Mr. Giardini and Mr. Ellis  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH GREENMAN-PEDERSEN,  
INC. FOR ENGINEERING CONSULTANT SERVICES FOR 2012-2013 BRIDGE PAINTING  
PRIORITIZATION PROGRAM  
Approved by 8 Finance and 8 Public Works
- 582-11 Mr. Giardini and Mr. Ellis  
BID ACCEPTANCE FOR PAPER PRODUCTS (Department of Public Works) **Additional  
sponsor: Mr. Neal**  
Approved by 8 Finance and 8 Public Works
- 583-11 Mr. Giardini and Mr. Ellis, Mr. O'Brien and Mr. McLarney  
BID ACCEPTANCE FOR PRECAST CONCRETE BOX CULVERT FOR HUMPHREY CULVERT  
NO. 9  
Approved by 8 Finance and 8 Public Works
- 584-11 Mr. Giardini and Mr. Ellis  
BID ACCEPTANCE FOR GASOLINE FOR ONOVILLE MARINA (Department of Public  
Works) **Additional sponsor: Mr. Neal**  
Approved by 8 Finance and 8 Public Works
- 585-11 Mr. O'Brien  
APPOINTMENT TO COMMUNITY SERVICES BOARD PEOPLE WITH DEVELOPMENTAL  
DISABILITIES SUBCOMMITTEE  
**AMENDED: in the 1<sup>st</sup> Resolved in the address, delete "Olean, New York 14760" and replace  
with "Allegany, New York, 14706"**  
Approved by 8 Finance and 7 Human Services
- 586-11 Mr. Snyder and Mrs. Stockman  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH CATTARAUGUS  
COMMUNITY ACTION, INC. FOR DEPARTMENT OF COMMUNITY SERVICES  
REGISTERED NURSE SERVICES (MENTAL HEALTH CLINIC)  
Approved by 8 Finance and 7 Human Services
- 587-11 Mr. Snyder and Mrs. Stockman  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH CATTARAUGUS  
COMMUNITY ACTION, INC. FOR DEPARTMENT OF COMMUNITY SERVICES  
REGISTERED NURSE SERVICES (PROS PROGRAM)  
Approved by 8 Finance and 7 Human Services

- 588-11 Mr. Snyder and Mrs. Stockman  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH MENTAL HEALTH ASSOCIATION IN CATTARAUGUS COUNTY, INC. FOR DEPARTMENT OF COMMUNITY SERVICES FAMILY SUPPORT SERVICES  
Approved by 8 Finance and 7 Human Services
- 589-11 Mr. Snyder and Mrs. Stockman  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH HOUSING OPTIONS MADE EASY, INC. FOR PEER SPECIALISTS FOR THE PROS PROGRAM  
Approved by 8 Finance and 7 Human Services
- 590-11 Mr. Snyder and Mrs. Stockman  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH CATTARAUGUS REHABILITATION CENTER, INC. FOR DEPARTMENT OF COMMUNITY SERVICES VOCATIONAL SERVICES FOR PROS PROGRAM  
Approved by 8 Finance and 7 Human Services
- 591-11 Mr. Snyder and Mrs. Stockman  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH SOUTHERN TIER ENVIRONMENTS FOR LIVING, INC. FOR SOCIAL WORKER/MENTAL HEALTH THERAPIST FOR DEPARTMENT OF COMMUNITY SERVICES PROS PROGRAM  
Approved by 8 Finance and 7 Human Services
- 592-11 Mr. Snyder and Mrs. Stockman  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH SOUTHERN TIER HEALTH CARE SYSTEM, INC. FOR SOCIAL WORKER/MENTAL HEALTH THERAPIST FOR MENTAL HEALTH CLINIC THROUGH THE SOUTHERN TIER CHILD ADVOCACY CENTER  
**AMENDED: in the 4<sup>th</sup> Whereas, delete "2011", replace with "2012"**  
Approved by 8 Finance and 7 Human Services
- 593-11 Mr. Snyder and Mrs. Stockman  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH CATTARAUGUS COMMUNITY ACTION, INC. FOR DEPARTMENT OF COMMUNITY SERVICES QUALITY ASSURANCE SERVICES  
Approved by 8 Finance and 7 Human Services
- 594-11 Mr. Snyder and Mrs. Stockman  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH QUALITY PSYCHIATRIC SERVICES, PLLC FOR DEPARTMENT OF COMMUNITY SERVICES PSYCHIATRIC MEDICAL SERVICES  
**AMENDED: in the 3<sup>rd</sup> Whereas, delete "390 hours per year", replace with "30 hours"; delete "\$55,350.00", replace with "\$4,350.00"; in the 1<sup>st</sup> Resolved, delete "September 30", replace with "January 31"**  
Approved by 8 Finance and 7 Human Services
- 595-11 Mr. Snyder and Mrs. Stockman  
AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACT WITH RAJAN GULATI PHYSICIAN, P.C. FOR DEPARTMENT OF COMMUNITY SERVICES MEDICAL SERVICES  
Approved by 8 Finance and 7 Human Services

- 596-11 Mr. Snyder and Mrs. Stockman  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH JAMESTOWN PSYCHIATRIC, P.C., FOR DEPARTMENT OF COMMUNITY SERVICES MENTAL HEALTH CLINIC SERVICES  
**AMENDED: in the 3<sup>rd</sup> Whereas, delete "2,079", replace with "2,439"; delete "150", replace with "220"; delete "\$268,365.00", replace with "\$319,365.00"**  
Approved by 8 Finance and 7 Human Services
- 597-11 Mr. Snyder and Mrs. Stockman  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH KIMBERLY CONROY, RN, MS, CS, NPP FOR DEPARTMENT OF COMMUNITY SERVICES PSYCHIATRIC NURSE PRACTITIONER SERVICES **Additional sponsor: Mr. McClune**  
Approved by 8 Finance and 7 Human Services
- 598-11 Mr. Snyder and Mrs. Stockman  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH JAMESTOWN PSYCHIATRIC, P.C., FOR DEPARTMENT OF COMMUNITY SERVICES MENTAL HEALTH PSYCHIATRIC SERVICES FOR PROS CLIENTS  
Approved by 8 Finance and 7 Human Services
- 599-11 Mr. Snyder and Mrs. Stockman  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH JAMESTOWN PSYCHIATRIC, P.C. FOR DEPARTMENT OF COMMUNITY SERVICES MEDICAL DIRECTOR SERVICES  
Approved by 8 Finance and 7 Human Services
- 600-11 Mr. Snyder and Mrs. Stockman  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACTS WITH VARIOUS SCHOOL DISTRICTS FOR MENTAL HEALTH SOCIAL WORKER SERVICES  
Approved by 8 Finance and 7 Human Services
- 601-11 Mr. Snyder and Mrs. Stockman  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH CATTARAUGUS COMMUNITY ACTION, INC., FOR DEPARTMENT OF COMMUNITY SERVICES MENTAL HEALTH CLINICIANS  
Approved by 8 Finance and 7 Human Services
- 602-11 Mr. Snyder  
AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE AMENDED CONTRACT WITH CATHOLIC CHARITIES OF WESTERN NEW YORK FOR INTENSIVE CASE MANAGEMENT SERVICES FOR CHILDREN AND ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS (Department of Community Services)  
Approved by 8 Finance and 7 Human Services
- 603-11 Mr. Snyder and Mrs. Stockman  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH CITY OF OLEAN FOR REIMBURSEMENT FOR OATS BUS SERVICE **Additional sponsors: Mr. Teachman and Mr. Padlo**  
Approved by 8 Finance and 6 Human Services
- 604-11 Mr. Snyder and Mrs. Stockman  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH THE BONADIO GROUP FOR ACCOUNTING SERVICES FOR DEPARTMENT OF SOCIAL SERVICES CLIENT ACCOUNTS  
Approved by 8 Finance and 7 Human Services

- 605-11 Mr. Snyder and Mrs. Stockman  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH CORNELL COOPERATIVE  
EXTENSION-CATTARAUGUS COUNTY FOR FOOD STAMP NUTRITIONAL EDUCATION  
PROGRAM  
Approved by 8 Finance and 7 Human Services
- 606-11 Mr. Snyder and Mrs. Stockman  
AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACT WITH WILLCARE,  
INC. FOR DEPARTMENT OF SOCIAL SERVICES CONSUMER DIRECTED PERSONAL CARE  
SERVICES  
Approved by 8 Finance and 7 Human Services
- 607-11 Mr. Snyder and Mrs. Stockman  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH RONALD JOHNSON D/B/A  
UNDERWOOD MANOR FOR DEPARTMENT OF SOCIAL SERVICES ASSISTED LIVING  
PROGRAM  
**AMENDED: in the 4<sup>th</sup> Whereas, delete "and the County"**  
Approved by 8 Finance and 7 Human Services
- 608-11 Mr. Snyder and Mrs. Stockman  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH SOUTHERN TIER HEALTH  
CARE SYSTEM, INC. FOR CHILD PROTECTION SERVICES THROUGH SOUTHERN TIER  
CHILD ADVOCACY CENTER **Additional sponsor: Mr. Padlo**  
Approved by 8 Finance and 7 Human Services
- 609-11 Mr. Snyder and Mrs. Stockman  
AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACTS WITH VARIOUS  
ENTITIES FOR DEPARTMENT OF SOCIAL SERVICES SKILLED NURSING IN-HOME CARE  
SERVICES  
Approved by 8 Finance and 7 Human Services
- 610-11 Mr. Snyder and Mrs. Stockman  
AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACT WITH PARENT  
EDUCATION PROGRAM, INC., FOR PROTECTIVE/PREVENTIVE SERVICES FOR  
CHILDREN AT RISK OF PLACEMENT **Additional sponsor: Mr. Padlo**  
Approved by 8 Finance and 7 Human Services
- 611-11 Mr. Snyder and Mrs. Stockman  
AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACT WITH OLEAN  
MEDICAL GROUP, LLP FOR DEPARTMENT OF SOCIAL SERVICES SECOND OPINION  
EMPLOYMENT UNIT PHYSICALS  
Approved by 8 Finance and 7 Human Services
- 612-11 Mr. Snyder and Mrs. Stockman  
AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACT WITH GREATER  
OLEAN, INC., FOR DEPARTMENT OF SOCIAL SERVICES TANF ON-THE-JOB TRAINING  
SERVICES **Additional sponsors: Ms. Edstrom and Mr. Padlo**  
Approved by 8 Finance and 7 Human Services
- 613-11 Mr. Snyder and Mrs. Stockman  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH BERKSHIRE FARM CENTER  
& SERVICES FOR YOUTH, INC. FOR DEPARTMENT OF SOCIAL SERVICES FAMILY  
ASSESSMENT RESPONSE SERVICES FOR CHILD PROTECTION CASES  
Approved by 8 Finance and 7 Human Services

- 614-11 Mr. Snyder and Mrs. Stockman  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH GENESIS HOUSE OF OLEAN, INC. FOR HOMELESS SHELTER SERVICES FOR DEPARTMENT OF SOCIAL SERVICES ELIGIBLE RECIPIENTS **Additional sponsors: Ms. Edstrom and Mr. Padlo**  
Approved by 8 Finance and 7 Human Services
- 615-11 Mr. Snyder and Mrs. Stockman  
AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACT WITH SOUTHWESTERN NY CHAPTER OF THE AMERICAN RED CROSS FOR EMERGENCY DISASTER ASSISTANCE  
Approved by 8 Finance and 7 Human Services
- 616-11 Mr. Snyder and Mrs. Stockman  
AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACT WITH ENRIQUE BARRERA FOR SPANISH INTERPRETER SERVICES  
Approved by 8 Finance and 7 Human Services
- 617-11 Mr. Snyder and Mrs. Stockman  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH BERKSHIRE FARM CENTER AND SERVICES FOR YOUTH, INC. FOR DEPARTMENT OF SOCIAL SERVICES TRUANCY PREVENTION PROGRAM  
Approved by 8 Finance and 7 Human Services
- 618-11 Mr. Snyder and Mrs. Stockman  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH CATHOLIC CHARITIES OF WESTERN NEW YORK FOR DEPARTMENT OF SOCIAL SERVICES TANF FUNDING FOR MULTI-SYSTEMIC THERAPY SERVICES FOR PINS DIVERSION  
Approved by 8 Finance and 7 Human Services
- 619-11 Mr. Snyder and Mrs. Stockman  
AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACTS WITH VARIOUS ENTITIES FOR DEPARTMENT OF SOCIAL SERVICES MEDICAL AND TESTING SERVICES FOR CHILD PROTECTIVE SERVICES  
Approved by 8 Finance and 7 Human Services
- 620-11 Mr. Snyder and Mrs. Stockman  
AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACT WITH CENTER FOR FAMILY UNITY, INC. FOR CHILD ABUSE SERVICES FOR DEPARTMENT OF SOCIAL SERVICES  
Approved by 8 Finance and 7 Human Services
- 621-11 Mr. Snyder and Mrs. Stockman  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH CENTER FOR FAMILY UNITY, INC. FOR ALTERNATE HOURS VISITATION FOR AT-RISK CHILDREN  
Approved by 8 Finance and 7 Human Services
- 622-11 Mr. Snyder and Mrs. Stockman  
AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACT WITH JUDITH GALLEGOS FOR TANF ELIGIBLE DRUG/ALCOHOL SCREENING AND CASE MANAGEMENT  
Approved by 8 Finance and 7 Human Services
- 623-11 Mr. Snyder and Mrs. Stockman  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH GFC BUSINESS SYSTEMS FOR NON-COUNTY EMPLOYEE PAYROLL SERVICES **Additional sponsor: Mr. Padlo**  
Approved by 8 Finance and 7 Human Services

- 624-11 Mr. Snyder and Mrs. Stockman  
AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE DOCUMENTS REGARDING  
YOUTH PROGRAMS FOR 2012  
Approved by 8 Finance and 7 Human Services
- 625-11 Mr. Snyder and Mrs. Stockman  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH JAMES MCGUINNESS &  
ASSOCIATES, INC. FOR MAINTENANCE SUPPORT SERVICES FOR CHILDREN WITH  
SPECIAL NEEDS SOFTWARE  
Approved by 8 Finance and 7 Human Services
- 626-11 Mr. O'Brien  
ADOPTION GRIEVANCE PROCEDURE UNDER THE AMERICANS WITH DISABILITIES  
ACT ***Additional sponsor: Mr. Neal***  
Approved by 8 Finance, 8 Public Works, 6 County Operations and 5 Labor Relations
- 627-11 Mr. Snyder and Mrs. Stockman  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACTS WITH VARIOUS ENTITIES FOR  
DETENTION SERVICES  
Approved by 8 Finance and 7 Human Services
- 628-11 Mr. Snyder and Mrs. Stockman  
AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACT WITH CORNELL  
COOPERATIVE EXTENSION-CATTARAUGUS COUNTY FOR HEALTH DEPARTMENT  
REPRODUCTIVE HEALTH EDUCATOR  
Approved by 8 Finance and 7 Human Services
- 629-11 Mr. Snyder and Mrs. Stockman  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH CORNELL COOPERATIVE  
EXTENSION-CATTARAUGUS COUNTY FOR HEALTH DEPARTMENT WATER RESOURCE  
SPECIALIST  
Approved by 8 Finance and 7 Human Services
- 630-11 Mr. Snyder and Mrs. Stockman  
AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACTS WITH  
INDIVIDUALS FOR EMERGENCY MEDICAL SERVICES INSTRUCTORS  
Approved by 8 Finance and 7 Human Services
- 631-11 Mr. Snyder and Mrs. Stockman  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH OLEAN GENERAL  
HOSPITAL FOR HEALTH DEPARTMENT PHYSICAL, OCCUPATIONAL AND SPEECH  
THERAPY SERVICES  
Approved by 8 Finance and 7 Human Services
- 632-11 Mr. Snyder and Mrs. Stockman  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH ALLEGANY COUNTY FOR  
HEALTH DEPARTMENT LEAD RISK ASSESSMENT SERVICES  
Approved by 8 Finance and 7 Human Services
- 633-11 Mr. McLarney and Mr. Ward  
AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACT WITH EMPLOYEE  
SERVICES, INC., FOR EMPLOYEE ASSISTANCE PROGRAM  
Approved by 8 Finance and 5 Labor Relations
- 634-11 Mr. Snyder and Mrs. Stockman  
AUTHORIZING HEALTH DEPARTMENT TO EXECUTE CONTRACT WITH ROBERT BUBBS  
FOR SUBSTITUTE ADMINISTRATIVE HEARING OFFICER SERVICES  
Approved by 8 Finance and 7 Human Services

- 635-11 Mr. Snyder and Mrs. Stockman  
AUTHORIZING HEALTH DEPARTMENT TO EXECUTE CONTRACT WITH DAVID PORTER  
FOR ADMINISTRATIVE HEARING OFFICER SERVICES  
Approved by 8 Finance and 7 Human Services
- 636-11 Mr. Snyder and Mrs. Stockman  
AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACT WITH VIC VENA  
PHARMACY, INC. FOR PHARMACY CONSULTANT SERVICES **Additional sponsors: Mr.  
Aiello, Ms. Edstrom and Mr. Padlo**  
Approved by 8 Finance and 6 Human Services
- 637-11 Mr. Snyder and Mrs. Stockman  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH REHABILITATION TODAY,  
PT, OT, REGISTERED NURSING, PLLC FOR HEALTH DEPARTMENT HOME HEALTH  
CARE PROGRAM OCCUPATIONAL SERVICES **Additional sponsor: Mr. Padlo**  
Approved by 8 Finance and 7 Human Services
- 638-11 Mr. Snyder and Mrs. Stockman  
AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH NEW YORK  
STATE DEPARTMENT OF HEALTH FOR HEALTH DEPARTMENT CHILDHOOD LEAD  
POISONING PREVENTION PROGRAM  
Approved by 8 Finance and 6 Human Services
- 639-11 Mr. Murphy  
AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACT WITH SARAH  
BARTZ SMITH FOR TONSORIAL SERVICES FOR COUNTY JAIL **Additional sponsors: Mr.  
Aiello and Mr. Neal**  
Approved by 8 Finance and 6 Public Safety
- 640-11 Mr. Murphy  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH CATTARAUGUS COUNTY  
AGRICULTURAL SOCIETY, INC. FOR SHERIFF'S DEPARTMENT SECURITY SERVICES  
AND SPACE RENTAL **Additional sponsors: Mr. Aiello and Mr. Neal**  
Approved by 8 Finance and 6 Public Safety
- 641-11 Mr. Murphy  
AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACT WITH OLEAN  
MEDICAL GROUP, LLP FOR JAIL PHYSICIAN SERVICES **Additional sponsors: Mr. Aiello,  
Mr. Teachman and Mr. Padlo**  
Approved by 8 Finance and 6 Public Safety
- 642-11 Mr. Vecchiarella  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH CRAIG ZUCKERMAN FOR  
SHERIFF'S OFFICE PRE-EMPLOYMENT PSYCHOLOGICAL SCREENING SERVICES  
**Additional sponsors: Mr. Aiello and Mr. Padlo**  
Approved by 8 Finance and 6 Public Safety
- 643-11 Mr. Marsh and Mr. Neal  
DIRECTING COUNTY TREASURER TO ISSUE CERTIFICATE OF PROSPECTIVE  
CANCELLATION  
Approved by 8 Finance and 6 County Operations
- 644-11 Mr. Marsh and Mr. Neal  
SALE OF TAX TITLE PROPERTY TO FORMER OWNER (Town of South Valley)  
Approved by 8 Finance and 6 County Operations



- 645-11 Mr. McLarney and Mr. Boser  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACTS WITH VARIOUS ENTITIES FOR TOURISM PROMOTION **Additional sponsor: Mr. Murphy**  
Approved by 8 Finance and 6 County Operations
- 646-11 Mr. McLarney and Mr. Boser  
BID ACCEPTANCE FOR 2012 CATTARAUGUS COUNTY ACTIVITIES GUIDE (Department of Economic Development, Planning and Tourism)  
Approved by 8 Finance and 6 Development & Agriculture
- 647-11 Mr. Vecchiarella  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES OFFICE OF PROBATION AND CORRECTIONAL ALTERNATIVES FOR GTSC IGNITION INTERLOCK MONITORING PROGRAM  
Approved by 8 Finance and 6 Public Safety
- 648-11 Mr. Murphy and Mr. Vecchiarella  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH NEW YORK STATE OFFICE OF HOMELAND SECURITY FOR STATE HOMELAND SECURITY PROGRAM GRANT (Office of Emergency Services) **Additional sponsors: Mr. Aiello, Mr. Neal, Mr. Teachman and Mr. Padlo**  
Approved by 8 Finance and 6 Public Safety
- 649-11 Mr. McLarney and Mr. Ward  
AUTHORIZING THE CHAIR TO EXECUTE CORPORATE RESOLUTION WITH THE HARTFORD FIRE INSURANCE COMPANY FOR BOND OR UNDERTAKING, GUARANTEES OF SURETYSHIP FOR THE PINES HEALTHCARE AND REHABILITATION CENTERS  
Approved by 8 Finance and 7 Senior Services
- 650-11 Mr. Marsh and Mr. Teachman  
REQUESTING THE MOVING OF NEW YORK STATE'S SEPTEMBER PRIMARY TO THE SAME DATE AS THE FEDERAL PRIMARY **Additional sponsors: Mr. Aiello, Mr. Murphy, Mr. Neal, Mrs. Stockman, Mr. Boser and Mr. Neal**  
Approved by 8 Finance and 6 County Operations
- 651-11 Mr. McClune  
REQUESTING FEDERAL GOVERNMENT TO CHANGE INCOME THRESHOLD ON TAX ON SOCIAL SECURITY INCOME **Additional sponsors: Mr. Aiello and Mr. Padlo**  
Approved by 8 Finance, 7 Human Services and 7 Senior Services
- 652-11 Mr. Vecchiarella  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH MOTOROLA SOLUTIONS, INC. FOR E911 TECHNICAL SUPPORT AND MONITORING SERVICES **Additional sponsor: Mr. Murphy**  
Approved by 8 Finance and 6 Public Safety
- 653-11 Mr. Giardini and Mr. Ellis  
AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO REPLACE CULVERT LOCATED ON COUNTY ROAD NO. 30 IN ORDER TO PREVENT REPETITIVE FLOOD DAMAGE  
Approved by 8 Finance and 8 Public Works

- 654-11 Mr. McLarney and Mr. Ward  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH EBS-RMSCO, INC. FOR  
THIRD-PARTY ADMINISTRATION OF CATTARAUGUS COUNTY FLEXIBLE BENEFITS  
PLAN  
Approved by 8 Finance and 5 Labor Relations
- 655-11 Mr. McLarney and Mr. Ward  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH MARSH USA, INC. FOR  
BROKER OF RECORD SERVICES FOR COUNTY INSURANCE PROGRAM  
Approved by 8 Finance and 5 Labor Relations
- 656-11 Mr. McLarney and Mr. Ward  
AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACT WITH AMERITAS  
LIFE INSURANCE CORP. OF NEW YORK FOR DENTAL INSURANCE COVERAGE  
Approved by 8 Finance and 5 Labor Relations
- 657-11 Mr. McLarney and Mr. Ward  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH ACTUARIAL & TECHNICAL  
SOLUTIONS, INC. FOR WORKERS' COMPENSATION ACTUARIAL CONSULTING  
SERVICES  
Approved by 8 Finance and 5 Labor Relations
- 658-11 Ms. Vickman and Mr. McClune  
AUTHORIZING THE CHAIR TO EXECUTE LEASE AGREEMENTS WITH VARIOUS  
ENTITIES FOR DEPARTMENT OF AGING SENIOR WELLNESS AND NUTRITION  
PROGRAM SITES  
Approved by 8 Finance and 7 Senior Services
- 659-11 Mr. Snyder and Mrs. Stockman  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH CHAUTAUQUA COUNTY  
FOR HEALTH DEPARTMENT LEAD RISK ASSESSMENT SERVICES  
Approved by 8 Finance and 7 Human Services
- 660-11 Mr. Marsh  
AUTHORIZING FOR ORGANIZATIONAL MEETING  
Approved by 8 Finance
- 661-11 Mr. McLarney and Mr. Ward  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH PMA MANAGEMENT  
CORP. FOR WORKERS' COMPENSATION PROGRAM ADMINISTRATION  
Approved by 8 Finance and 5 Labor Relations

**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.

APPOINTMENT TO COMMUNITY SERVICES BOARD PEOPLE WITH  
DEVELOPMENTAL DISABILITIES SUBCOMMITTEE

Pursuant to Section 41.11 of the Mental Hygiene Law.

I. RESOLVED, that the following individual is appointed to the Community Services Board People With Developmental Disabilities Subcommittee with a term to expire December 31, 2013:

Dan Gayton  
The Rehabilitation Center, Inc.  
3799 South Nine Mile Road  
~~Olean~~ **Allegany**, New York ~~14760~~ **14706**.

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH SOUTHERN TIER  
HEALTH CARE SYSTEM, INC. FOR SOCIAL WORKER/MENTAL HEALTH THERAPIST FOR  
MENTAL HEALTH CLINIC THROUGH THE SOUTHERN TIER CHILD ADVOCACY CENTER**

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

I. WHEREAS, Act 724-2010 authorized a contract with Southern Tier Health Care System, Inc., One Blue Bird Square, Olean, New York 14760, for the provision of a social worker/mental health therapist for the mental health clinic to serve abuse victims and their families who are present at the Child Advocacy Center, the term of which expires December 31, 2011, and

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

III. WHEREAS, the Southern Tier Health Care System, Inc., through its Southern Tier Child Advocacy Center, can provide the aforementioned social worker/mental health therapist for an amount of \$45,818.00, to be paid on a monthly basis, as invoiced, and

IV. WHEREAS, sufficient funds are included in the ~~2011~~ 2012 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 the Southern Tier Health Care System, Inc., for the provision of services through its Southern Tier Child Advocacy Center, for a term commencing January 1, 2012 and terminating September 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.



**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
QUALITY PSYCHIATRIC SERVICES, PLLC FOR DEPARTMENT OF  
COMMUNITY SERVICES PSYCHIATRIC MEDICAL SERVICES**

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

I. WHEREAS, Act 764-2010 authorized a contract with Quality Psychiatric Services, PLLC, 1146 East Main Street, Bradford, Pennsylvania 16701, for the provision of psychiatric medical services for the Department of Community Services, the term of which expires December 31, 2011, and

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

III. WHEREAS, Quality Psychiatric Services, PLLC, shall provide psychiatric medical services for the Department of Community Services mental health clinic, through Hardish K. Singh, M.D., at a rate of rate of \$135.00 per hour of direct care for a maximum of ~~390~~ 30 hours ~~per year~~, plus \$50.00 per hour for travel, not to exceed 6 hours per month, for a total contract amount not to exceed ~~\$55,350.00~~ \$4,350, and

IV. WHEREAS, this program is funded through federal, state and local 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 Quality Psychiatric Services, PLLC, for the provision of the above-described psychiatric medical services, for a term commencing January 1, 2012 and terminating ~~September 30~~ January 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.

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
JAMESTOWN PSYCHIATRIC, P.C., FOR DEPARTMENT OF  
COMMUNITY SERVICES MENTAL HEALTH CLINIC SERVICES**

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

I. WHEREAS, Act 726-2010, as amended, authorized a contract with Jamestown Psychiatric, P.C., 305 East Fairmount Avenue, Lakewood, New York 14750, for the provision of mental health clinic services for the Department of Community Services, through an Allied Health Professional or Psychiatrist, the term of which expires December 31, 2011, and

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

III. WHEREAS, Jamestown Psychiatric, P.C., shall provide psychiatric medical services for the Department of Community Services mental health clinic, through a psychiatrist at a rate of \$165.00 per direct care hour, or a child psychiatrist at a rate of \$175.00 per direct care hour, or an Allied Health Professional at a rate of \$110.00 per direct care hour, for a total number of hours not to exceed ~~2,079~~ 2,439 between the psychiatrist, the child psychiatrist and the Allied Health Professional, plus \$50.00 per hour for travel not to exceed ~~150~~ 220 hours, for a total contract amount not to exceed ~~\$268,365.00~~ \$319,365.00, and

IV. WHEREAS, this program is funded through federal, state and local 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 Jamestown Psychiatric, P.C., for the provision of the above-described services, for a term commencing January 1, 2012 and terminating September 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.

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
RONALD JOHNSON D/B/A UNDERWOOD MANOR FOR  
DEPARTMENT OF SOCIAL SERVICES ASSISTED LIVING PROGRAM**

Pursuant to 42 CFR §431.53, 18 NYCRR §505.10, Section 365-a (2)(j) of the Social Services Law and Section 450 of the County Law.

I. WHEREAS, Act 679-2010 authorized a contract with Ronald Johnson d/b/a Underwood Manor, 4460 Union Hill Road, Hinsdale, New York 14743, for the provision of an assisted living program for medical assistance recipients of Cattaraugus County, the term of which expires December 31, 2011, and

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

III. WHEREAS, Ronald Johnson d/b/a Underwood Manor, can provide assisted living program services to medical assistance recipients referred by the County Department of Social Services, at no cost to the County, 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, on behalf of Cattaraugus County, with Ronald Johnson d/b/a Underwood Manor, 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.