



CATTARAUGUS COUNTY

John R. Searles, County Administrator

303 Court Street
Little Valley, New York 14755

(716) 938-2577 Fax (716) 938-2760

DEPARTMENT HEAD PRESENTATIONS

BEGINNING AT 2:30 P.M.

LEGISLATIVE CHAMBERS

Social Services – 2:30 p.m.

Community Services – 3:00 p.m.

Sheriff – 3:30 p.m.

Contingent Fund Balance: \$412,286

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

The following committees will meet on **Wednesday, March 7, 2012**, at the County Center in Little Valley, New York, at the indicated times:

Public Works & Strategic Planning	4:00 p.m.
<i>(Space Study Presentation / Wendel Companies)</i>	
Public Works	4:30 p.m.
Human Services	5:30 p.m.
<i>(Transportation Contract Discussion / VMC)</i>	
Public Safety	6:15 p.m.
County Operations	6:30 p.m.
Development & Agriculture	6:45 p.m.
Senior Services	7:00 p.m.
Finance	7:15 p.m.

ACT NO.

PREFILED RESOLUTIONS

- 116-12 Mr. Aiello and Mr. Weller
BID ACCEPTANCE FOR DEMOLITION AND REMOVAL OF HOUSE (Department of Public Works)
- 117-12 Mr. Aiello and Mr. Weller
BID ACCEPTANCE FOR FIVE POINTS LANDFILL IMPROVEMENT PROJECT (Department of Public Works)
- 118-12 Mr. Aiello and Mr. Weller
BID ACCEPTANCE FOR EMERGENCY STREAMBANK RESTORATION (Department of Public Works)
- 119-12 Mr. Aiello and Mr. Weller
AUTHORIZING THE CHAIR TO APPLY FOR FUNDING THROUGH THE NEW YORK STATE DEPARTMENT OF STATE FOR THE 2011-2012 LOCAL GOVERNMENT EFFICIENCY GRANT PROGRAM
- 120-12 Ms. Vickman
SALE OF TAX TITLE PROPERTY TO TOWN OF MACHIAS, WAIVING RULE 40 OF THE RULES OF ORDER

- 121-12 Mr. VanRensselaer and Mr. Boser
AUTHORIZING PUBLIC HEARING ON REQUESTS FOR INCLUSION INTO A CERTIFIED AGRICULTURAL DISTRICT OF AGRICULTURAL PARCELS SUBMITTED DURING THE 2012 THIRTY-DAY INCLUSION PERIOD
- 122-12 Mr. Felton and Ms. Vickman
AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH AFFINITY REHABILITATION, LLP C/O HEALTHPRO MANAGEMENT SERVICES, LLC FOR DEPARTMENT OF NURSING HOMES PROFESSIONAL THERAPY SERVICES
- 123-12 Ms. Edstrom and Mrs. Stockman
AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACT WITH DOYLE SECURITY SYSTEMS, INC. FOR PERSONAL EMERGENCY RESPONSE UNITS MONITORING SERVICES FOR DEPARTMENTS OF HEALTH, AGING AND SOCIAL SERVICES
- 124-12 Ms. Edstrom and Mrs. Stockman
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH RONALD JOHNSON D/B/A UNDERWOOD MANOR FOR DEPARTMENT OF HEALTH IN-HOME NURSING AND THERAPY SERVICES
- 125-12 Ms. Edstrom and Mrs. Stockman
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH NEW YORK STATE DEPARTMENT OF HEALTH FOR FAMILY PLANNING PROGRAMS
- 126-12 Ms. Edstrom and Mrs. Stockman
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH HEALTHY COMMUNITY ALLIANCE, INC. FOR MEDICAID MANAGED CARE RECRUITMENT SPECIALIST AND ADJUSTING VARIOUS APPROPRIATION ACCOUNTS (Department of Social Services)
- 127-12 Mr. Murphy
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH SAM ASHER COMPUTING SERVICES, INC. FOR SHERIFF'S OFFICE HYPER-REACH SYSTEM
- 128-12 Mr. Murphy
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS FOR CHILD SAFETY SEAT PROGRAM FUNDING (Sheriff's Office)
- 129-12 Mr. Murphy
AUTHORIZING THE CHAIR TO EXECUTE GRANT DOCUMENTS WITH NYS OFFICE OF HOMELAND SECURITY AND EMERGENCY SERVICES FOR EXPLOSIVE DETECTION CANINE TEAM GRANT
- 130-12 Mr. Murphy
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS FOR SENECA NATION OF INDIANS DRUG INTERDICTION ACTIVITIES (Sheriff's Office)
- 131-12 Mr. VanRensselaer and Mr. Boser
URGING NEW YORK STATE TO HONOR EXCLUSIVITY ZONE OF SENECA NATION OF INDIANS
- 132-12 Mr. VanRensselaer
OPPOSING CHANGES IN THE LAW GOVERNING AGRICULTURAL YOUTH LABOR

Cattaraugus County Legislative Committee Referrals					Committee Meeting March 7, 2012					
		County		Senior	Strategic	Human	Develop. &	Public	Labor	
Act #	Finance	Ops	DPW	Services	Planning	Services	Agriculture	Safety	Relations	Legislature
116	X		X							
117	X		X							
118	X		X							
119	X		X							
120	X	X								
121	X						X			
122	X			X						
123	X			X		X				
124	X					X				
125	X					X				
126	X					X				
127	X							X		
128	X							X		
129	X							X		
130	X							X		
131	X						X			
132	X						X			
TOTALS	17	1	4	2	0	4	3	4	0	0

**BID ACCEPTANCE FOR DEMOLITION AND REMOVAL OF HOUSE
(Department of Public Works)**

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

I. WHEREAS, the Clerk of the Legislature was authorized to advertise for sealed bids for the demolition and removal of a house located at 719 South Union Street in the City of Olean, New York, according to specifications provided by the Public Works Committee, and

II. WHEREAS, the lowest responsible bid received meeting specifications for the demolition and removal of the aforementioned house was the bid of H. H. Rauh Contracting Co., LLC, in the amount of \$7,450.00, to be paid as invoiced, and

III. WHEREAS, sufficient funds are included in the 2012 budget to cover the costs of the aforementioned services, now, therefore, be it

I. RESOLVED, that the bid of H. H. Rauh Contracting Co., LLC, be, and the same hereby is, accepted, for a term commencing upon the Notice to Proceed and terminating 60 days thereafter, and be it further

II. RESOLVED, that vouchers submitted in accordance with the provisions of the General Municipal Law §106-b and certified by the Commissioner of the Department of Public Works be audited by the Auditor and paid by the County Treasurer.

No State Bid.

Thirteen sets of specifications were sent out.

Three bids were received that meet specifications.

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"/>

BID ACCEPTANCE FOR FIVE POINTS LANDFILL IMPROVEMENT PROJECT
(Department of Public Works)

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

I. WHEREAS, the Clerk of the Legislature was authorized to advertise for sealed bids for the general construction and electrical portion of the Five Points Landfill Improvement Project, according to specifications provided by the Public Works Committee, and

II. WHEREAS, the lowest responsible bid received meeting specifications for the general construction portion of the project was the bid of Blue Heron Construction, 9293 Bonta Bridge Road, Jordan, New York 13080, in the amount of \$763,000.00, to be paid as invoiced, and

III. WHEREAS, the lowest responsible bid received meeting specifications for the electrical portion of the project was the bid of BECC Electric, 1007 Central Avenue, Dunkirk, New York 14048, in the amount of \$214,000.00, to be paid as invoiced, and

IV. WHEREAS, sufficient funds are included in the 2012 budget to cover the costs of the aforementioned services, now, therefore, be it

I. RESOLVED, that the bid of Blue Heron Construction be, and the same hereby is, accepted, for a term commencing upon the Notice to Proceed and terminating 240 days thereafter, and be it further

II. RESOLVED, that the bid of BECC Electric be, and the same hereby is, accepted, for a term commencing upon the Notice to Proceed and terminating 240 days thereafter, and be it further

III. RESOLVED, that vouchers submitted in accordance with the provisions of the General Municipal Law §106-b and certified by the Commissioner of the Department of Public Works be audited by the Auditor and paid by the County Treasurer.

General Construction:

No State Bid.

Twenty-Two sets of specifications were sent out.

Four bids were received.

Electrical Portion:

No State Bid.

Twenty-Two sets of specifications were sent out.

Three bids were received.

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"/>

**BID ACCEPTANCE FOR EMERGENCY STREAMBANK RESTORATION
(Department of Public Works)**

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

I. WHEREAS, the Clerk of the Legislature was authorized to advertise for sealed bids for emergency streambank restoration, according to specifications provided by the Public Works Committee, and

II. WHEREAS, the lowest bid received meeting specifications for the following five (5) sites was the bid of D & H Excavating, Inc., 11939 Route 98 South, Arcade, New York 14009, in the amount of \$53,565.00, as follows, to be paid as invoiced:

Ashford Bridge No. 30	\$ 1,250.00
Freedom Bridge No. 19	\$14,200.00
Freedom Bridge No. 24	\$ 9,475.00
Freedom Bridge No. 25	\$13,740.00
Freedom Bridge No. 27	\$14,900.00

and

III. WHEREAS, sufficient funds are included in the 2012 budget to cover the costs of the aforementioned services, now, therefore, be it

I. RESOLVED, that the bid of D & H Excavating, Inc., be, and the same hereby is, accepted, and be it further

II. RESOLVED, that vouchers submitted in accordance with the provisions of the General Municipal Law §106-b and certified by the Commissioner of the Department of Public Works be audited by the Auditor and paid by the County Treasurer.

No State bid.

Seventeen sets of specifications were sent out.

Nine bids were received.

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 APPLY FOR FUNDING
THROUGH NEW YORK STATE DEPARTMENT OF STATE FOR
2011-2012 LOCAL GOVERNMENT EFFICIENCY GRANT PROGRAM**

Pursuant to Section 450 of the County Law.

I. WHEREAS, funding is available through the New York State Department of State for the 2011-2012 Local Government Efficiency Grant Program, and

II. WHEREAS, the Local Government Efficiency (LGE) program provides financial and technical assistance to local governments to implement projects that produce positive taxpayer impacts, and

III. WHEREAS, the goal of the Local Government Efficiency (LGE) Grant program is to reduce municipal expenses and property taxes by helping local government entities plan for and implement new service delivery efficiencies, and

IV. WHEREAS, the County Department of Public Works is desirous of applying for the aforementioned funding, 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 Department of State, in order to apply for the Local Government Efficiency Grant, in accordance with 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"/>

**SALE OF TAX TITLE PROPERTY TO TOWN OF MACHIAS,
WAIVING RULE 40 OF THE RULES OF ORDER**

Pursuant to Sections 215 and 450 of the County Law, Rule 33 of the
Rules of Order of the Cattaraugus County Legislature, and
Section 72-h of the General Municipal Law.

I. WHEREAS, Cattaraugus County has tax title to certain property in the Town of Machias described as follows:

Parcel 194: being part of Lot 06, Town 05, Range 05, about 52.00 x 200.00,
Acct. No. 0184, TM #31.001-1-37, 3165 Beamer Road, Machias, and

II. WHEREAS, the Town of Machias is desirous of installing a sewer collection system in the Lime Lake vicinity and is in need of the above-described property for the location of a lift station, and

III. WHEREAS, The Pines Healthcare and Rehabilitation Center in Machias will be a sewer district customer, thereby relieving most of the ongoing maintenance burden of its private waste collection system, and

IV. WHEREAS, substantial improvement in the environmental health and condition of Lime Lake will be effected once the district collection system is in operation, and

V. WHEREAS, the Town of Machias has offered to purchase the property for \$1.00, and

VI. WHEREAS, it is in the best interest of the County to convey the aforementioned property to the Town of Machias, and

VII. WHEREAS, that amount has been tendered by the Town of Machias to the County Treasurer, now, therefore, be it

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

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

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 PUBLIC HEARING ON REQUESTS FOR INCLUSION
INTO A CERTIFIED AGRICULTURAL DISTRICT OF AGRICULTURAL PARCELS
SUBMITTED DURING THE 2012 THIRTY-DAY INCLUSION PERIOD**

Pursuant to Section 303-b of the Agriculture and Markets Law.

I. WHEREAS, Section 303-b of the New York State Agriculture and Markets Law requires counties with state certified agricultural districts to designate an annual thirty-day period to allow a landowner to submit a request for inclusion of his or her land, which is predominantly viable agricultural land, into a certified agricultural district, and

II. WHEREAS, the Cattaraugus County Legislature has received the recommendation of the Agricultural and Farmland Protection Board to include those parcels requesting inclusion into the appropriate agricultural district, and

III. WHEREAS, the inclusion of these parcels would serve the public interest by assisting in maintaining a viable agricultural industry within each applicable district, and

IV. WHEREAS, parcels requesting inclusion are located in the existing Northwest, South Branch, and Southeast and Central Agricultural Districts, and the Towns of Dayton (Tax Map No. 25.002-1-23.3), New Albion (Tax Map No. 44.003-2-28.1) and Portville (Tax Map No. 113.002-2-18), and

V. WHEREAS, a public hearing is necessary on the inclusion of the aforementioned parcels, now, therefore, be it

I. RESOLVED, that the Cattaraugus County Legislature hereby authorizes a public hearing on the inclusion into a certified agricultural district of agricultural parcels submitted during the 2012 thirty-day inclusion period, to be held at the Cattaraugus County Legislature's Chambers, 303 Court Street, Little Valley, New York, on the 28th day of March, 2012 at 3:01 p.m., and be it further

II. RESOLVED, that the notice of hearing be published in the area newspapers and mailed to the land owners requesting inclusion, to the Towns of Dayton, New Albion and Portville, and to the Commissioner of the New York State Department of Agriculture & Markets.

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 THE CHAIR TO EXECUTE AMENDED CONTRACT WITH
AFFINITY REHABILITATION, LLP C/O HEALTHPRO MANAGEMENT SERVICES, LLC FOR
DEPARTMENT OF NURSING HOMES PROFESSIONAL THERAPY SERVICES**

Pursuant to 10 NYCRR Part 415.16 and
Section 450 of the County Law.

I. WHEREAS, Act 444-2010, as amended by Act 536-2010, authorized a contract with Affinity Rehabilitation, LLP, c/o HealthPRO Management Services, LLC, 10600 York Road, Suite 105, Cockeysville, Maryland 21030, for the provision of professional occupational therapy, physical therapy and speech/language pathology services for The Pines Healthcare & Rehabilitation Center-Olean and Machias Campuses, and

II. WHEREAS, it is necessary to amend the aforementioned contract to provide that HealthPRO shall utilize a County-employed Certified Occupational Therapy Assistant (COTA) to provide COTA services, and shall provide a credit to the County on its monthly billing reimbursing the County for five (5) hours per day of the Certified Occupational Therapy Assistant's costs incurred at both the Olean location and the Machias location, and

III. WHEREAS, in the event HealthPRO utilizes the County-employed COTA for any hours over the aforementioned five (5) hours daily for the Affinity HealthPRO program, then HealthPRO shall provide a credit to the County on its monthly billing, and

IV. WHEREAS, the hourly rate of the COTA shall include fringe benefits, 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 Affinity Rehabilitation, LLP, c/o HealthPRO Management Services, LLC, for the provision of the above-described services, for a term commencing April 1, 2012 and terminating October 31, 2016, 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"/>

**AUTHORIZING COUNTY ADMINISTRATOR TO
EXECUTE CONTRACT WITH
DOYLE SECURITY SYSTEMS, INC. FOR
PERSONAL EMERGENCY RESPONSE UNITS MONITORING
SERVICES FOR DEPARTMENTS OF
HEALTH, AGING AND SOCIAL SERVICES**

Pursuant to Section 95-a of the General Municipal Law and
Act 290-2011 of the Cattaraugus County Legislature.

I. WHEREAS, Act 647-2010 authorized a contract with VNA Homecare Services, Inc., for the provision of various services to the County Departments of Health, Aging and Social Services, the term of which expired December 31, 2011, and

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

III. WHEREAS, Doyle Security Systems, Inc., 792 Calkins Road, Rochester, New York 14623, has agreed to provide services to the County Departments of Health, Aging and Social Services, as follows:

<u>Category of Service</u>	<u>2012 Rate</u>
<u>HEALTH DEPARTMENT</u>	
PERS Monitoring	\$18/month/unit
Electronic Medication Monitoring	\$49/month/unit
<u>SOCIAL SERVICES</u>	
PERS Monitoring	\$18/month/unit
Electronic Medication Monitoring	\$49/month/unit
<u>DEPARTMENT OF AGING</u>	
PERS Monitoring (Expanded In-Home Services for the Elderly Program),	\$15/month/unit

and

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

V. WHEREAS, sufficient funds are included in the 2012 budget to cover the cost of the aforementioned services, now, therefore, be it

I. RESOLVED, that the County Administrator be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Doyle Security Systems, 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, 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 checked="" type="checkbox"/>	Labor Relations	<input type="checkbox"/>
Strategic Planning	<input type="checkbox"/>	_____	<input type="checkbox"/>

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
RONALD JOHNSON D/B/A UNDERWOOD MANOR FOR
DEPARTMENT OF HEALTH IN-HOME NURSING AND THERAPY SERVICES**

Pursuant to Section 450 of the County Law.

I. WHEREAS, Act 653-2010 authorized a contract with Ronald Johnson d/b/a Underwood Manor, 4460 Union Hill Road, Hinsdale, New York 14743, for provision of in-home nursing and therapy services for its assisted living program residents, the term of which expired December 31, 2011, and

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

III. WHEREAS, Ronald Johnson d/b/a Underwood Manor, 4460 Union Hill Road, Hinsdale, New York 14743, has requested the Department of Health to continue the provision of the aforementioned services, and

IV. WHEREAS, the County Department of Health, through its Home Health Care Program can provide in-home nursing and therapy services for the residents of the Underwood Manor assisted living program, at the following rates:

Skilled Nursing	\$135.00 per visit
Physical Therapy	\$110.00 per visit
Occupational Therapy	\$110.00 per visit
PRI/State Required Nursing Assessment	\$135.00 per assessment,

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.

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
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, as amended by Act 518-2011, 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 December 31, 2011, and

II. WHEREAS, the New York State Health Department has awarded the County Health Department a grant in the amount of \$273,317.00 for the period January 1, 2012 through December 31, 2012, and

III. 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 the New York State Department of Health for the provision of a Family Planning Program in Cattaraugus County, 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
HEALTHY COMMUNITY ALLIANCE, INC. FOR
MEDICAID MANAGED CARE RECRUITMENT SPECIALIST AND
ADJUSTING VARIOUS APPROPRIATION ACCOUNTS
(Department of Social Services)**

Pursuant to 42 CFR Section 435, Section 363 of
the Social Services Law and Sections 363, 366 and 450 of the County Law.

I. WHEREAS, Act 166-2011 authorized a contract with Healthy Community Alliance, Inc., One School Street, Gowanda, New York 14070, for the provision of education, support and outreach services to clients, agency personnel and providers of the Medicaid Managed Care Program, the term of which expires March 31, 2012, and

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

III. WHEREAS, Healthy Community Alliance, Inc., has agreed to provide the aforementioned services for an amount not to exceed \$49,522.00, which shall be paid in monthly installments, as invoiced, and

IV. WHEREAS, this program is 50% federally funded, 25% state funded through the New York State Department of Health and 25% County funded, and

V. 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 a contract, on behalf of Cattaraugus County, with Healthy Community Alliance, Inc., for the provision of the above-described services, for a term commencing April 1, 2012 and terminating March 31, 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, and be it further

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

Decrease Appropriation Account:

A.601.6010.0004.41233	Professional Services	\$4,522.00
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Increase Appropriation Account:

A.601.6010.0004.41014	Medicaid Managed Care	\$4,522.00.
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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
SAM ASHER COMPUTING SERVICES, INC. FOR
SHERIFF'S OFFICE HYPER-REACH SYSTEM**

Pursuant to Section 450 of the County Law.

I. WHEREAS, Act 80-2009 authorized a contract with Sam Asher Computing Services, Inc., 3300 Monroe Avenue, Suite 317, Rochester, New York 14618, for the provision of the Hyper-Reach notification system in the Sheriff's Office, for a three year period terminating February 28, 2012, and

II. WHEREAS, Hyper-Reach notification system enables the County to instantly send voice messages to any number of recipients at the same time, advising of an emergency of any nature, and

III. WHEREAS, the cost to access the Hyper-Reach notification system has increased and a new contract is necessary, and

IV. WHEREAS, the Sheriff's Office is desirous of continuing the aforementioned Hyper-Reach notification system, and

V. WHEREAS, Sam Asher Computing Services, Inc., can provide access to the Hyper-Reach notification system for an amount not to exceed \$32,400.00 for the account management fee, plus an amount of \$.10 per minute of usage, for a three year period commencing March 1, 2012, as follows:

3/1/2012 to 2/28/2013	\$10,800.00
3/1/2013 to 2/28/2014	\$10,800.00
3/1/2014 to 2/28/2015	\$10,800.00,

and

VI. WHEREAS, the funding for the above-described system is provided through state 911 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 Sam Asher Computing Services, Inc., for the provision of the above-described services, for a term commencing March 1, 2012 and terminating February 28, 2015, 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"/>

**ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS FOR
CHILD SAFETY SEAT PROGRAM FUNDING
(Sheriff's Office)**

Pursuant to Section 1229-c of the Vehicle and
Traffic Law and Sections 363, 366 and 450 of the County Law.

I. WHEREAS, Act 111-2011 authorized the Chairman to apply for funding through the New York State Governor's Traffic Safety Committee for a Traffic Safety Enforcement Program for the 2011 program year, and

II. WHEREAS, funding in the amount of \$20,000.00 has been received through the New York State Governor's Traffic Safety Committee for the Child Safety Seat Program component of the Traffic Safety Partnership Program, and

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

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

II. RESOLVED, 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

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

Increase Estimated Revenue Account:

A.311.3324.3325.3389.10	Child Passenger Safety Seat Program	\$20,000.00
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Increase Appropriation Accounts:

A.311.3324.3325.47006	Operating Supplies	\$ 4,000.00
A.311.3324.3325.47026	Child Restraint Seats	\$16,000.00.

Resolution Referred to:

Finance	<input checked="" type="checkbox"/>	Human Services	<input type="checkbox"/>
Co. Operations	<input type="checkbox"/>	Develop. & Ag	<input type="checkbox"/>
DPW	<input type="checkbox"/>	Public Safety	<input 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
NYS OFFICE OF HOMELAND SECURITY AND EMERGENCY SERVICES FOR
EXPLOSIVE DETECTION CANINE TEAM GRANT**

Pursuant to Section 450 of the County Law.

I. WHEREAS, up to \$50,000 in federal funding is available through the New York State Office of Homeland Security for the Explosive Detection Canine Team grant, and

II. WHEREAS, the primary objectives of this grant are:

- the advancement of explosive detection canine team capabilities;
- the certification of explosive detection canine teams and compliance with annual re-certification requirements;
- promotion of regional partnerships in the development of mutual explosive detection canine team capabilities,

and

III. WHEREAS, the County should apply for the aforementioned grant through the New York State Office of Homeland Security and Emergency Services, 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 Office of Homeland Security and Emergency Services, in order to apply for the aforementioned funding, 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"/>

**ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS FOR
SENECA NATION OF INDIANS DRUG INTERDICTION ACTIVITIES
(Sheriff's Office)**

Pursuant to Sections 363 and 366 of the County Law.

I. WHEREAS, Act 75-2012 authorized the Chair to execute a contract with the Seneca Nation of Indians for the provision of drug interdiction activities within the Seneca Nation's Allegany and Cattaraugus Territories, the term of which expires December 31, 2014, and

II. WHEREAS, various appropriation and revenue accounts must be adjusted in order to reflect a modification in the terms, now, therefore, be it

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

Decrease Estimated Revenue Account:

A.311.3215.0000.2260.05	Strategic Contract	\$ 19,688.00
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Decrease Appropriation Accounts:

A.311.3215.0000.11000	Full Time Wages	\$124,592.00
A.311.3215.0000.20101	Vehicles	\$ 30,000.00
A.311.3215.0000.43001	Fleet Maintenance	\$ 1,750.00
A.311.3215.0000.45302	Automobile Expenses, Gas and Oil	\$ 4,000.00
A.311.3215.0000.46106	Training	\$ 100.00
A.311.3215.0000.46111	Uniforms and Personal Equipment	\$ 4,100.00
A.311.3215.0000.81000	FICA	\$ 9,608.00
A.311.3215.0000.82000	Retirement	\$ 36,506.00
A.311.3215.0000.83000	Health Insurance	\$ 34,539.00
A.311.3215.0000.84000	Dental Insurance	\$ 286.00

Increase Appropriation Accounts:

A.311.3215.0000.13000	Overtime	\$ 9,250.00
A.311.3215.0000.14000	Pay-In-Lieu of Benefit Time	\$ 1,000.00
A.311.3215.0000.20120	Radio Equipment	\$ 6,720.00
A.311.3215.0000.43004	Insurance Shared Service	\$ 1,500.00
A.311.3215.0000.45202	Equipment Repair and Maintenance	\$ 400.00
A.311.3215.0000.45401	Small Equipment/Tools	\$ 6,200.00
A.311.3215.0000.46108	Cellular Phone Charges	\$ 900.00
A.311.3215.0000.85000	Workers Compensation	\$ 2,456.00
A.311.3215.3221.11000	Full Time Wages	\$ 35,973.00
A.311.3215.3221.13000	Overtime	\$ 5,625.00
A.311.3215.3221.14000	Pay-In-Lieu of Benefit Time	\$ 1,000.00
A.311.3215.3221.20101	Vehicles	\$ 17,000.00
A.311.3215.3221.20120	Radio Equipment	\$ 3,360.00
A.311.3215.3221.43001	Fleet Maintenance	\$ 2,625.00
A.311.3215.3221.43004	Insurance Shared Service	\$ 750.00
A.311.3215.3221.45202	Equipment Repair and Maintenance	\$ 200.00
A.311.3215.3221.45401	Small Equipment/Tools	\$ 3,100.00
A.311.3215.3221.46106	Training	\$ 200.00
A.311.3215.3221.46108	Cellular Phone Charges	\$ 450.00
A.311.3215.3221.46111	Uniforms and Personal Equipment	\$ 1,500.00
A.311.3215.3221.81000	FICA	\$ 2,828.00
A.311.3215.3221.82000	Retirement	\$ 10,833.00

A.311.3215.3221.83000	Health Insurance	\$ 11,956.00
A.311.3215.3221.84000	Dental Insurance	\$ 99.00
A.311.3215.3221.85000	Workers Compensation	\$ 1,183.00
A.311.3215.3222.11000	Full Time Wages	\$ 35,974.00
A.311.3215.3222.13000	Overtime	\$ 5,625.00
A.311.3215.3222.14000	Pay-In-Lieu of Benefit Time	\$ 1,000.00
A.311.3215.3222.20101	Vehicles	\$ 17,000.00
A.311.3215.3222.20120	Radio Equipment	\$ 3,360.00
A.311.3215.3222.43001	Fleet Maintenance	\$ 2,625.00
A.311.3215.3222.43004	Insurance Shared Service	\$ 750.00
A.311.3215.3222.45202	Equipment Repair and Maintenance	\$ 200.00
A.311.3215.3222.45401	Small Equipment/Tools	\$ 3,100.00
A.311.3215.3222.46106	Training	\$ 200.00
A.311.3215.3222.46108	Cellular Phone Charges	\$ 450.00
A.311.3215.3222.46111	Uniforms and Personal Equipment	\$ 1,500.00
A.311.3215.3222.81000	FICA	\$ 2,829.00
A.311.3215.3222.82000	Retirement	\$ 10,834.00
A.311.3215.3222.83000	Health Insurance	\$ 11,956.00
A.311.3215.3222.84000	Dental Insurance	\$ 99.00
A.311.3215.3222.85000	Workers Compensation	\$ 1,183.00.

Resolution Referred to:

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

**URGING NEW YORK STATE TO HONOR EXCLUSIVITY ZONE OF
SENECA NATION OF INDIANS**

Pursuant to Section 153 of the County Law.

I. WHEREAS, Governor Cuomo has proposed the adoption and voter approval of a constitutional amendment to permit a "more comprehensive approach" to gambling in New York State, stating that "over \$1 billion of economic activity can be generated.", and

II. WHEREAS, the Seneca Nation of Indians, pursuant to its 2002 gaming compact with the State, has exclusive rights to operate casinos in Western New York, and

III. WHEREAS, the Nation presently operates three Class III gaming facilities, located in Salamanca, Niagara Falls and Buffalo and is one of the largest employers in the region, and

IV. WHEREAS, Cattaraugus County has experienced significant economic growth and direct financial benefits from the Nation's gaming endeavors, and

V. WHEREAS, the Governor, by his proposal, does not guarantee that the Nation's exclusivity rights would be protected in any such legislation, and

VI. WHEREAS, this Legislature does not oppose a constitutional amendment to permit Class III gaming in other regions of the State such as the Catskills and New York City, but fully supports the Nation's stance that its exclusivity zone cannot be violated, and

VII. WHEREAS, any violation of the Nation's exclusivity rights by the State would have a devastating effect on the economy of the Nation, Cattaraugus County and all of Western New York, now, therefore be it

I. RESOLVED, that the Cattaraugus County Legislature hereby urges Governor Cuomo and the State Legislature to honor and protect the Nation's exclusivity zone and any existing exclusivity zones of other tribes in any future adoption or approval of legislation to authorize non-Indian owned Class III gaming in the State, and be it further

II. RESOLVED, that the Clerk of the Legislature is hereby directed to forward copies of this resolution to Governor Cuomo, the President of the Seneca Nation of Indians, the members of the Seneca Nation Tribal Council, Senate Majority Leader Skelos, Assembly Speaker Silver, Senator Young, Assembly Member Giglio and the New York State Association of Counties.

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"/>

OPPOSING CHANGES IN THE LAW GOVERNING AGRICULTURAL YOUTH LABOR

Pursuant to Section 153 of the County Law.

I. WHEREAS, the U.S. Department of Labor recently concluded the public comment period for the proposed regulations that would define restricted farm activities for workers under the age of 16, and

II. WHEREAS, in the proposed regulations, youth under 16 years of age would not be able to work on a farm not owned by the youth's parents and would restrict operations of certain equipment by those under the age of 16, including the operation of a tractor or a mower, even on their family farms, and

III. WHEREAS, the proposed regulations will also have an effect on those youth involved in FFA and 4-H programs, including those working with livestock, and

IV. WHEREAS, agriculture in Cattaraugus County consists mostly of family farms which include youth who often begin working on a farm in young adulthood and who are trained in many aspects of farm knowledge and safety as they mature, and

V. WHEREAS, involvement in farm labor teaches young people a good work ethic and gives them skills they can utilize throughout their lives, regardless of the career path they choose, and

VI. WHEREAS, restricting structure and family-led youth learning opportunities on farms could actually undermine the safety of those youths long-term, and

VII. WHEREAS, the Department of Labor's proposal will limit youth employment opportunities on farms at a time when we should be encouraging more young people to go into farming, not prohibiting them from gaining valuable experience in agriculture, which is New York State's number one industry, and

VIII. WHEREAS, the Department of Labor intends to revise the rules governing agricultural youth labor, possibly curtailing the activities that youth may engage in on the farm at ages 14 and 15, now, therefore, be it

I. RESOLVED, that the Cattaraugus County Legislature hereby supports the farmers of Cattaraugus County and opposes the U.S. Department of Labor's proposed changes in the rules governing agricultural youth labor that would eliminate personal growth opportunities for our youth, and be it further

II. RESOLVED, that the Cattaraugus County Legislature hereby supports the adoption by Congress of Concurrent Resolution H.Con.Res.95.IH, entitled "Expressing the sense of Congress that the Secretary of Labor should recognize the unique circumstances of farm family youth workers when issuing regulations under the Fair Labor Standards Act relating to hired farm workers under the age of 16", and be it further

III. RESOLVED, that the Clerk of the Legislature is hereby directed to forward a copy of this resolution to the U. S. Department of Labor, Secretary Hilda L. Solis, U.S. Senator Charles Schumer, U.S. Senator Kirsten Gillibrand, U.S. Congressman Thomas Reed, State Senator Young, State Assembly Member Giglio, American Farm Bureau President Bob Stallman, Cattaraugus County Farm Bureau President Charles Couture, New York Farm Bureau Area Field Supervisor Timothy Bigham, New York State Farm Bureau District 1 Director, Hal Kreher, New York State Association of Counties, and the Western New York Inter-County Association.

Resolution Referred to:

Finance	<input checked="" type="checkbox"/>	Human Services	<input type="checkbox"/>
Co. Operations	<input type="checkbox"/>	Develop. & Ag	<input 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"/>	<hr/>	<input type="checkbox"/>