



# CATTARAUGUS COUNTY

John R. Searles, County Administrator

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Little Valley, New York 14755

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**Human Services Committee work session  
Tuesday, April 17, 2012 at 5:00 p.m.  
2<sup>nd</sup> floor conference room  
Olean County Building**

Contingent Fund Balance: \$412,286

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

The following committees will meet on **Wednesday, April 18, 2012**, in the large committee room, at the County Center in Little Valley, New York, at the indicated times:

Public Works	4:00 p.m.
Human Services	5:00 p.m.
Senior Services - <i>Presentation by Erison Rodriguez on ProAct</i>	5:15 p.m.
Development & Agriculture - <i>Presentation by Rick LeFeber on Pat McGee Trail</i>	5:30 p.m.
Labor Relations	5:45 p.m.
Finance	6:00 p.m.

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**ACT NO.**

**PREFILED RESOLUTIONS**

- 210-12 Mr. Aiello, Mr. Klancer, Mr. Murphy and Mr. Weller  
AUTHORIZING THE CHAIR TO EXECUTE SUPPLEMENTAL AGREEMENT NO. 1  
WITH NYSDOT AND AUTHORIZING CATTARAUGUS COUNTY TO PARTICIPATE  
IN THE FEDERAL-AID PROJECT ADMINISTERED BY THE NYSDOT AND  
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS (Otto Bridge  
No. 12 - Department of Public Works)
- 211-12 Mr. Felton and Ms. Vickman  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH MARK D.  
ALIANELLO, P.E. FOR ENGINEERING SERVICES FOR DEPARTMENT OF NURSING  
HOMES SEWAGE DISPOSAL SYSTEM
- 212-12 Mr. Murphy  
AUTHORIZING SHERIFF TO EXECUTE DOCUMENTS NECESSARY TO APPLY FOR  
EMS OPERATING CERTIFICATE
- 213-12 Ms. Edstrom and Mrs. Stockman  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH NEW YORK STATE  
DEPARTMENT OF HEALTH FOR DRINKING WATER SUPPLY PROTECTION  
PROGRAM

- 214-12 Ms. Edstrom and Mrs. Stockman  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH NEW YORK STATE  
DEPARTMENT OF HEALTH FOR ADOLESCENT TOBACCO USE PREVENTION  
ACT ENFORCEMENT PROGRAM AND ADJUSTING VARIOUS APPROPRIATION  
AND REVENUE ACCOUNTS (Department of Health)
- 215-12 Mr. Aiello and Mr. Lamberson  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH GILROY, KERNAN &  
GILROY, INC. FOR BENEFITS PLAN MANAGEMENT SERVICES

Cattaraugus County Legislative Committee Referrals						
Act #	Finance	DPW	Senior Services	Human Services	Public Safety	Labor Relations
210	X	X				
211	X	X	X			
212	X				X	
213	X			X		
214	X			X		
215	X					X
<b>TOTALS</b>	<b>6</b>	<b>2</b>	<b>1</b>	<b>2</b>	<b>1</b>	<b>1</b>

**AUTHORIZING THE CHAIR TO EXECUTE SUPPLEMENTAL AGREEMENT NO. 1 WITH  
NYSDOT AND AUTHORIZING CATTARAUGUS COUNTY TO PARTICIPATE IN  
THE FEDERAL-AID PROJECT ADMINISTERED BY THE NYSDOT AND  
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS  
(Otto Bridge No. 12 - Department of Public Works)**

Pursuant to Title 23 U.S. Code and  
Sections 363, 366 and 450 of the County Law.

I. WHEREAS, a project for the replacement of the County Road No. 11, North Otto Road Bridge over South Branch Cattaraugus Creek, BIN 3322910, in the Town of Otto, Cattaraugus County, PIN 5757.34, (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at a ratio of 80% federal funds and 20% non-federal funds, and

II. WHEREAS, the County desires to advance the above project by making a commitment of 100% of the non-federal share of the costs of the Preliminary Engineering, Right-of-Way (Incidentals & Acquisition) and Construction & Construction Inspection Phases of the Project, PIN 5757.34, now, therefore, be it

I. RESOLVED, that the Cattaraugus County Legislature hereby approves the above-described project, and be it further

II. RESOLVED, that the Cattaraugus County Legislature hereby authorizes the County of Cattaraugus to pay in the first instance 100% of the federal and non-federal shares of the cost of the Preliminary Engineering, Right-of-Way (Incidentals & Acquisition) and Construction & Construction Inspection Phases of the project or portions thereof, and be it further

III. RESOLVED, that the sum of \$546,000.00 is hereby appropriated, in addition to \$265,000.00 previously appropriated for the project's Preliminary Engineering and Right-of-Way Incidentals phases via County Resolution No. 373-2006 adopted on August 23, 2006, and made available to cover the cost of participation in the above phases of the project, and be it further

IV. RESOLVED, that in the event the amount required to pay 100% of the full federal and non-federal shares of the cost of the project's Preliminary Engineering, Right-of-Way (Incidentals & Acquisition) and Construction & Construction Inspection Phases exceeds the amount appropriated, \$811,000.00 and/or 100% of the full federal and non-federal shares of the cost of the Preliminary Engineering, Right-of-Way (Incidentals & Acquisition) and Construction & Construction Inspection Phases exceeds \$3,003,700.00, the project's current Total Cost, the County of Cattaraugus shall convene its Legislature as soon as possible to appropriate said excess amount immediately upon the notification by the NYSDOT, and be it further

V. RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute all necessary documents, on behalf of Cattaraugus County, with the NYSDOT in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of Project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefor that are not so eligible, and be it further

VI. RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary agreement in connection with the Project, and be it further

VII. RESOLVED, that this Resolution should take effect immediately, and be it further

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

Increase Estimated Revenue Accounts:

H.504.5197.5195.4597.02	Federal Aid	\$2,190,960.00
H.504.5197.5195.3591.01	Marchiselli Aid	\$ 274,455.00

Increase Appropriation Account:

H.504.5197.5195.25024.41603	Otto Bridge No. 12	\$2,465,415.00.
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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  
MARK D. ALIANELLO, P.E. FOR ENGINEERING SERVICES FOR  
DEPARTMENT OF NURSING HOMES SEWAGE DISPOSAL SYSTEM**

Pursuant to Sections 215 and 450 of the County Law.

I. WHEREAS, TCOMM monitoring and quarterly inspections are necessary for the sewage disposal system at The Pines Healthcare and Rehabilitation Center – Machias Campus, and

II. WHEREAS, the Departments of Public Works and Nursing Homes are desirous of contracting for the provision of the aforementioned services, and

III. WHEREAS, Mark D. Alianello, P.E., shall provide the following engineering services for an amount not to exceed \$77,925.00, to be paid as invoiced:

Task 1	Coordinate Sampling \$850 per event assuming 33 events	\$28,050.00
Task 2	TCOMM Monitoring \$175 per month assuming 33 months	\$ 5,775.00
Task 3	Quarterly Inspections and Reporting \$1,600 per quarterly inspection assuming 11 events	\$17,600.00
Task 2	Routine Consultations On time and material basis according to attached schedule of hourly rates (estimated)	\$25,000.00
	Reimbursable Expenses (not to exceed)	\$ 1,500.00,

and

IV. WHEREAS, effective April 1, 2012, this contract shall supersede and replace the contract with Mark D. Alianello, P.E. which was authorized by Act 619-2010, 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 a contract, on behalf of Cattaraugus County, with Mark D. Alianello, P.E., for the provision of the above-described services for a term commencing April 1, 2012 and terminating December 31, 2014, 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 checked="" type="checkbox"/>	Labor Relations	<input type="checkbox"/>
Strategic Planning	<input type="checkbox"/>		<input type="checkbox"/>

**AUTHORIZING SHERIFF TO EXECUTE DOCUMENTS NECESSARY TO APPLY FOR  
EMS OPERATING CERTIFICATE**

Pursuant to Section 3008 (7a) of the Public Health Law.

I. WHEREAS, pursuant to Section 3008, Subdivision 7a of the Public Health Law, any municipality, or fire district acting on behalf of any such municipality, and acting through its local legislative body, is hereby authorized and empowered to establish and operate advanced life support first responder services or municipal ambulance services within the municipality, upon meeting or exceeding all standards set by the department for appropriate training, staffing and equipment, and upon filing with the New York State Emergency Medical Services Council, a written request for such authorization, and

II. WHEREAS, upon such filing, such municipal advanced life support first responder service or municipal ambulance service shall be deemed to have satisfied any and all requirements for determination of public need for the establishment of additional emergency medical services pursuant to this article for a period of two (2) years following the date of such filing, and

III. WHEREAS, the Office of the Sheriff requests authorization to establish and operate an Advanced Life Support First Responder Service within Cattaraugus County, and

IV. WHEREAS, said service is necessary to appoint a qualified emergency medical service provider from the Sheriff's Office membership to staff and support tactical operations of the Sheriff's Office Special Response Team and other local law enforcement agencies, now, therefore be it

I. RESOLVED, that the Cattaraugus County Legislature hereby authorizes the establishment and operation of an Advanced Life Support First Responder Service within Cattaraugus County for the Office of the Sheriff, and be it further

II. RESOLVED, that the Sheriff of Cattaraugus County, or his duly authorized representative, is hereby empowered to execute any such agreements, documents, or papers, approved as to form by the County Attorney, as may be necessary to implement the intent and purpose of this Resolution.

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 CONTRACT WITH  
NEW YORK STATE DEPARTMENT OF HEALTH FOR  
DRINKING WATER SUPPLY PROTECTION PROGRAM**

Pursuant to 10 NYCRR Part 53, 21 NYCRR Part 2604 and  
Section 450 of the County Law.

I. WHEREAS, Act 198-2011 authorized a contract with the New York State Department of Health for the provision of a drinking water supply protection program, the term of which expired March 31, 2012, and

II. WHEREAS, there is funding available in the amount of \$139,541.00 through the New York State Department of Health Center for Environmental Health, Division of Environmental Protection, Bureau of Public Water Supply Protection, Flanigan Square, 547 River Street, Troy, New York 12180-2216, for a drinking water supply protection program, and

III. WHEREAS, the County Health Department is desirous of providing drinking water supply protection services, and

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

V. WHEREAS, the 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 aforementioned grant, 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.

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 ADOLESCENT TOBACCO  
USE PREVENTION ACT ENFORCEMENT PROGRAM AND  
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS  
(Department of Health)**

Pursuant to Article 13-F of the Public Health Law and  
Sections 363, 366 and 450 of the County Law.

I. WHEREAS, Act 445-2011 authorized a contract with New York State Department of Health for a youth tobacco enforcement and preventive work plan to reduce the use and accessibility of tobacco to youths under 18 years of age, the term of which expired March 31, 2012, and

II. WHEREAS, funding is available in the amount of \$30,003.00 through the New York State Department of Health under the Center for Environmental Health, Bureau of Community Sanitation and Food Protection, Flanigan Square, 547 River Street, Room 515, Troy, New York 12180-2216, for an Adolescent Tobacco Use Prevention Act Enforcement Program for the 2012-2013 program year, and

III. WHEREAS, the County Department of Health is desirous of continuing the aforementioned program, and

IV. WHEREAS, the program is 100% state funded, and

V. 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 for the aforementioned grant, 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:

Increase Estimated Revenue Account:

A.401.4090.4072.3450.09	SA, Other ATUPA Grant	\$663.00
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Increase Appropriation Accounts:

A.401.4090.4072.45301	Van per diem	\$100.00
A.401.4090.4072.45310	Copy Machine lease	\$ 63.00
A.401.4090.4072.45401	Small Equipment/tools	\$500.00.

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  
GILROY, KERNAN & GILROY, INC. FOR  
BENEFITS PLAN MANAGEMENT SERVICES**

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

I. WHEREAS, Act 194-2011 authorized a contract with Gilroy, Kernan & Gilroy, 210 Clinton Road, New Hartford, New York 13413, for the provision of benefits plan management services, the term of which expires April 30, 2012, and

II. WHEREAS, the County is desirous of obtaining ongoing benefits plan management services to analyze the County's current benefits plans, and to recommend cost-saving changes to the County's benefits plans, and

III. WHEREAS, the firm of Gilroy, Kernan & Gilroy, Inc. can provide the following ongoing advisory services to assist the County in managing benefit plan contracts and costs, and monitoring plan performance and claims experience, for an amount of \$40,000.00, to be paid in quarterly installments of \$10,000.00 each:

- Analyzing continuing plan experience and utilization data, provide customized reports, and make recommendations to the County regarding the most effective plan management;
- Provide customized monthly plan financial summary reports designed to assist the County in concisely monitoring plan costs and claims activity;
- Unlimited attendance at all plan management meetings;
- Development, communication coordination, and installation of new plan options or plan design changes;
- Assist with and provide advisory services with collective bargaining issues related to the health benefits plan;
- Monitoring performance of insurance carriers and service providers to ensure smooth delivery of benefits and services and assist County staff with benefits administration issues;
- Ongoing evaluation of plan designs, plan alternatives, perform "what if" scenarios and cost management options;
- Act on behalf of the County in analyzing and negotiating renewal rates to obtain the most competitive pricing;
- Provide actuarial services, including, but not limited to:
  - calculating "conventional" premium rates
  - plan financing
  - reserve setting
  - trend forecasting
  - preparation of Budget and supporting documentation;
- Examining the appropriateness of alternative health care strategies and programs such as Preferred Provider Organizations, Point-of-Service plans, etc.;

- Provide reports on benefit utilization, inflation trends, evaluate and interpret this data to suggest benefit design and cost control initiatives;
- Development, communication coordination, and installation of new plan options or plan design changes, conduct group meetings with participants to explain specific benefit provisions, introduce and communicate coverage changes;
- Update Plan Documents and Summary Plan Description booklets (SPD's) in accordance with new or changing regulations or benefit provisions;
- Serving as a resource to Cattaraugus County by providing objective information and advising the County on legislative and regulatory developments such as COBRA, HIPAA, etc. and recommending courses of action;
- Strategizing long-term employee benefit objectives;
- Providing plan updates, experience, analysis and other timely information as requested;
- Act as a resource for any employee benefits/human resource issues the County may have.,

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 Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Gilroy, Kernan & Gilroy, Inc. for the provision of the above-described services, for a term commencing May 1, 2012 and terminating April 30, 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 type="checkbox"/>	Public Safety	<input type="checkbox"/>
Senior Services	<input type="checkbox"/>	Labor Relations	<input checked="" type="checkbox"/>
Strategic Planning	<input type="checkbox"/>	_____	<input type="checkbox"/>