



CATTARAUGUS COUNTY

John R. Searles, County Administrator

303 Court Street
Little Valley, New York 14755

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

Employee Position Vacancy Special Committee
April 17, 2013 @ 3:30 p.m.
Executive Session
Large Committee Room, Little Valley, NY

Contingent Fund Balance: \$30,020

Tobacco Settlement Proceeds to Date: \$19,031,363

The following committees will meet on **Wednesday, April 17, 2013**, at the County Center in Little Valley, New York, at the indicated times:

Public Works	4:00 p.m.
Human Services	
• <i>Presentation by Dawn Miller on Mental Health Crisis Services</i>	5:00 p.m.
Development & Agriculture	5:30 p.m.
Public Safety	5:45 p.m.
Labor Relations	6:00 p.m.
Senior Services	6:15 p.m.
County Operations	6:30 p.m.
Finance	6:45 p.m.

ACT NO.

RESOLUTIONS READY FOR ACTION

- | | |
|--------|---|
| 177-13 | Mr. Aiello, Mr. Klancer, Mr. Murphy and Mr. Weller
BID ACCEPTANCE FOR PRECAST CONCRETE DECK PANELS FOR EAST OTTO BRIDGE NO. 15 |
| 178-13 | Mr. Aiello, Mr. Felton, Ms. Vickman and Mr. Weller
BID ACCEPTANCE FOR REPLACEMENT OF ASHFORD BRIDGE NO. 24 (Department of Public Works) |
| 179-13 | Mr. Aiello and Mr. Weller
AUTHORIZING THE CHAIR TO EXECUTE EASEMENTS WITH NEW YORK STATE ENERGY RESEARCH AND DEVELOPMENT AUTHORITY FOR ASHFORD BRIDGE NO. 24 REPLACEMENT PROJECT |
| 180-13 | Mr. Felton and Ms. Vickman
AUTHORIZING THE CHAIR TO EXECUTE LEASE AGREEMENT WITH ST. STEPHEN'S CLUB OF OLEAN FOR DEPARTMENT OF AGING SENIOR WELLNESS AND NUTRITION PROGRAM SITES |
| 181-13 | Mr. Aiello and Mr. Lamberson
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH GILROY, KERNAN & GILROY, INC. FOR BENEFITS PLAN MANAGEMENT SERVICES |

- 182-13 Mr. Felton and Ms. Vickman
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH WINTER INDUSTRIAL WATER TREATMENT FOR WATER SOFTENER SYSTEM FOR THE PINES HEALTHCARE AND REHABILITATION CENTER – MACHIAS CAMPUS
- 183-13 Ms. Vickman and Mrs. Stockman
APPROVING CONTRACT BETWEEN CATTARAUGUS COUNTY COMMUNITY SERVICES BOARD AND OLEAN BUSINESS INSTITUTE FOR DEPARTMENT OF COMMUNITY SERVICES WORK STUDY INTERNSHIP PROGRAM
- 184-13 Ms. Edstrom and Mrs. Stockman
APPROVING CONTRACT BETWEEN CATTARAUGUS COUNTY COMMUNITY SERVICES BOARD AND ST. BONAVENTURE UNIVERSITY FOR COMMUNITY MENTAL HEALTH COUNSELING FIELD INSTRUCTION PROGRAM
- 185-13 Ms. Edstrom and Mrs. Stockman
APPROVING CONTRACT BETWEEN CATTARAUGUS COUNTY COMMUNITY SERVICES BOARD AND NEW YORK STATE OFFICE OF MENTAL HEALTH FOR HEALTH INFORMATION TECHNOLOGY GRANT AND ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS (Department of Community Services)
- 186-13 Ms. Edstrom and Mrs. Stockman
LOCAL LAW NUMBER 2-2013 – A LOCAL LAW AMENDING LOCAL LAW NUMBER 3-2011 (INTRO NUMBER 3-2011) REGARDING FEES FOR CATTARAUGUS COUNTY HEALTH DEPARTMENT SERVICES
- 187-13 Ms. Edstrom and Mrs. Stockman
AUTHORIZING PUBLIC HEARING ON LOCAL LAW NUMBER 2-2013
- 188-13 Ms. Edstrom and Mrs. Stockman
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH WOLTERS KLUWER HEALTH FOR HEALTH DEPARTMENT DRUG SOFTWARE
- 189-13 Ms. Edstrom and Mrs. Stockman
AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH HEALTH RESEARCH, INC. FOR PUBLIC HEALTH PREPAREDNESS AND RESPONSE TO BIOTERRORISM
- 190-13 Mr. Murphy
AUTHORIZING THE CHAIR TO EXECUTE LEASE AGREEMENT WITH SNYDER HOLDINGS COMPANY, INC. FOR PROBATION DEPARTMENT OFFICE SPACE AND ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS (Probation Department)
- 191-13 Mr. Klancer, Mr. Snyder, Jr., Mrs. Stockman, Mr. Teachman, Mr. Weller and Mr. Sprague
ADOPTION OF CATTARAUGUS COUNTY CYBER SECURITY CITIZEN’S NOTIFICATION POLICY
- 192-13 Mr. Teachman
SALE OF TAX TITLE PROPERTY TO TOWN OF OLEAN AND WAIVING RULE 40 OF THE RULES OF ORDER

Mr. Aiello, Ms. Edstrom, Mr. Edwards, Mr. Felton, Mr. Hale, Mr. Klancer, Mr. Marsh, Mr. Murphy, Mr. Snyder, Jr., Mr. Snyder, Sr., Mrs. Stockman, Mr. Teachman, Mr. VanRensselaer, Ms. Vickman and Mr. Weller

OPPOSING PASSAGE OF STATE LEGISLATION TO ALLOW EARLY VOTING, OR TO ALLOW COUNTIES TO OPT-IN TO EARLY VOTING OPPORTUNITIES, AND FOR STATE TO FULLY FUND ANY INCREASED COSTS ASSOCIATED WITH EARLY VOTING

Committee referrals for the April 17, 2013 Committee meetings									
Act #	Finance	County Ops	DPW	Senior Services	Strategic Planning	Human Services	Develop. & Agriculture	Public Safety	Labor Relations
177	X		X						
178	X		X						
179	X		X						
180	X			X					
181	X								X
182	X		X	X					
183	X					X			
184	X					X			
185	X					X			
186	X					X			
187	X					X			
188	X	X				X			
189	X					X			
190	X							X	
191	X	X							
192	X	X							
193	X	X							
Totals	17	4	4	2	0	7	0	1	1

**BID ACCEPTANCE FOR PRECAST CONCRETE DECK PANELS FOR
EAST OTTO BRIDGE NO. 15**

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 precast concrete deck panels for East Otto Bridge No. 15, according to specifications provided by the Public Works Committee, and

II. WHEREAS, the lowest responsible bid received meeting specifications for the aforementioned precast concrete deck panels, was the bid of Binghamton Precast & Supply Corp., 18 Phelps Street, Binghamton, New York 13901, for an amount of \$38,255.57, and

III. WHEREAS, sufficient funds are included in the 2013 budget to cover the costs of the aforementioned culvert, now, therefore, be it

I. RESOLVED, that the bid of Binghamton Precast & Supply Corp., be, and the same hereby is, accepted, for a term commencing upon the signing of the contract documents and terminating 45 days after drawing approvals, and be it further

II. RESOLVED, that the vouchers accordingly certified by the Commissioner of the Department of Public Works be audited by the Auditor and paid by the County Treasurer.

No State Bid.

Eight sets of specifications were sent out.

Five 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 REPLACEMENT OF ASHFORD BRIDGE NO. 24
(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 the replacement of Ashford Bridge No. 24 in the Town of Ashford, according to specifications provided by the Public Works Committee, and

II. WHEREAS, the lowest bid received meeting specifications was the bid of Union Concrete, 105 Center Street, West Seneca, New York 14224, in the amount of \$1,022,924.50, to be paid periodically based on a percentage of completion, as invoiced, and

III. WHEREAS, sufficient funds are included in the 2013 budget to cover the costs of the aforementioned services, now, therefore, be it

I. RESOLVED, that the bid of Union Concrete, be, and the same hereby is, accepted, for a term commencing upon notice to proceed, with substantial completion by November 22, 2013, and a contract termination date of December 31, 2013, 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.

Six 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 EXECUTE EASEMENTS WITH
NEW YORK STATE ENERGY RESEARCH AND DEVELOPMENT AUTHORITY FOR
ASHFORD BRIDGE NO. 24 REPLACEMENT PROJECT**

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

I. WHEREAS, the Department of Public Works is preparing plans for the replacement of Ashford Bridge No. 24, located on Thomas Corners Road in the Town of Ashford, and

II. WHEREAS, the New York State Energy Research and Development Authority (NYSERDA) is the owner of property located at or near the Ashford Bridge No. 24 replacement project, necessitating easements with NYSERDA for the purpose of constructing, locating and relocating, repairing and maintaining Ashford Bridge No. 24, and

III. WHEREAS, coordination between NYSERDA and the County is necessary due to the potential for encountering radiological contamination in the course of the project, and

IV. WHEREAS, the easements shall be granted at no cost to the County, now, therefore, be it

I. RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute easement agreements, on behalf of Cattaraugus County, with New York State Energy Research and Development Authority, for the provision of the above-described access, according to the above-described terms.

Resolution Referred to:

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

**AUTHORIZING THE CHAIR TO EXECUTE LEASE AGREEMENT WITH
ST. STEPHEN'S CLUB OF OLEAN FOR DEPARTMENT OF AGING
SENIOR WELLNESS AND NUTRITION PROGRAM SITES**

Pursuant to Section 95-a of the General Municipal Law, Title III-C of
the Older Americans Act of 1965, as amended and
Sections 215 and 450 of the County Law.

I. WHEREAS, Act 598-2012 authorized lease agreements with various entities for the County Department of Aging Senior Wellness and Nutrition Program sites in the County, the terms of which expire December 31, 2013, and

II. WHEREAS, the County Department of Aging is desirous of relocating the Olean SWAN site to the St. Stephen's Club of Olean, 1117 North Union Street, Olean, New York 14760, and

III. WHEREAS, the St. Stephen's Club of Olean has agreed to allow the County Department of Aging to use the banquet and kitchen areas of its facility for an amount of \$1,250.00 per quarter, to be paid as invoiced, and

IV. WHEREAS, this program is 90% federal and 10% county funded, now, therefore, be it

I. RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a lease agreement, on behalf of Cattaraugus County, with the St. Stephen's Club of Olean, for the leasing of a Senior Wellness and Nutrition Program site, for a term commencing May 1, 2013 and terminating December 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 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
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 215-2012 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, 2013, 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 \$45,000.00, to be paid in quarterly installments of \$11,250.00 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 2013 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, 2013 and terminating April 30, 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 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"/>

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
WINTER INDUSTRIAL WATER TREATMENT FOR
WATER SOFTENER SYSTEM FOR
THE PINES HEALTHCARE AND REHABILITATION CENTER – MACHIAS CAMPUS**

Pursuant to Section 450 of the County Law.

I. WHEREAS, the water softener at the Pines Healthcare and Rehabilitation Center – Machias Campus needs to be replaced, and

II. WHEREAS, Winter Industrial Water Treatment, 50 Belden Avenue, Sodus, New York 14551, can provide a IMHC-3072A-TRI Water Softener with brine reclaim, for an amount of \$17,356.00, which includes the cost of freight to the job site, startup of the system and two (2) trips to set up the brine reclaim, to be paid as invoiced, and

III. WHEREAS, the County will install the aforementioned water softener system, and

IV. WHEREAS, sufficient funds are included in the budget to cover the cost of the aforementioned expenses, 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 Winter Industrial Water Treatment, for the provision of the above-described water softener system, for a term commencing April 24, 2013 and terminating September 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 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"/>

**APPROVING CONTRACT BETWEEN
CATTARAUGUS COUNTY COMMUNITY SERVICES BOARD AND
OLEAN BUSINESS INSTITUTE FOR DEPARTMENT OF COMMUNITY SERVICES
WORK STUDY INTERNSHIP PROGRAM**

Pursuant to Section 450 of the County Law.

I. WHEREAS, Act 345-2011 authorized a contract with Olean Business Institute, 301 North Union Street, Olean, New York 14760, for participation in a work study internship program with Olean Business Institute, the term of which expires July 31, 2013, and

II. WHEREAS, the County Department of Community Services is desirous of continuing to work collaboratively in a field work instruction program, and

III. WHEREAS, Olean Business Institute has agreed to provide an intern at no cost to the County, now, therefore, be it

I. RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract between the Cattaraugus County Community Services Board and with Olean Business Institute, to signify the County's approval, for the provision of the above-described services, for a term commencing August 1, 2013 to continue in full force and effect until terminated by either party hereto, 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"/>

**APPROVING CONTRACT BETWEEN
CATTARAUGUS COUNTY COMMUNITY SERVICES BOARD AND
ST. BONAVENTURE UNIVERSITY FOR
COMMUNITY MENTAL HEALTH COUNSELING FIELD INSTRUCTION PROGRAM**

Pursuant to Section 450 of the County Law.

I. WHEREAS, Act 343-2011 authorized a contract with St. Bonaventure University, 3261 West State Road, St. Bonaventure, New York 14778, for participation in a work study internship program, the term of which expires July 31, 2013, and

II. WHEREAS, the Department of Community Services is desirous of contracting with St. Bonaventure University to work collaboratively with the Community Mental Health Counseling Program for implementation of a field instruction program, at no cost to the County, and

III. WHEREAS, St. Bonaventure University has agreed to provide interns to the County Department of Community Services for participation in the Community Mental Health Counseling Program, at no cost to the County, now, therefore, be it

I. RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract between the Cattaraugus County Community Services Board with St. Bonaventure University, to signify the County's approval, for the provision of the above-described work study internship program, for a term commencing August 1, 2013 to continue in full force and effect until terminated by either party hereto, 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"/>

**APPROVING CONTRACT BETWEEN
CATTARAUGUS COUNTY COMMUNITY SERVICES BOARD AND
NEW YORK STATE OFFICE OF MENTAL HEALTH FOR
HEALTH INFORMATION TECHNOLOGY GRANT AND
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
(Department of Community Services)**

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

I. WHEREAS, the Cattaraugus County Department of Community Services has received funding in the amount of \$27,709.00 through the New York State Office of Mental Health for the Health Information Technology Program, and

II. WHEREAS, the purpose of the aforementioned funding is to assist former targeted case management providers that are now health home care managers in developing electronic care management system capacity to share information with their respective Health Homes and Health Home network providers, and

III. WHEREAS, a contract with the New York State Office of Mental Health is necessary in order to accept the aforementioned funding, and

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

V. WHEREAS, various appropriation and revenue accounts must be adjusted in order to accommodate 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 contract between the Cattaraugus County Community Services Board and with the New York State Office of Mental Health, to signify the County's approval, for acceptance of the above-described grant funds, for a term commencing November 15, 2012 and terminating December 31, 2013, according to the above-described terms, and be it further

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

Increase Estimated Revenue Account:

A.431.4310.2620.3490.122	OMH CSP Miscellaneous	\$27,709.00
--------------------------	-----------------------	-------------

Increase Appropriation Account:

A.431.4310.2620.	Computer Equipment/Software	\$27,709.00.
------------------	-----------------------------	--------------

Resolution Referred to:

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

**LOCAL LAW NUMBER 2-2013
COUNTY OF CATTARAUGUS, NEW YORK**

Pursuant to Section 10 of the Municipal Home Rule Law and
Section 606 of the Public Health Law.

**A LOCAL LAW AMENDING LOCAL LAW NUMBER 3-2011
(INTRO NUMBER 3-2011) REGARDING FEES FOR
CATTARAUGUS COUNTY HEALTH DEPARTMENT SERVICES**

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

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

SECTION 2. Fee Schedule.

2.1 The following fees are hereby removed from the fee schedule contained in Local Law Number 3-2011 (Intro Number 3-2011):

<u>Program Area</u>	<u>Service</u>	<u>Fee</u>
A. Food Protection	Permissions to Operate	\$25.00

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

SECTION 4. Effective Date. This Local Law shall take effect immediately.

Resolution Referred to:

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

AUTHORIZING PUBLIC HEARING ON LOCAL LAW NUMBER 2-2013

Pursuant to Section 10 of the Municipal Home Rule Law.

I. WHEREAS, there has been duly presented and introduced at a meeting of this Legislature held on April 24, 2013, a proposed Local Law entitled, "A Local Law Amending Local Law Number 3-2011 (Intro Number 3-2011) Regarding Fees for Cattaraugus County Health Department Services", and

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

I. RESOLVED, that a public hearing shall be held on the proposed local law by this County Legislature on the 8th day of May, at 3:01 p.m. at the Legislature's Chambers, County Center, 303 Court Street, Little Valley, New York, and that at least five days notice of such hearing shall be given by the Clerk by the due posting thereof upon the bulletin board of each County Court House within the County and by publishing such notice at least once in the official newspapers of the County.

Resolution Referred to:

Finance	<input checked="" type="checkbox"/>	Human Services	<input 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
WOLTERS KLUWER HEALTH FOR HEALTH DEPARTMENT DRUG SOFTWARE**

Pursuant to Section 450 of the County Law.

I. WHEREAS, Act 293-2010 authorized a contract with Wolters Kluwer Health, for the provision of Medi-Span Electronic Drug File (Med-File) software, the Drug Therapy Monitoring System (DTMS) and the Patient Drug Education Database (PDED) for the Health Department, the term of which expires May 31, 2013, and

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

III. WHEREAS, Wolters Kluwer Health, 8425 Woodfield Crossing Boulevard, Suite 490, Indianapolis, Indiana 46240-2495, can provide Medi-Span Electronic Drug File (Med-File) software, the Drug Therapy Monitoring System (DTMS) and the Patient Drug Education Database (PDED) for an amount not to exceed \$3,761.00 per year, in U.S. funds, to be paid as invoiced, for 26 software licenses, which are more fully described as follows:

- Medi-Span Electronic Drug File (Med-File) provides fully embedded electronic drug data and clinical information to healthcare professionals;
- Drug Therapy Monitoring System™ (DTMS) provides authoritative, clinically relevant drug interaction information on prescription and over-the-counter (OTC) drugs for the healthcare professional, and patient interaction information for the consumer;
- Patient Drug Education (PDE) Database™ provides accurate, timely patient-oriented information about drug products available for prescription and over-the-counter (OTC) use.,

and

IV. WHEREAS, the aforementioned software works in conjunction with the MISYS software package, 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 Wolters Kluwer Health, for the provision of the above-described services, for a term commencing June 1, 2013 and terminating May 31, 2016, according to the above-described terms.

Resolution Referred to:

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

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH
HEALTH RESEARCH, INC. FOR PUBLIC HEALTH
PREPAREDNESS AND RESPONSE TO BIOTERRORISM**

Pursuant to Section 301 et seq. of the Public Health Service Act and
Section 450 of the County Law.

I. WHEREAS, Act 305-2012 authorized a contract with Health Research, Inc., in order to accept funding in the amount of \$82,145.00 for the next phase of the terrorism emergency response and preparedness plan, the term of which expires June 30, 2013, and

II. WHEREAS, the aforementioned contract between the Health Department and Health Research, Inc., should be amended to reflect an extension of the term and an adjustment in the maximum reimbursable amount, and

III. WHEREAS, the term of the aforementioned contract shall commence July 1, 2012 and terminate June 30, 2017, and

IV. WHEREAS, the total contract amount shall be increased to \$410,725.00 with a maximum reimbursable amount of \$123,217.00, and

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

I. RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute an amended contract, on behalf of Cattaraugus County, with the Health Research, Inc., for the provision of the above-described services, for a term commencing July 1, 2012 and terminating June 30, 2017, 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 LEASE AGREEMENT WITH
SNYDER HOLDINGS COMPANY, INC. FOR
PROBATION DEPARTMENT OFFICE SPACE AND
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
(Probation Department)**

Pursuant to Sections 215, 363, 366 and 450 of the County Law.

I. WHEREAS, the Probation Department is desirous of relocating its satellite office in Salamanca from its current location to 255 Rochester Street in Salamanca, and

II. WHEREAS, Snyder Holdings Company, Inc., 255 Rochester Street, Unit #1, Salamanca, New York 14779, has approximately 2,000 square feet of space available in its facility, located at 255 Rochester Street in Salamanca, and will lease it to the County for an amount of \$1,000.00 per month, plus an additional amount of \$250.00 per month for electricity, heat, air conditioning, bi-weekly restroom cleaning and supplies and snow removal, to be paid as invoiced, and

III. WHEREAS, the County shall also provide a \$1,000.00 security deposit upon move-in, and

IV. WHEREAS, various appropriation and revenue accounts must be adjusted to cover the cost of the aforementioned lease agreement, 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 Snyder Holdings Company, Inc., for the provision of the above-described services, for a term commencing May 1, 2013 and terminating April 30, 2014, with the option to renew for three (3) additional years at the same cost, according to the above-described terms, and be it further

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

Increase Estimated Revenue Account:

A.314.3140.0000.1589.06	Administrative Fees	\$10,000.00
-------------------------	---------------------	-------------

Increase Appropriation Account:

A.314.3140.0000.44203	Office Rental	\$10,000.00.
-----------------------	---------------	--------------

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"/>

ADOPTION OF CATTARAUGUS COUNTY CYBER SECURITY CITIZEN'S NOTIFICATION POLICY

Pursuant to Section 208 of the State Technology Law and Section 153 of the County Law.

I. WHEREAS, Section 208 of the State Technology Law requires the County to adopt an information security breach and notification policy in accordance with said statute, now, therefore, be it

I. RESOLVED, that the following policy is hereby adopted by the Cattaraugus County Legislature:

Cattaraugus County Cyber Security Citizens' Notification Policy

A. Definitions. As used herein, the following terms shall have the following meanings:

(1) "County" shall mean Cattaraugus County, New York;

(2) "Private information" shall mean personal information in combination with any one or more of the following data elements, when either the personal information or the data element is not encrypted or encrypted with an encryption key that has also been acquired:

(i) social security number;

(ii) driver's license number or non-driver identification card number; or

(iii) account number, credit or debit card number, in combination with any required security code, access code, or password which would permit access to an individual's financial account.

"Private information" does not include publicly available information that is lawfully made available to the general public from federal, state, or local government records.

B. This policy is consistent with the State Technology Law, Section 208 as added by Chapters 442 and 491 of the laws of 2005. This policy requires notification to impacted New York residents and non-residents. Cattaraugus County values the protection of private information of individuals. Cattaraugus County is required to notify an individual when there has been or is reasonably believed to have been a compromise of the individual's private information in compliance with the Information Security Breach and Notification Act and this policy.

C. Cattaraugus County, after consulting with Cyber Security and Critical Infrastructure Coordination (CSCIC) to determine the scope of the breach and restoration measures, shall notify an individual when it has been determined that there has been, or is reasonably believed to have been a compromise of private information through unauthorized disclosure.

D. A compromise of private information shall mean the unauthorized acquisition of unencrypted computerized data with private information.

E. If encrypted data is compromised along with the corresponding encryption key, the data shall be considered unencrypted and thus fall under the notification requirements.

F. Notification may be delayed if a law enforcement agency determines that the notification impedes a criminal investigation. In such case, notification will be delayed only as long as needed to determine that notification no longer compromises any investigation.

G. Cattaraugus County will notify the affected individual. Such notice shall be directly provided to the affected persons by one of the following methods:

- (1) written notice;
- (2) electronic notice, provided that the person to whom notice is required has expressly consented to receiving said notice in electronic form and a log of each such notification shall be kept by Cattaraugus County;
- (3) telephone notification provided that a log of each such notification is kept by Cattaraugus County; or
- (4) Substitute notice, if Cattaraugus County demonstrates to the State Attorney General that the cost of providing notice would exceed \$2,500.00 (Two Thousand and Five Hundred Dollars), or that the affected class of subject persons to be notified exceeds \$5,000.00 (Five Thousand Dollars), or Cattaraugus County does not have sufficient contact information. Substitute notice shall consist of all of the following:
 - (i) e-mail notice when Cattaraugus County has an e-mail address for the subject persons;
 - (ii) conspicuous posting of the notice on Cattaraugus County's web site page; and
 - (iii) notification to major statewide media.

H. Cattaraugus County shall notify, CSCIC as to the timing, content and distribution of the notices and approximate number of affected persons.

I. Cattaraugus County shall notify the Attorney General and the Consumer Protection Board, whenever notification to a New York resident is necessary, as to the timing, content and distribution of the notices and approximate number of affected persons.

J. Regardless of the method by which notice is provided, such notice shall include contact information for Cattaraugus County making the notification and a description of the categories of information that were, or are reasonably believed to have been, acquired by a person without valid authorization, including specification of which of the elements of personal information and private information were, or are reasonably believed to have been, so acquired.

K. This Policy also applies to information maintained on behalf of Cattaraugus County by a third party.

L. When more than five thousand New York residents are to be notified at one time, then Cattaraugus County shall notify the consumer reporting agencies as to the timing, content and distribution of the notices and the approximate number of affected individuals. This notice, however, will be made without delaying notice to the individuals.

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"/>

**SALE OF TAX TITLE PROPERTY TO TOWN OF OLEAN AND
WAIVING RULE 40 OF THE RULES OF ORDER**

Pursuant to Section 215 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 Olean, which is described as follows:

Being TM #103.001-2-56, 1281 Old Rock City Road, City of Olean, about 74' x 159', Acct. No. 0859,

and

II. WHEREAS, the Town of Olean has offered to purchase the above-described properties for an amount of \$1.00, and

III. WHEREAS, that upon receipt of the aforementioned amount, the property should be conveyed to the Town of Olean, now, therefore, be it

I. RESOLVED, that the County Treasurer, upon receipt of the amount of \$1.00, is hereby authorized and directed to convey the aforementioned parcel to the Town of Olean, 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"/>

**OPPOSING PASSAGE OF STATE LEGISLATION TO ALLOW EARLY VOTING, OR
TO ALLOW COUNTIES TO OPT-IN TO EARLY VOTING OPPORTUNITIES, AND FOR
STATE TO FULLY FUND ANY INCREASED COSTS ASSOCIATED WITH EARLY VOTING**

Pursuant to Section 153 of the County Law.

I. WHEREAS, A.689/S.1461 has been introduced in the New York State Legislature establishing early voting in primary, general and special elections in the State of New York, and

II. WHEREAS, this bill would allow early voting to take place up to 14 days before a general election and up to a week before a primary or special election, from 8:00 a.m. until 7:00 p.m. on every early voting day including Saturday and Sunday, and

III. WHEREAS, County Boards of Election would be required to select a minimum of five polling places through each county and provide duly qualified election inspectors at each location, and

IV. WHEREAS, County Boards of Election would also be required to follow the same currently observed polling place protocols on all early voting days, and

V. WHEREAS, there will be significant costs associated with implementing early voting, staffing early voting locations and supplying each early voting location with sufficient paper ballots relative to every election in the County, and

VI. WHEREAS, the 2 percent tax cap and insufficient relief from state-imposed mandates have placed an unprecedented strain on local governments to provide more services with less funding, now, therefore, be it

I. RESOLVED, that the Cattaraugus County Legislature does hereby oppose the passage of legislation as currently proposed requiring counties to implement early voting, and be it further

II. RESOLVED, that if the proposal is enacted, counties be allowed to opt-in to provide early voting opportunities and that the State is to fully fund the cost of early voting to those counties so providing it, and be it further

III. RESOLVED, that the Clerk of the Legislature is hereby directed to forward copies of this resolution to Governor Andrew M. Cuomo, Senate Majority Leader Skelos, Assembly Speaker Silver, Senator Young, Assembly Member Giglio, 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 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"/>