



CATTARAUGUS COUNTY

John R. Searles, County Administrator

303 Court Street
Little Valley, New York 14755

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

Contingent Fund Balance: \$30,020

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

The following committees will meet on **Wednesday, May 15, 2013**, 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.
Development & Agriculture	5:15 p.m.
Labor Relations	5:30 p.m.
County Operations	5:45 p.m.
Senior Services	6:00 p.m.
Joint Senior Services/Strategic Planning	6:15 p.m.
Finance	6:30 p.m.

ACT NO.

RESOLUTIONS READY FOR ACTION

- 213-13 Ms. Edstrom, Mr. Felton, Mr. Hale, Ms. Vickman, Mr. Koch and Mrs. Labuhn
REJECTING CERTAIN DEPARTMENT OF PUBLIC WORKS BIDS FOR PURCHASE OF WHEELCHAIR BUS
- 214-13 Mr. Aiello and Mr. Weller
BID ACCEPTANCE FOR EMERGENCY STREAMBANK RESTORATION (Department of Public Works)
- 215-13 Mr. Aiello, Mr. Felton, Ms. Vickman and Mr. Weller
BID ACCEPTANCE FOR MULTI-PLATE VERTICAL ELLIPSE FOR ASHFORD BRIDGE NO 53
- 216-13 Mr. Felton and Mrs. Vickman
AMENDING ACT 117-2013 REGARDING CONTRACT WITH KENT A LIEBER, M.D. FOR PINES HEALTHCARE & REHABILITATION CENTER-MACHIAS CAMPUS MEDICAL DIRECTOR SERVICES
- 217-13 Mr. Felton and Ms. Vickman
ABOLISHING ONE POSITION OF NUTRITION SERVICES COORDINATOR AND CREATING ONE POSITION OF NUTRITION PROGRAM DIRECTOR (AGING) IN THE DEPARTMENT OF AGING AND ESTABLISHING COMPENSATION FOR THE SAME
- 218-13 Mr. Felton and Ms. Vickman
TRANSFER OF FOOD SERVICE FUNCTIONS FROM DEPARTMENT OF NURSING HOMES (PINES-MACHIAS) TO DEPARTMENT OF AGING AND ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS (Department of Aging)

- 219-13 Mr. Marsh
REQUESTING NEW YORK STATE LEGISLATURE ENACT SENATE BILL S.4608 AND ASSEMBLY BILL A.6738 REGARDING ADDITIONAL ONE PERCENT SALES TAX FOR CATTARAUGUS COUNTY
- 220-13 Ms. Edstrom and Mrs. Stockman
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH FIELDS RESEARCH, INC. FOR DEPARTMENT OF HEALTH HH-CAHPS SURVEY
- 221-13 Ms. Edstrom and Mrs. Stockman
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH OLEAN GENERAL HOSPITAL FOR FAMILY PLANNING CLINIC LABORATORY SERVICES
- 222-13 Ms. Edstrom and Mrs. Stockman
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH TOTAL SENIOR CARE, INC. FOR IN-HOME NURSING AND THERAPY SERVICES
- 223-13 Mr. Felton and Ms. Vickman
AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH FOURTH & MAPLE LLC FOR ALLEGANY SENIOR WELLNESS AND NUTRITION PROGRAM
- 224-13 Ms. Edstrom and Mrs. Stockman
APPROVING CONTRACT BETWEEN CATTARAUGUS COUNTY COMMUNITY SERVICES BOARD AND ACCUMEDIC COMPUTER SYSTEMS, INC. FOR DEPARTMENT OF COMMUNITY SERVICES ACCUMED SOFTWARE SYSTEM AND ADJUSTING VARIOUS APPROPRIATION ACCOUNTS (Department of Community Services)
- 225-13 Ms. Edstrom and Mrs. Stockman
APPROVING AMENDED CONTRACT BETWEEN CATTARAUGUS COUNTY COMMUNITY SERVICES BOARD AND CATTARAUGUS COUNTY CHAPTER, NYSARC, INC., AND CATTARAUGUS REHABILITATION CENTER, INC. FOR PROVISION OF SERVICES AND ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS (Department of Community Services)
- 226-13 Ms. Edstrom and Mrs. Stockman
APPROVING AMENDED CONTRACT BETWEEN CATTARAUGUS COUNTY COMMUNITY SERVICES BOARD AND TLC HEALTH NETWORK FOR RESIDENTIAL DRUG-FREE PROGRAM AND ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS (Department of Community Services)
- 227-13 Ms. Edstrom and Mrs. Stockman
APPROVING CONTRACT BETWEEN CATTARAUGUS COUNTY COMMUNITY SERVICES BOARD AND MENTAL HEALTH ASSOCIATION IN CATTARAUGUS COUNTY, INC., FOR PROS PROGRAM SUMMER INTERN
- 228-13 Mr. Snyder, Sr.
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH PANAMERICAN ENVIRONMENTAL, INC., FOR TAX TITLE PROPERTY PHASE I ASSESSMENT ON FOUR COUNTY PROPERTIES AND TRANSFER OF FUNDS (Contingent Fund – Treasurer’s Office)

AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH NEW YORK STATE UNIFIED COURT SYSTEM FOR COURT SPACE RENOVATION PROJECT AND ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS

Committee referrals for the May 15, 2013 Committee meetings									
Act #	Finance	County Ops	DPW	Senior Services	Strategic Planning	Human Services	Develop. & Agriculture	Public Safety	Labor Relations
213	X			X					
214	X		X						
215	X		X						
216	X			X					
217	X			X					X
218	X			X					X
219	X		X						
220	X					X			
221	X					X			
222	X					X			
223	X			X					
224	X	X				X			
225	X					X			
226	X					X			
227	X					X			
228	X	X							
229	X		X						
Totals	17	2	4	5	0	7	0	0	2

FOR PURCHASE OF WHEELCHAIR BUS
(Department of Nursing Homes)

Pursuant to Section 103 of the General Municipal Law.

I. WHEREAS, the Department of Nursing Homes advertised for sealed bids for the purchase of a wheelchair bus, according to bid specifications and general information provided by the Senior Services Committee, and

II. WHEREAS, the bid specifications failed to include a trade-in provision and the bids should be rejected and rebid, now, therefore, be it

I. RESOLVED, that the Cattaraugus County Legislature hereby rejects the bids received for the purchase of a wheelchair bus, which were opened on April 23, 2013, authorizes the purchase of the wheelchair bus to be rebid, and authorizes all actions previously taken by the Department of Nursing Homes regarding such rejection and rebidding nunc pro tunc.

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"/>

**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 two (2) sites was the bid of Union Concrete & Construction Corporation, 105 Center Road, P.O. Box 410, West Seneca, New York 14224, in the amount of \$34,976.00, as follows, to be paid as invoiced:

County Road No. 38 (Mutton Hollow)	\$24,376.00
County Road No. 12 (Brooklyn Project)	\$10,600.00,

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 & Construction Corporation be, and the same hereby is, accepted, for a term commencing upon Notice of Award and terminating July 1, 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.

Twenty-Four sets of specifications were sent out.

Five 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 MULTI-PLATE VERTICAL ELLIPSE
FOR ASHFORD BRIDGE NO. 53**

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 a multi-plate vertical ellipse for Ashford Bridge No. 53, according to specifications provided by the Public Works Committee, and

II. WHEREAS, the lowest responsible bid received meeting specifications for the aforementioned multi-plate vertical ellipse, was the bid of Chemung Supply Corp., P.O. Box 527, Elmira, New York 14902, for an amount of \$111,996.00, and

III. WHEREAS, sufficient funds are included in the budget to cover the cost of the aforementioned item, now, therefore, be it

I. RESOLVED, that the bid of Chemung Supply Corp., be, and the same hereby is, accepted, for a term commencing upon Notice to Proceed and terminating sixty (60) days from approval, 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.

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"/>

**AMENDING ACT 117-2013 REGARDING CONTRACT WITH
KENT A. LIEBER, M.D. FOR PINES HEALTHCARE &
REHABILITATION CENTER-MACHIAS CAMPUS MEDICAL DIRECTOR SERVICES**

Pursuant to 10 NYCRR Section 415.15 and Section 450 of the County Law.

I. WHEREAS, Act 764-2009 authorized a contract with Kent A. Lieber, M.D., for the provision of medical director and staff physician services at The Pines Healthcare and Rehabilitation Center in Machias for a term commencing January 1, 2010 and terminating March 31, 2013, and

II. WHEREAS, Act 764-2009 authorized the payment of \$41,200.00 to Dr. Lieber for the period January 1, 2012 through March 31, 2013, and

III. WHEREAS, the term under Act 764-2009 should have expired December 31, 2012, and

IV. WHEREAS, Act 117-2013 authorized a contract with Kent A. Lieber, M.D., for the provision of medical director and staff physician services at The Pines Healthcare and Rehabilitation Center in Machias, for a term commencing April 1, 2013 and terminating March 31, 2016, and

V. WHEREAS, Act 117-2013 should be amended to include the term January 1, 2013 through March 31, 2013, now, therefore, be it

I. RESOLVED, that Act 117-2013 be, and hereby is, amended as follows: In the 3rd Whereas, add the following term and amount:

"1/1/2013 – 3/31/2013 \$10,300.00",

and be it further

II. RESOLVED, that Act 117-2013 be, and hereby is, further amended as follows: In the 1st Resolved, delete: "April" and replace with: "January".

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"/>

**ABOLISHING ONE POSITION OF NUTRITION SERVICES COORDINATOR AND
CREATING ONE POSITION OF NUTRITION PROGRAM DIRECTOR (AGING)
IN THE DEPARTMENT OF AGING AND ESTABLISHING COMPENSATION FOR THE SAME**

Pursuant to Sections 204 and 205 of the County Law and
Section 22 of the Civil Service Law.

I. WHEREAS, the Department of Aging and the Department of Nursing Homes have consolidated the food services operation in order to achieve efficiencies, and

II. WHEREAS, due to this consolidation, the duties, responsibilities and essential functions incorporated within the current classification of Nutrition Services Coordinator will experience a permanent and material change in such duties, responsibilities and functions as to warrant a separate and distinct classification, and

III. WHEREAS, the New Position Duties Statement has been submitted to the Cattaraugus County Civil Service Commission, which has approved and certified the title as Nutrition Program Director (Aging), in accordance with Section 22 of the Civil Service Law, now, therefore, be it

I. RESOLVED, that effective June 1, 2013, there is hereby abolished one position of Nutrition Services Coordinator in the Department of Aging, and be it further

II. RESOLVED, that effective June 2, 2013, there is hereby created one Nutrition Program Director (Aging), designated as Management/Confidential to be compensated at a bi-weekly rate of \$2,288.50 (\$59,501.00 annually) and be otherwise afforded all the rights and benefits provided for in the "Benefit Manual For Managerial and Confidential Officers and Employees" as approved, effective January 2, 2009.

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 checked="" type="checkbox"/>
Strategic Planning	<input type="checkbox"/>	_____	<input type="checkbox"/>

**TRANSFER OF FOOD SERVICE FUNCTIONS FROM
DEPARTMENT OF NURSING HOMES (PINES MACHIAS) TO DEPARTMENT OF AGING
AND ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
(Department of Aging)**

Pursuant to Sections 205, 363 and 366 of the County Law and
Section 70(2) of the Civil Service Law.

I. WHEREAS, by adoption of the 2013 County budget (Act No. 580-2012), the food service operations of the Department of Nursing Homes (Pines-Machias) were to be transferred to the Department of Aging effective June 16, 2013, and

II. WHEREAS, this consolidation of food service operations is expected to provide for a more effective and efficient manner in which to provide meals for both Department of Aging clientele as well as residents of the Department of Nursing Homes (Pines-Machias), and

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

I. RESOLVED, that effective June 16, 2013, the following positions of employment within the Department of Nursing Homes, along with the permanent incumbents thereof, are hereby transferred to the Department of Aging:

TITLE:	POSITION NO.:
<u>Food Service Manager:</u>	300-146-111
<u>Cooks (full time):</u>	300-064-111
	300-064-112
	300-064-114
	300-064-115
<u>Food Service Helpers:</u>	300-145-111 (Full)
	300-145-112 (Part)
	300-145-113 (Part)
	300-145-114 (Part)
	300-145-115 (Part)
	300-145-116 (Part)
	300-145-118 (Full)
	300-145-119 (Full)
	300-145-120 (Part)
	300-145-124 (Full)
	300-145-126 (Part)
	300-145-128 (Full)
	300-145-129 (Part)
	300-145-130 (Full)
	300-145-131 (Part)
	300-145-132 (Part)
	300-145-133 (Part)
	300-145-134 (Part)
	300-145-135 (Part)
	300-145-136 (Part)
	300-145-137 (Part)
	300-145-138 (Full)
<u>Substitute Food Service Helpers:</u>	300-913-001
	300-913-005
	300-913-002
	300-913-006
	300-913-003
	300-913-007
	300-913-004

and be it further

II. RESOLVED, that in accordance with Civil Service Law Section 70, a copy of this resolution be conspicuously posted in the Department of Nursing Homes, Pines Healthcare and Rehabilitation Center – Machias Campus, and be it further

III. RESOLVED, that upon such transfer, all such permanent incumbents thereof shall continue to be employed with all the rights and benefits heretofore acquired through Civil Service in the classified service as provided in Civil Service Law Section 70(2), and be it further

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

Increase Estimated Revenue Account:

A.677.6712.0000.1360	Machias Dietary Reimbursement	\$33,227.00
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Increase Appropriation Accounts:

A.677.6712.0000.11000	Full Time Wages	\$16,831.00
A.677.6712.0000.12000	Part Time Wages	\$ 5,446.00
A.677.6712.0000.13000	Overtime	\$ 489.00
A.677.6712.0000.81000	FICA	\$ 1,760.00
A.677.6712.0000.82000	Retirement	\$ 4,061.00
A.677.6712.0000.83000	Health Insurance	\$ 4,579.00
A.677.6712.0000.84000	Dental Insurance	\$ 61.00.

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 type="checkbox"/>
Senior Services	<input checked="" type="checkbox"/>	Labor Relations	<input checked="" type="checkbox"/>
Strategic Planning	<input type="checkbox"/>		<input type="checkbox"/>

**REQUESTING NEW YORK STATE LEGISLATURE ENACT SENATE BILL S.4608 AND
ASSEMBLY BILL A.6738 REGARDING ADDITIONAL ONE
PERCENT SALES TAX FOR CATTARAUGUS COUNTY**

Pursuant to Section 40 of the Municipal Home Rule Law.

I. WHEREAS, the New York State Legislature authorized the imposition of an additional one percent sales tax in Cattaraugus County by Chapter 242 of the Laws of 2011 of the State of New York, and

II. WHEREAS, that authorization expires November 30, 2015, and

III. WHEREAS, the revenue generated by the additional one percent sales tax during 2011 was approximately \$8,829,603 million, and

IV. WHEREAS, Senate Bill S.4608 and Assembly Bill A.6738 have been introduced in the New York State Legislature, which authorize the Cattaraugus County Legislature to implement an additional one percent sales tax for a term commencing December 1, 2013 and ending November 30, 2015, and

V. WHEREAS, the additional one percent sales tax has been allocated in the 2013 County budget for the maintenance, repair, rehabilitation and replacement of the infrastructure in Cattaraugus County, and

VI. WHEREAS, a necessity exists for the passage of such legislation by the New York State Legislature, now, therefore, be it

I. RESOLVED, that the Cattaraugus County Legislature hereby requests the New York State Legislature enact Senate Bill S.4608 and Assembly Bill A.6738, which authorizes the Cattaraugus County Legislature to implement an additional one percent sales tax, in accordance with the above-described terms, and be it further

II. RESOLVED, that the County Attorney be, and hereby is, authorized and directed to submit one or more Home Rule Requests to the New York State Legislature pursuant hereto, and be it further

III. RESOLVED, that the Clerk of the Legislature is hereby directed to forward certified copies of this resolution to Senator Young and Assembly Member Giglio.

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
FIELDS RESEARCH, INC. FOR
DEPARTMENT OF HEALTH HH-CAHPS SURVEY**

Pursuant to Section 450 of the County Law.

- I. WHEREAS, Act 371-2012 authorized a contract with Fields Research, Inc., 3814 West Street, Cincinnati, Ohio 45227, for the provision of mandated patient satisfaction surveys, the term of which expires July 31, 2013, and
- II. WHEREAS, the Centers for Medicare & Medicaid Services require that all home health care agencies that receive Medicare/Medicaid conduct a HH-CAHPS survey on a monthly basis, and
- III. WHEREAS, the Consumer Assessment of Healthcare Providers and Systems (CAHPS®) Home Health Care Survey, hereafter referred to as the "HH-CAHPS Survey", is designed to measure the experiences of people receiving home health care from Medicare-certified home health agencies, and
- IV. WHEREAS, the County Department of Health is desirous of continuing the aforementioned services, and
- V. WHEREAS, Fields Research, Inc., 3814 West Street, Cincinnati, Ohio 45227, can conduct 300 HH-CAHPS surveys for a flat fee of \$300.00 per month, to be paid as invoiced, and
- VI. 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 Fields Research, Inc., for the provision of the above-described services, for a term commencing August 1, 2013 and terminating July 31, 2014, according to the above-described terms.

Resolution Referred to:

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

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
OLEAN GENERAL HOSPITAL FOR FAMILY PLANNING CLINIC
LABORATORY SERVICES**

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

I. WHEREAS, Act 519-2011 authorized a contract with Olean General Hospital, 515 Main Street, Olean, New York 14760, for the provision of laboratory services for the family planning clinic, which includes the provision of services such as collection, testing, and analyzing of specimens and reporting the results to various providers, the term of which expires June 30, 2013, and

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

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

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

and

IV. WHEREAS, this program is fee-based and funded through private insurances, Medicaid and State Family Planning Grant funds, now, therefore, be it

I. RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Olean General Hospital, for the provision of the above-described services, for a term commencing July 1, 2013 and terminating June 30, 2015, 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
TOTAL SENIOR CARE, INC. FOR
IN-HOME NURSING AND THERAPY SERVICES**

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

- I. WHEREAS, Act 63-2012 authorized a contract with Total Senior Care, Inc., 519 North Union Street, Olean, New York 14760, for the operation of the PACE Program for the Health Department, the term of which expired December 31, 2012, and
- II. WHEREAS, Total Senior Care, Inc., is authorized by New York State Department of Health and the Centers for Medicare and Medicaid Services to operate a Program for All Inclusive Care for the Elderly (PACE Program) as a comprehensive program of services to participants, and
- III. WHEREAS, Total Senior Care, Inc., is desirous of obtaining in-home nursing and therapy services from the County Department of Health for PACE Program participants, and
- IV. WHEREAS, the Department of Health has agreed to provide the following in-home nursing and therapy services to PACE Program participants in accordance with the following rates:

<u>Service</u>	<u>Rate</u>
Nursing/LPN	\$135.00/ visit
Physical Therapy	\$110.00/visit
Speech Therapy	\$125.00/visit
Occupational Therapy	\$110.00/visit
Medical Social Service	\$125.00/visit
Nutrition	\$138.00/visit
Home Health Aide	\$35.00/hour
PCA II – Personal Care	\$32.00/hour
PERS Monitor	\$23.96/month
Meals on Wheels	\$6.25 each
Telehealth – Monitoring	\$15.00/day
Telehealth – Installation	\$125.00 each
Electronic Medication Monitoring	\$49.00/month/unit,

now, therefore, be it

- I. RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Total Senior Care, Inc., for the provision of the above-described in-home nursing and therapy services, for a term commencing January 1, 2013 and terminating December 31, 2013, according to the above-described terms.

Resolution Referred to:

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

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH
FOURTH & MAPLE, LLC FOR
ALLEGANY SENIOR WELLNESS AND NUTRITION PROGRAM**

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 311-2012 authorized a contract with Fourth & Maple, LLC, 221 Homer Street, Olean, New York 14760, for the rental of space for the Senior Wellness and Nutrition Program (SWAN) kitchen operation, and

II. WHEREAS, the County Department of Aging is desirous of continuing the operation of the Senior Nutrition program congregating dining site; however, it is relocating the SWAN kitchen operation effective July 1, 2013, and

III. WHEREAS, the current contract with Fourth & Maple, LLC, should be amended to reflect the reduction in the monthly rent and the square footage of space to be used, and

IV. WHEREAS, Fourth & Maple, LLC, has agreed to rent to the County a total of 1,480 square feet consisting of an eating area on the first floor for the SWAN congregating dining site for the remainder of the current three (3) year term, as follows:

- July 1, 2013 – June 30, 2014
1,480 square feet of space - \$740.40 per month, which includes utilities
- July 1, 2014 – June 30, 2015
Increase based on annual Consumer Price Index (CPI)
with the County's option to renew for a 4th year at the 2014-2015 rate and terms,

and

V. WHEREAS, this program is 75% state and 25% county 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 Fourth & Maple, LLC, for the rental of the above-described premises, for a term commencing July 1, 2013 and terminating June 30, 2015, with the County's option to renew for a one-year period at the same rate, 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"/>

**APPROVING CONTRACT BETWEEN
CATTARAUGUS COUNTY COMMUNITY SERVICES BOARD AND
ACCUMEDIC COMPUTER SYSTEMS, INC. FOR
DEPARTMENT OF COMMUNITY SERVICES ACCUMED SOFTWARE SYSTEM AND
ADJUSTING VARIOUS APPROPRIATION ACCOUNTS
(Department of Community Services)**

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

I. WHEREAS, Act 598-2009, as amended, authorized a contract with Accumedic Computer Systems, Inc., for the provision of the AccuMed Software System, including licenses for the AccuMed System, the QuicDoc System, and the Scheduler and Patient Accounts modules and training, and

II. WHEREAS, the Department of Community Services is desirous of purchasing five (5) additional Accumedic software licenses for use in the Mental Health Clinic for scheduling and billing, and

III. WHEREAS, the Department of Community Services is also desirous of continuing the annual customer support and maintenance for the aforementioned software system, and

IV. WHEREAS, Accumedic Computer Systems, Inc., 11 Grace Avenue, Suite 401, Great Neck, New York 11021, can provide five (5) additional Accumedic software licenses for an amount of \$6,277.50, plus continued customer support and maintenance for the AccuMed Software System for an amount of \$1,255.50, for a total amount of \$7,533.00, to be paid as invoiced, 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 between the Cattaraugus County Community Services Board and Accumedic Computer Systems, Inc., to signify the County's approval, for the provision of the above-described additional software licenses and customer support and maintenance, for a term commencing May 22, 2013, continuing in full force and effect until terminated by either party, 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:

Decrease Appropriation Account:

A.431.4335.2100.41229	Social Worker Contracted	\$7,533.00
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Increase Appropriation Account:

A.431.4335.2100.20006	Computer/Equipment Software	\$7,533.00.
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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"/>

**APPROVING AMENDED CONTRACT BETWEEN
CATTARAUGUS COUNTY COMMUNITY SERVICES BOARD AND
CATTARAUGUS COUNTY CHAPTER, NYSARC, INC., AND
CATTARAUGUS REHABILITATION CENTER, INC. FOR PROVISION OF SERVICES AND
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
(Department of Community Services)**

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

I. WHEREAS, Act 76-2011, as amended by Act 367-2011, authorized a contract with the Cattaraugus County Chapter, NYSARC, Inc., and the Cattaraugus Rehabilitation Center, Inc., 1439 Buffalo Street, Olean, New York 14760, for the provision of services, the term of which expired December 31, 2011, and

II. WHEREAS, the New York State Office for People With Developmental Disabilities has awarded additional funds in the amount of \$3,092.00 to the Cattaraugus County Chapter, NYSARC, Inc., for services provided during the term January 1, 2011 through December 31, 2011, and

III. WHEREAS, an amended contract is necessary in order to accept the aforementioned additional funds, and

IV. WHEREAS, various appropriation and revenue accounts must be adjusted in order to accept the aforementioned funds, now, therefore, be it

I. RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute an amended contract, between the Cattaraugus County Community Services Board and the Cattaraugus County Chapter, NYSARC, Inc., and the Cattaraugus Rehabilitation Center, Inc., to signify the County's approval, in order to accept additional funds for the 2011 closeout process, for a term commencing January 1, 2011 and terminating December 31, 2011, according to the above-described terms, and be it further

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

Increase Estimated Revenue Account:

A.434.4322.0340.3491.OT620	State Aid, OMRDD, Other than 620	\$ 3,092.00
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Increase Appropriation Account:

A.434.4322.0340.42021.OT620	NYSARC, Other than 620	\$ 3,092.00.
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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"/>

**APPROVING AMENDED CONTRACT BETWEEN
CATTARAUGUS COUNTY COMMUNITY SERVICES BOARD AND
TLC HEALTH NETWORK FOR RESIDENTIAL DRUG-FREE PROGRAM AND
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
(Department of Community Services)**

Pursuant to Section 41.55 of the Mental Hygiene Law, and
Sections 363, 366 and 450 of the County Law.

I. WHEREAS, Act 32-2013 authorized approval for a contract with TLC Health Network for the operation of a residential drug-free program in Cattaraugus County, the term of which expires December 31, 2013, and

II. WHEREAS, the New York State Office of Alcoholism and Substance Abuse Services has awarded additional funding in the amount of \$5,720.00 to Cattaraugus County for the operation of a Residential Drug-Free Program for the 2013 fiscal year, and

III. WHEREAS, TLC Health Network, Lake Shore Health Care Center, 845 Routes 5 & 20, Irving, New York 14081, shall operate a Residential Drug-Free Program in Cattaraugus County for the 2013 program year for an amount not to exceed \$585,094.00, to be paid on a quarterly basis as invoiced, and

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

I. RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute an amended contract, between the Cattaraugus County Community Services Board and TLC Health Network, to signify the County's approval, for the operation of the above-described Residential Drug-Free Program, for a term commencing January 1, 2013 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.442.4322.3560.3492.013M	State Aid, OASAS MH Local Assistance	\$5,720.00
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Increase Appropriation Account:

A.442.4322.3560.42028.013M	TLC Health Network, Intensive Residential	\$5,720.00.
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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"/>

**APPROVING CONTRACT BETWEEN
CATTARAUGUS COUNTY COMMUNITY SERVICES BOARD AND
MENTAL HEALTH ASSOCIATION IN CATTARAUGUS
COUNTY, INC., FOR PROS PROGRAM SUMMER INTERN**

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

I. WHEREAS, Act 233-2013 authorized a contract with the Mental Health Association in Cattaraugus County, Inc., P.O. Box 833, 121 North Union Street, Olean, New York 14060, for the provision of an intern for ten (10) weeks during the summer months in order to maintain the level of programming for the County Department of Community Services PROS Program during summer vacation time, and

II. WHEREAS, the County Department of Community Services is again in need of an intern for the summer months, and

III. WHEREAS, the Mental Health Association in Cattaraugus County, Inc., can provide an intern for ten (10) weeks during the summer months in order to maintain the level of programming for the County Department of Community Services PROS Program during summer vacation time, for an amount not to exceed \$2,000.00, to be paid on a monthly basis, as invoiced, and

IV. WHEREAS, sufficient funds are included in the budget to cover the cost of the aforementioned costs, 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 the Mental Health Association in Cattaraugus County, Inc., to signify the County's approval, for the provision of the above-described intern, for a term commencing May 22, 2013 and terminating September 30, 2013, according to the above-described terms, and be it further

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

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

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

Resolution Referred to:

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

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
PANAMERICAN ENVIRONMENTAL, INC., FOR TAX TITLE PROPERTY
PHASE I ASSESSMENT ON FOUR COUNTY PROPERTIES AND
TRANSFER OF FUNDS
(Contingent Fund-Treasurer's Office)**

Pursuant to Sections 215, 363, 365 and 450 of the County Law.

I. WHEREAS, the County foreclosed on the following properties:

<u>Name & Address</u>	<u>Tax Map No.</u>	<u>Parcel Size</u>
Eagle Forest Products, Inc. 50 First Avenue South Dayton, New York	33.041-1-5 33.041-1-6	3.86 acres 104 x 270
Kraig Munzert 29 Elm Street Franklinville, New York	40.062-2-15	3.52 acres
Buffalo Turbine Agric Equipment Co. Industrial Place Gowanda, New York	16.028-1-1.3 16.027-2-12	158 x 188 200 x 243
John A. Burrell 24 Rockwell Avenue Ellicottville, New York,	55.043-1-33.1	3.86 acres

and

II. WHEREAS, a Phase I environmental site assessment should be conducted on each of the above-described properties to determine the environmental status of the property, and

III. WHEREAS, Panamerican Environmental, Inc., 2390 Clinton Street, Buffalo, New York 14227, has proposed to perform the Phase I environmental site assessment on each of the above-described properties for the total sum of \$9,300.00, as follows:

Eagle Forest Products, Inc.	\$2,500.00
Kraig Munzert	\$2,100.00
Buffalo Turbine Agric Equipment Co.	\$2,500.00
John A. Burrell	\$2,200.00,

and

IV. WHEREAS, a transfer of funds is necessary in order 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 Panamerican Environmental, Inc., for a term commencing May 22, 2013 and terminating September 30, 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:

Decrease Appropriation Account:

A.901.1990.0000.40601	Contingent Fund	\$9,300.00
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Increase Appropriation Account:

A.132.1364.0000.44401	Building Repair and Maintenance	\$9,300.00.
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Resolution Referred to:

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

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
NEW YORK STATE UNIFIED COURT SYSTEM FOR
COURT SPACE RENOVATION PROJECT AND
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS**

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

I. WHEREAS, the Unified Court System has requested the County to perform certain renovations for court space located at the County Center, 303 Court Street, Little Valley, and

II. WHEREAS, a majority of the renovation work is to open up space on the second floor of the County Center to allow for shared offices for the Surrogate, Supreme and County Courts' Clerk's offices, and

III. WHEREAS, the NYS Unified Court System will reimburse the County an amount not to exceed \$240,000.00 for the aforementioned renovation project, and

IV. WHEREAS, various appropriation and revenue accounts must be adjusted for the aforementioned renovation project, 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 Unified Court System, for reimbursement for the court space renovation project, for a term commencing April 1, 2013 and terminating June 30, 2014, 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:

H.504.1620.0000.21061.3021	State Aid, Court Facilities	\$240,000.00
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Increase Appropriation Account:

H.504.1620.0000.21061.41603	Court Facilities Renovation	\$240,000.00.
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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"/>