



# 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: \$175,103

The following committees will meet on **Wednesday, May 4, 2016**, at the County Center in Little Valley, New York, at the indicated times:

Labor Relations - <i>Re: Personnel Decision Tree</i>	3:00 p.m.
Public Works	4:00 p.m.
Human Services	5:00 p.m.
County Operations/Public Safety	5:15 p.m.
Development & Agriculture	5:30 p.m.
Finance	5:45 p.m.

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## ACT NO.

## REFERRED RESOLUTIONS

206-16	Mr. Weller and Mr. Koch BID ACCEPTANCE FOR PURCHASE OF THREE TANDEM AXLE TRUCKS WITH DUMP BODIES AND SNOWFIGHTING EQUIPMENT (Department of Public Works)
211-16	Mr. Keller and Mrs. Labuhn ADOPTION OF CATTARAUGUS COUNTY FUND BALANCE POLICY

## PREFILED RESOLUTIONS

213-16	Ms. Vickman and Mrs. Labuhn AUTHORIZING CERTAIN CHARGE-OFFS OF CERTAIN ACCOUNTS RECEIVABLE IN THE DEPARTMENT OF NURSING HOMES
214-16	Mr. Weller and Mr. Koch BID ACCEPTANCE FOR 2016 STREAMBANK STABILIZATION PROJECTS (Department of Public Works)
215-16	Mr. Weller and Mr. Koch AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH NYSDOT AND AUTHORIZING CATTARAUGUS COUNTY TO PARTICIPATE IN BRIDGE WASHING AND DECK SEALING FEDERAL-AID PROJECTS AND ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS (Department of Public Works)
216-16	Mr. VanRensselaer and Mr. Keller AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH SENECA-SALAMANCA AREA CHAMBER OF COMMERCE, INC. FOR INFORMATION CENTER MANAGER/COORDINATOR
217-16	Ms. Vickman and Mrs. Labuhn AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH CITY OF OLEAN FOR REIMBURSEMENT FOR OATS BUS SERVICE

- 218-16 Ms. Vickman and Mrs. Labuhn  
AUTHORIZING THE CHAIR TO APPLY FOR FUNDING THROUGH THE WAL-MART  
FOUNDATION FOR THE WAL-MART COMMUNITY PROJECT GRANT FUNDING
- 219-16 Ms. Vickman and Mrs. Labuhn  
AUTHORIZING THE CHAIR TO EXECUTE GRANT DOCUMENTS WITH NEW YORK STATE  
OFFICE FOR THE AGING FOR FUNDING UNDER VARIOUS TITLES OF THE OLDER  
AMERICANS ACT OF 1965, AS AMENDED
- 220-16 Ms. Vickman and Mrs. Labuhn  
AUTHORIZING THE CHAIR TO EXECUTE GRANT DOCUMENTS WITH NEW YORK STATE  
OFFICE FOR THE AGING FOR VARIOUS PROGRAMS FOR DEPARTMENT OF AGING
- 221-16 Ms. Vickman and Mrs. Labuhn  
AUTHORIZING THE CHAIR TO EXECUTE GRANT DOCUMENTS WITH NEW YORK STATE  
OFFICE FOR THE AGING FOR MEDICARE IMPROVEMENTS FOR PATIENTS & PROVIDERS  
ACT (MIPPA) FUNDING
- 222-16 Mrs. Vickman and Mrs. Labuhn  
AUTHORIZING THE CHAIR TO APPLY FOR FUNDING THROUGH THE NEW YORK STATE  
OFFICE FOR THE AGING FOR NY CONNECTS PROGRAM FUNDING
- 223-16 Ms. Vickman and Mrs. Labuhn  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH MATRIXCARE, INC. FOR  
MATRIXCARE/MEALTRACKER SOFTWARE FOR DEPARTMENT OF NURSING HOMES
- 224-16 Mr. Boberg and Mr. Klancer  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT EXTENSION WITH NEW YORK STATE  
OFFICE OF INDIGENT LEGAL SERVICES FOR COUNSEL AT FIRST APPEARANCE GRANT
- 225-16 Mr. Boberg and Mr. Klancer  
LOCAL LAW NUMBER 2-2016 – A LOCAL LAW GRANTING PARTIAL EXEMPTION ON REAL  
PROPERTY TAXATION TO CERTAIN SENIOR CITIZENS AND REPEALING LOCAL LAW  
NUMBER 3-2009 (Intro Number 4-2009)
- 226-16 Mr. Boberg and Mr. Klancer  
AUTHORIZING PUBLIC HEARING ON LOCAL LAW NUMBER 2-2016

**Committee Referrals for May 4, 2016 Committee Meetings**

<b>Act #</b>	<b>Finance</b>	<b>County Ops/Pub Safety</b>	<b>DPW</b>	<b>Human Services</b>	<b>Strategic Planning</b>	<b>Dev &amp; Ag</b>	<b>Labor Relations</b>
<b>206</b>	X		X				
<b>211</b>	X						
<b>213</b>	X			X			
<b>214</b>	X		X				
<b>215</b>	X		X				
<b>216</b>	X					X	
<b>217</b>	X			X			
<b>218</b>	X			X			
<b>219</b>	X			X			
<b>220</b>	X			X			
<b>221</b>	X			X			
<b>222</b>	X			X			
<b>223</b>	X			X			
<b>224</b>	X	X					
<b>225</b>	X	X		X			
<b>226</b>	X	X		X			
<b>TOTALS</b>	<b>16</b>	<b>3</b>	<b>3</b>	<b>10</b>	<b>0</b>	<b>1</b>	<b>0</b>

**BID ACCEPTANCE FOR PURCHASE OF THREE TANDEM AXLE TRUCKS WITH  
DUMP BODIES AND SNOWFIGHTING EQUIPMENT  
(Department of Public Works)**

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

I. WHEREAS, the Clerk of the Legislature was authorized to advertise for sealed bids for the purchase of three (3) 2017 or newer tandem axle trucks with dump bodies and snowfighting equipment, according to specifications provided by the Public Works Committee, and

II. WHEREAS, Fleet Maintenance, Inc., 67 Ransier Drive, Buffalo, New York 14224, submitted the lowest acceptable bid for the purchase of three (3) 2017 or newer tandem axle trucks with dump bodies and snowfighting equipment, for an amount of \$217,035.00 per truck, plus the cost of delivery in the amount of \$585 for three (3) trucks, for a total amount of \$651,690.00 for three (3) trucks with dump bodies, and snowfighting equipment (delivered), and

III. WHEREAS, sufficient funds are included in the 2016 budget to cover the cost of the aforementioned purchase, now, therefore, be it

I. RESOLVED, that the bid of Fleet Maintenance, Inc., be, and the same hereby is, accepted, for a term commencing upon Notice of Award and terminating December 31, 2016, with delivery to be made within 180 days after placement of the order, and be it further

II. RESOLVED, that the vouchers submitted in accordance with the provisions of 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.

Two bids were received which met specifications.

**Referred to Finance and Public Works at 4/27/16 Board Meeting**

**ADOPTION OF CATTARAUGUS COUNTY FUND BALANCE POLICY**

Pursuant to Section 153 of the County Law.

I. RESOLVED, that the following policy hereby replaces the policy adopted by Act 246-2014 of the Cattaraugus County Legislature:

**CATTARAUGUS COUNTY FUND BALANCE POLICY**

Section 1. PURPOSE.

1.1 The purpose of a fund balance policy is to insure against unanticipated events that could have an adverse impact on the financial condition of Cattaraugus County and the public services which it provides.

1.2 The Governmental Accounting Standards Board (GASB) has issued Statement 54, Fund Balance and Governmental Fund Type Definitions, which is required to be incorporated into the County's financial statements.

Section 2. DEFINITIONS.

2.1 Non-Spendable Fund Balance:

The portion of the net position of a governmental fund that cannot be spent either because the underlying resources are not in spendable form or because the government is legally or contractually required to maintain the resources intact.

2.2 Restricted Fund Balance:

The portion of the net position of a governmental fund that represents resources subject to externally enforceable constraints.

2.3 Committed Fund Balance:

The portion of the net position of a governmental fund that represents resources whose use is subject to a legally binding constraint that is imposed by the government itself at its highest level of decision making authority and that remains legally binding unless removed in the same manner.

2.4 Assigned Fund Balance:

The portion of the net position of a governmental fund that represents resources set aside ("earmarked") by the government for a specific purpose.

2.5 Unassigned Fund Balance:

The difference between total fund balance in the general fund and its non-spendable, restricted, committed, and assigned components. Unassigned amounts are technically available for any purpose.

Section 3. POLICY STATEMENT.

3.1 The finances of Cattaraugus County will be managed so as to maintain balances of various funds at levels sufficient to provide for the following:

3.1.1 Cash flow for daily financial needs;

3.1.2 Offset revenue shortfalls and unanticipated expenditures;

- 3.1.3 Unforeseen expenditures as a result of emergencies or natural disasters; and
- 3.1.4 Maintain the creditworthiness of the County (Bond Rating).

3.2 To ensure the appropriate level, within the County's General Fund, the County will maintain a minimum unassigned fund balance of 15% of the total General Fund appropriations.

Section 4. RESTORATION OF MINIMUM FUND BALANCE.

Should the General Fund balance fall below the minimum level as set forth in this policy, the County Administrator, as budget officer, shall prepare and submit a proposed plan for the restoration of the fund balance to the target level within the following fiscal year. This plan will be presented to the Legislature of Cattaraugus County for review and approval, prior to implementation.

Section 5. EXCESS FUND BALANCE.

Should the General Fund balance exceed 20% of the total General Fund appropriations in any given fiscal year, at the close of that fiscal year, the amount exceeding 20% is to be placed into a dedicated reserve for roads and/or bridge replacement/refurbishment. The projects funded from this reserve are subject to review and approval from the County Legislature.

Section 6. ANNUAL REVIEW.

Compliance with the provisions of this policy shall be reviewed as part of the annual budget adoption process.

**Referred to Finance Committee at April 27, 2016 Board Meeting**

**AUTHORIZING CERTAIN CHARGE-OFFS OF CERTAIN ACCOUNTS  
RECEIVABLE IN THE DEPARTMENT OF NURSING HOMES**

Pursuant to Section 153 of the County Law.

I. WHEREAS, the Department of Nursing Homes has accounts receivable in which there has been no recent action, and

II. WHEREAS, the New York State Department of Audit and Control has recommended that the County remove these bad debts from the records of the Department of Nursing Homes, now, therefore, be it

I. RESOLVED, that the Cattaraugus County Legislature hereby authorizes the removal of the following debts from the accounts receivable records of the Department of Nursing Homes:

Machias Facility

Tresch, Joan E.	\$ 3,958.24	
Cornelius, Betty	\$ 3,683.93	
Nyznyk, Dawn	\$ 5,377.28	
Kreutzer, Gilbert	\$ 4,435.07	
Peterson, Mary Lou	\$ 7,628.56	
Ponton, Russell	\$ 182.56	
Scharf, Eugene	\$ 4.88	
Kessler, Aladene	\$ 2,191.85	
Paar, Eleanor	\$ 4,591.14	
Brown, George	\$ 11,325.12	
Stoddard, S. June	\$ 36.98	
Szczublewski, Mary	\$ 474.65	
Total Machias Facility		\$ 43,890.26

Olean Facility

Cunningham, Audrey	\$ 2,760.78	
DeRock, Ruth	\$ 4,686.26	
Wakefield, Adeline	\$ 1,436.99	
Johnson, Clarence	\$ 702.50	
Mettler, Emily	\$ 136.20	
Painter, Viola	\$ 778.86	
Doran, Leona	\$ 22.35	
Seitz, Rose	\$ 661.78	
Herron, Russell	\$ 253.84	
Prince, Ellen	\$ 40.96	
Warner, Arlyne	\$ 3,090.23	
Total Olean Facility		<u>\$14,570.75</u>

TOTAL \$58,461.01

Resolution Referred to:

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

**BID ACCEPTANCE FOR 2016 STREAMBANK STABILIZATION PROJECTS  
(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 2016 streambank stabilization projects, according to specifications provided by the Public Works Committee, and

II. WHEREAS, the lowest bid received meeting specifications for the following four (4) sites was the bid of J. Bognar Construction, LLC, P.O. Box 4, Sardinia, New York 14134, in the total amount of \$81,810.30, as follows, to be paid as invoiced:

Salamanca Bridge No. 6 (Town Line Road)	\$10,234.20
Otto Bridge No. 2 (County Road No. 12)	\$29,844.00
County Road No. 75 (Town of East Otto)	\$15,451.60
County Road No. 14 (Town of Mansfield)      Alternate Project	\$26,280.50

and

III. WHEREAS, sufficient funds are included in the 2016 budget to cover the costs of the aforementioned services, now, therefore, be it

I. RESOLVED, that the bid of J. Bognar Construction, LLC, be, and the same hereby is, accepted, for a term commencing upon Notice of Award and terminating October 31, 2016, 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.

Ten sets of specifications were sent out.

Seven bids were received.

Resolution Referred to:

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



**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH NYSDOT AND  
AUTHORIZING CATTARAUGUS COUNTY TO PARTICIPATE IN  
BRIDGE WASHING AND DECK SEALING FEDERAL-AID PROJECT AND  
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS  
(Department of Public Works)**

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

- I. WHEREAS, the Cattaraugus County Bridge Washing and Deck Sealing Project, including 219 bridges in various towns in Cattaraugus County, PIN 5761.23 (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 Construction & Construction Inspection phases of the Project, 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 Construction & Construction Inspection phases of the Project or portions thereof, and be it further
- III. RESOLVED, that the sum of \$336,000.00 is hereby appropriated and made available to cover the cost of participation in the above phase of the Project, and be it further
- IV. RESOLVED, that in the event the amount required to pay the full federal and non-federal shares of the cost of the Project's Construction & Construction Inspection phases exceeds the amount appropriated above, the County of Cattaraugus shall convene its Legislature as soon as possible to appropriate said excess amount immediately upon the notification by 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 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 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 shall 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 Account:

D.502.5111.0000.4597.01 Federal Aid-Bridge Program \$12,800.00

Increase Appropriation Account:

D.502.5111.5111.41603 Bridge Washing and Deck Sealing \$12,800.00.

Resolution Referred to:

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

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
SENECA-SALAMANCA AREA CHAMBER OF COMMERCE, INC. FOR  
INFORMATION CENTER MANAGER/COORDINATOR**

Pursuant to Sections 224(14) and 450 of the County Law.

I. WHEREAS, Act 70-2016 authorized a contract with the Seneca-Salamanca Area Chamber of Commerce, Inc., 734 Broad Street, Suite 103, Salamanca, New York 14779, for the provision of an information center manager for the I-86 (westbound) rest area, the term of which expired March 31, 2016, and

II. WHEREAS, the County is responsible for staffing the rest area on I-86 (westbound) in the Town of Allegany for a minimum of five (5) hours per day for 151 days per year, plus additional hours per day during the holiday periods of Thanksgiving, Christmas and Easter, and

III. WHEREAS, the County Department of Economic Development, Planning and Tourism does not have sufficient staff to provide management of the information center, and

IV. WHEREAS, the Seneca-Salamanca Area Chamber of Commerce, Inc., can provide an information center manager/coordinator for a minimum of 15 hours per week, with six (6) to eight (8) hours on Sundays (mandatory), as well as holiday periods, for an amount not to exceed \$2,812.50 for three (3) months, to be paid as invoiced, and

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

I. RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with the Seneca-Salamanca Area Chamber of Commerce, Inc., for the provision of the above-described services, for a term commencing April 1, 2016 and terminating June 30, 2016, according to the above-described terms.

Resolution Referred to:

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

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
CITY OF OLEAN FOR  
REIMBURSEMENT FOR OATS BUS SERVICE**

Pursuant to Public Law 104-1993, Section 119-o of the  
General Municipal Law and Section 450 of the County Law.

I. WHEREAS, Act 461-2015 authorized a contract with the City of Olean for the operation of the O.A.T.S. bus service within the City, the term of which expires May 31, 2016, and

II. WHEREAS, the County Department of Social Services is desirous of continuing the aforementioned bus service within the City of Olean, and

III. WHEREAS, the County is desirous of reimbursing the City of Olean an amount not to exceed \$14,288.00 for transportation services provided to DSS-eligible recipients during the period June 1, 2016 through May 31, 2017, and

IV. WHEREAS, the City of Olean has agreed to provide the O.A.T.S. bus transportation services to DSS-eligible recipients, and

V. WHEREAS, these services are 100% federally 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 City of Olean, for reimbursement for the provision of transportation services to DSS-eligible recipients, for a term commencing June 1, 2016 and terminating May 31, 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"/>
DPW	<input type="checkbox"/>	Develop. & Ag	<input type="checkbox"/>
Labor Relations	<input type="checkbox"/>	Strategic Planning	<input type="checkbox"/>
Co. Operations/Public Safety	<input type="checkbox"/>		<input type="checkbox"/>

**AUTHORIZING THE CHAIR TO APPLY FOR FUNDING  
THROUGH THE WAL-MART FOUNDATION FOR THE  
WAL-MART COMMUNITY PROJECT GRANT FUNDING**

Pursuant to Section 95-a of the General Municipal Law and  
Section 450 of the County Law.

- I. WHEREAS, funding is available through The Wal-Mart Foundation for community projects, and
- II. WHEREAS, the County Health Department is desirous of providing a Veggie Mobile program for the purpose of providing farm-fresh vegetables to promote healthier eating habits, and
- III. WHEREAS, the Veggie Mobile will distribute free food to residents of four (4) of the Olean Housing Authority locations for 17 weeks during the summer months, and
- IV. WHEREAS, the County Health Department should apply for the aforementioned funding, and
- V. WHEREAS, this program is 100% funded through The Wal-Mart Foundation, with 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 grant application, on behalf of Cattaraugus County, with The Wal-Mart Foundation in order to apply for the above-described grant, according to the above-described terms.

Resolution Referred to:

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

**AUTHORIZING THE CHAIR TO EXECUTE GRANT DOCUMENTS WITH  
NEW YORK STATE OFFICE FOR THE AGING FOR FUNDING UNDER  
VARIOUS TITLES OF THE OLDER AMERICANS ACT OF 1965, AS AMENDED**

Pursuant to Titles III-B, III-C1, III-C2, III-D and III-E of the Older Americans Act of 1965,  
as amended, Section 541 of the Executive Law and  
Section 95-a of the General Municipal Law.

I. WHEREAS, Act 164-2015 authorized the Chair to apply for funding through the New York State Office for the Aging for the 2015 program year, and

II. WHEREAS, federal funding is again available through the New York State Office for the Aging under Titles III-B, III-C1, III-C2, III-D and III-E of the Older Americans Act of 1965, as amended, for the 2016 program year, for the following programs:

- Title III-B - direct services to the senior citizens of Cattaraugus County,
- Title III-C - congregate and home delivered services and other related services to the senior citizens of Cattaraugus County,
- Title III-D - preventative services to senior citizens of Cattaraugus County, and
- Title III-E - family caregiver support program,

and

III. WHEREAS, it is necessary to file grant applications with the New York State Office for the Aging to obtain this funding, and

IV. WHEREAS, the above-described programs are funded as follows:

Title III-B	- 90% federally funded	\$ 81,244.00
Title III-C1	- 90% federally funded	\$108,888.00
Title III-C2	- 90% federally funded	\$ 49,034.00
Title III-D	- 90% federally funded	\$ 4,984.00
Title III-E	- 75% federally funded	\$ 36,433.00,

now, therefore, be it

I. RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute the necessary grant applications, on behalf of Cattaraugus County, with the New York State Office for the Aging in order to apply for, and accept, funding under Titles III-B, III-C1, III-C2, III-D and III-E for the 2016 program year, 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"/>
DPW	<input type="checkbox"/>	Develop. & Ag	<input type="checkbox"/>
Labor Relations	<input type="checkbox"/>	Strategic Planning	<input type="checkbox"/>
Co. Operations/Public Safety			<input type="checkbox"/>

**AUTHORIZING THE CHAIR TO EXECUTE GRANT DOCUMENTS WITH  
NEW YORK STATE OFFICE FOR THE AGING FOR VARIOUS PROGRAMS  
FOR DEPARTMENT OF AGING**

Pursuant to Title III of the Older Americans Act of 1965,  
as amended, Section 541 of the Executive Law and  
Section 95-a of the General Municipal Law.

I. WHEREAS, Act 165-2015 authorized the Chair to apply for, and accept, funding through the New York State Office for the Aging for the 2015 program year for various programs, and

II. WHEREAS, funding is available for various programs through the New York State Office for the Aging for the 2016 program year, and

III. WHEREAS, the County Department of Aging is desirous of applying for the following program funding:

Caregiver Resource Center (CRC)	\$ 19,611.00
Community Services for the Elderly (CSE)	\$129,668.00
Congregate Services Initiative (CSI)	\$ 1,722.00
Expanded In-Home Services for the Elderly (EISEP)	\$221,701.00
Health Insurance Information, Counseling & Assistance (HIICAP)	\$ 32,983.00
Wellness in Nutrition (WIN)	\$212,677.00
State Transportation Program	\$ 5,600.00
State Retired Senior Volunteer Program (RSVP)	\$ 6,368.00
Federal Retired Senior Volunteer Program (RSVP)	\$ 40,000.00
Direct Care Worker (DCW)	\$ 41,854.00,

and

IV. WHEREAS, a contract is necessary with the New York State Office for the Aging in order to accept the aforementioned funds, and

V. WHEREAS, two of the aforementioned programs are 100% federally funded, five of the aforementioned programs are 100% state funded and three of the aforementioned programs are 75% state funded 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 a contract, on behalf of Cattaraugus County, with the New York State Office for the Aging, in order to apply for, and accept, the aforementioned funds for the 2016-2017 program year, 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"/>
DPW	<input type="checkbox"/>	Develop. & Ag	<input type="checkbox"/>
Labor Relations	<input type="checkbox"/>	Strategic Planning	<input type="checkbox"/>
Co. Operations/Public Safety			<input type="checkbox"/>

**AUTHORIZING THE CHAIR TO EXECUTE GRANT DOCUMENTS WITH  
NEW YORK STATE OFFICE FOR THE AGING FOR  
MEDICARE IMPROVEMENTS FOR PATIENTS & PROVIDERS ACT (MIPPA) FUNDING**

Pursuant to Medicare Improvements for Patients & Providers  
Act (MIPPA) of 2008, Section 541 of the Executive Law,  
Section 95-a of the General Municipal Law and  
Section 450 of the County Law.

I. WHEREAS, Act 166-2015 authorized the Chair to execute grant documents with the New York State Office for the Aging for the Medicare Improvements for Patients & Providers Act (MIPPA) component for the 2014-2015 program year, and

II. WHEREAS, funding is again available through the New York State Office for the Aging in the amount of \$10,698.00 for the MIPPA program for the 2015-2016 program year, and

III. WHEREAS, funding is also available through the New York State Office for the Aging for the Aging and Disability Resource Center (ADRC) program, and

IV. WHEREAS, the aforementioned program strengthens the capability of area agencies on aging to provide Medicare beneficiaries information, counseling and assistance to purchase, file claims and appeal health insurance coverage decisions, and allow for more public outreach, and

V. WHEREAS, the County should execute grant documents in order to apply for and receive the aforementioned funding, and

VI. 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 grant documents, on behalf of Cattaraugus County, with the New York State Office for the Aging, in order to apply for and receive the above-described funding, for a term commencing October 1, 2015 and terminating September 30, 2016, 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"/>
DPW	<input type="checkbox"/>	Develop. & Ag	<input type="checkbox"/>
Labor Relations	<input type="checkbox"/>	Strategic Planning	<input type="checkbox"/>
Co. Operations/Public Safety	<input type="checkbox"/>		<input type="checkbox"/>

**AUTHORIZING THE CHAIR TO APPLY FOR FUNDING THROUGH  
THE NEW YORK STATE OFFICE FOR THE AGING FOR  
NY CONNECTS PROGRAM FUNDING**

Pursuant to Section 450 of the County Law.

I. WHEREAS, Act 638-2014 authorized the Chair to execute grant documents with the New York State Office for the Aging for the NY Connects Program for the 2014-2015 program year, and

II. WHEREAS, funding is again available in the amount of \$48,177.00 through the New York State Office for the Aging for the NY Connects Program for the 2015-2016 program year, and

III. WHEREAS, the County Department of the Aging is desirous of applying for the aforementioned funding, and

IV. WHEREAS, the NY Connects 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 grant documents, on behalf of Cattaraugus County, with the New York State Office for the Aging, to apply for the aforementioned program funding, for the program year October 1, 2015 through September 30, 2016, 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"/>
DPW	<input type="checkbox"/>	Develop. & Ag	<input type="checkbox"/>
Labor Relations	<input type="checkbox"/>	Strategic Planning	<input type="checkbox"/>
Co. Operations/Public Safety			<input type="checkbox"/>

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT  
WITH MATRIXCARE, INC. FOR  
MATRIXCARE/MEALTRACKER SOFTWARE FOR  
DEPARTMENT OF NURSING HOMES**

Pursuant to Section 450 of the County Law.

I. WHEREAS, Act 58-2004 authorized a contract with Data Control Technology for the provision of the Mealtracker software for the Department of Nursing Homes, and

II. WHEREAS, MatrixCare, Inc., has taken over Data Control Technology effective January 1, 2016, and has increased the rates for the Mealtracker software, and

III. WHEREAS, the Department of Nursing Homes is in need of the Mealtracker software to track the nutritional needs of its residents at both the Machias and the Olean Campuses of The Pines Healthcare and Rehabilitation Centers, and

IV. WHEREAS, MatrixCare, Inc., 10900 Hampshire Avenue South, Suite 100, Bloomington, Minnesota 55348, can provide the Mealtracker Software for an amount as follows:

Olean Campus	\$292.00 per month
Machias Campus	\$280.00 per month,

and

V. WHEREAS, sufficient funds are included in the budget to cover the cost of the aforementioned software, 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 MatrixCare, Inc., for the provision of the above-described Mealtracker software, for a term commencing June 1, 2016 and continuing on a month-to-month basis 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"/>
DPW	<input type="checkbox"/>	Develop. & Ag	<input type="checkbox"/>
Labor Relations	<input type="checkbox"/>	Strategic Planning	<input type="checkbox"/>
Co. Operations/Public Safety	<input type="checkbox"/>		<input type="checkbox"/>

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT EXTENSION  
WITH NEW YORK STATE OFFICE OF INDIGENT LEGAL SERVICES  
FOR COUNSEL AT FIRST APPEARANCE GRANT**

Pursuant to Article 30 of the Executive Law, Article 18-B of the County Law  
and Section 450 of the County Law.

I. WHEREAS, Act 430-2013 authorized a three (3) year contract with the New York State Office of Indigent Legal Services for the Counsel at First Appearance Grant, the purpose of which is to make demonstrable and measurable improvements in the delivery of indigent defense services to eligible persons at a defendant's first appearance before a judge, the term of which commenced June 1, 2013 and terminates May 31, 2016, and

II. WHEREAS, it is necessary to extend the term of the aforementioned contract for a period of six (6) months to terminate November 30, 2016, now, therefore, be it

I. RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract extension, on behalf of Cattaraugus County, with the New York State Office of Indigent Legal Services for the Counsel at First Appearance grant, for a term commencing June 1, 2016 and terminating November 30, 2016, according to the above-described terms.

Resolution Referred to:

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

**LOCAL LAW NUMBER 2 - 2016  
COUNTY OF CATTARAUGUS, NEW YORK**

Pursuant to Section 467(1)(b) of the Real Property Tax Law.

**A LOCAL LAW GRANTING PARTIAL EXEMPTION ON REAL PROPERTY  
TAXATION TO CERTAIN SENIOR CITIZENS AND REPEALING  
LOCAL LAW NUMBER 3-2009 (Intro Number 4-2009)**

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

SECTION 1. Legislative Intent. It is the intent of this legislation to continue to provide a real property tax exemption to certain senior citizens in accordance with Section 467 of the Real Property Tax Law and to distribute the exemption in a more equitable manner. It is the intent of this legislation to add Option #2 to the current senior citizen exemption.

SECTION 2. Senior Citizen Real Property Tax Exemption. Effective January 1, 2017, Cattaraugus County shall grant a real property tax exemption to certain individuals sixty-five (65) years of age or over, in accordance with Section 467(1)(b) of the Real Property Tax Law.

SECTION 3. Maximum Income Eligibility Level. Effective January 1, 2017, the maximum income eligibility level as described in Section 467 of the Real Property Tax Law is hereby established as follows:

\$18,500 or less	=50% of assessed value exempt
\$18,501 but less than \$19,500	=45% of assessed value exempt
\$19,500 but less than \$20,500	=40% of assessed value exempt
\$20,500 but less than \$21,500	=35% of assessed value exempt
\$21,500 but less than \$22,400	=30% of assessed value exempt
\$22,400 but less than \$23,300	=25% of assessed value exempt
\$23,300 but less than \$24,200	=20% of assessed value exempt

Option 2

\$24,200 but less than \$25,100	= 15% of assessed value exempt
\$25,100 but less than \$26,000	= 10% of assessed value exempt.

SECTION 4. Real Property Tax Law. All other provisions of Section 467 of the Real Property Tax Law of the State of New York shall be in effect for the purposes of County real property taxation in Cattaraugus County.

SECTION 5. Repeal of Local Law Number 3-2009 (Intro No. 4-2009). Local Law Number 3-2009 (Intro Number 4-2009) entitled "A Local Law Granting Partial Exemption on Real Property Taxation to Certain Persons", as amended, is hereby repealed, effective January 1, 2017.

SECTION 6. 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 affect, 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 7.      Effective Date. This Local Law shall take effect immediately.

Resolution Referred to:

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

**AUTHORIZING PUBLIC HEARING ON LOCAL LAW NUMBER 2 - 2016**

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 May 11, 2016, a proposed Local Law entitled, "A Local Law Granting Partial Exemption on Real Property Taxation to Certain Senior Citizens and Repealing Local Law Number 3-2009 (Intro Number 4-2009)", 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 25<sup>th</sup> day of May, 2016, at 4:01 p.m. at the Legislature's Chambers, Cattaraugus 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"/>
DPW	<input type="checkbox"/>	Develop. & Ag	<input type="checkbox"/>
Labor Relations	<input type="checkbox"/>	Strategic Planning	<input type="checkbox"/>
Co. Operations/Public Safety			<input checked="" type="checkbox"/>