



CATTARAUGUS COUNTY

John R. Searles, County Administrator

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Little Valley, New York 14755

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

Contingent Fund Balance: \$84,240

The following committees will meet on **Wednesday, June 1, 2016**, 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.
County Operations/Public Safety	5:15 p.m.
Development & Agriculture	5:30 p.m.
Labor Relations	5:45 p.m.
Finance	6:00 p.m.

ACT NO.

PREFILED RESOLUTIONS

266-16	Mr. Koch BID ACCEPTANCE FOR PURCHASE OF NATURAL GAS (Department of Public Works)
267-16	Mr. Koch BID ACCEPTANCE FOR 2016 BRIDGE DECK SEALING AND CLEANING AND WASHING PROGRAM (Department of Public Works)
268-16	Mr. Koch BID ACCEPTANCE FOR OVERLAY OF COUNTY ROAD NO. 25 AND COUNTY ROAD NO. 18 (Department of Public Works)
269-16	Mr. Koch BID ACCEPTANCE FOR MILL AND PAVE OF COUNTY ROAD NO. 101 AND OVERLAY OF COUNTY ROAD NO. 55 (Department of Public Works)
270-16	Mr. Koch AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH GREENMAN-PEDERSEN, INC. FOR CONSTRUCTION SUPPORT/INSPECTION SERVICES FOR 2016 BRIDGE DECK SEALING AND BRIDGE WASHING PROGRAM
271-16	Mr. Koch AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH WENDEL WD ARCHITECTURE, ENGINEERING, SURVEYING & LANDSCAPE ARCHITECTURE, PC FOR 2016 STONE HOUSE CAPITAL IMPROVEMENT PROJECT ENGINEERING SERVICES (Phase 2 – Façade Improvement)
272-16	Mrs. Stockman LOCAL LAW NUMBER 4-2016 – A LOCAL LAW AMENDING LOCAL LAW NO. 22-2003 (INTRO NUMBER 21-2003) REGARDING FEES FOR PROCESSING CERTAIN TAX TITLE PROPERTY

- 273-16 Mrs. Stockman
AUTHORIZING PUBLIC HEARING ON LOCAL LAW NUMBER 4-2016
- 274-16 Ms. Vickman and Mrs. Labuhn
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH YOURCARE HEALTH PLAN, INC.
FOR DEPARTMENT OF SOCIAL SERVICES HOME ASSESSMENTS
- 275-16 Ms. Vickman and Mrs. Labuhn
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH ERIE 1 BOCES TECHNOLOGY
SERVICES FOR CLEARTRACK COUNTY MEDICAID MODULE
- 276-16 Ms. Vickman and Mrs. Labuhn
AUTHORIZING THE CHAIR TO EXECUTE CONTRACTS WITH VARIOUS HANDICAPPED
EDUCATION PROVIDERS FOR YOUTH BUREAU CHILDREN WITH SPECIAL NEEDS
PROGRAM
- 277-16 Mr. Koch
REJECTING CERTAIN DEPARTMENT OF PUBLIC WORKS BIDS FOR PURCHASE OF 8
PASSENGER VAN (Department of Public Works)

Committee Referrals for June 1, 2016 Committee Meetings							
Act #	Finance	County Ops/Pub Safety	DPW	Human Services	Strategic Planning	Dev & Ag	Labor Relations
266	X		X				
267	X		X				
268	X		X				
269	X		X				
270	X		X				
271	X		X				
272	X	X					
273	X	X					
274	X			X			
275	X			X			
276	X			X			
277	X		X				
TOTALS	12	2	7	3	0	0	0

**BID ACCEPTANCE FOR PURCHASE OF NATURAL GAS
(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 purchase of natural gas for the County Center building, the DPW Facility in Little Valley, and The Pines Healthcare and Rehabilitation Center in Machias, according to specifications provided by the Public Works Committee, and

II. WHEREAS, Energy Enterprises, Inc., energy consultant for the County, has reviewed the bids submitted as well as the performance history of the bidders and has recommended that the County accept the bid of Energymark, LLC, 6653 Main Street, Williamsville, New York 14221, for Method #1 – Firm Index Based Pricing with 1 year Trigger Option (One Year Commitment), as follows:

Basis Pricing shall be the difference between the monthly NYMEX, Henry Hub settlement price, as reported in the Wall Street Journal and the total price to the LDC. Each month this non-changing basis will be added to the appropriate monthly NYMEX settlement figure or the fixed NYMEX upon fixing.

Basis including shrinkage, upstream transportation, margin, etc. \$-0.31/Dth

The price can be fixed anytime during the contract term at the current NYMEX + Basis. Notice will be given to the marketer by noon of the day which the price shall be fixed.,

now, therefore, be it

I. RESOLVED, that the bid of Energymark, LLC, be, and the same hereby is, accepted for a term commencing September 1, 2016 and terminating August 31, 2017, 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.

18 sets of specifications were sent out.

2 bids were received meeting specifications.

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"/>

**BID ACCEPTANCE FOR 2016 BRIDGE DECK SEALING AND
CLEANING AND WASHING PROGRAM
(Department of Public Works)**

Pursuant to Section 103 of the General Municipal Law and
Section 131-b of the Highway Law.

I. WHEREAS, the Clerk of the Legislature was authorized to advertise for sealed bids for the 2016 bridge deck sealing and cleaning and washing program, according to bid specifications and general information provided by the Public Works Committee, and

II. WHEREAS, the lowest bid received meeting specifications for the provision of the aforementioned bridge deck sealing and cleaning and washing program was the bid of Hunting Valley Construction, Inc., 825 Rein Road, Cheektowaga, New York 14225, in the amount of \$262,500.00, to be paid periodically on a percentage of completion basis, as invoiced and approved by the Department of Public Works, and

III. WHEREAS, the term of the contract for the aforementioned bridge deck sealing and cleaning and washing program shall commence upon Notice to Award and shall be completed by September 9, 2016, and

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

I. RESOLVED, that the bid of Hunting Valley Construction, Inc., be, and the same hereby is, accepted, 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.

8 sets of specifications were sent out.

4 bids were received that meet specifications.

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"/>

**BID ACCEPTANCE FOR OVERLAY OF COUNTY ROAD NO. 25 AND
COUNTY ROAD NO. 18
(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 overlay of County Road No. 25 and County Road No. 18, according to specifications provided by the Public Works Committee, and

II. WHEREAS, the lowest bid received meeting specifications was the bid of Amherst Paving, Inc., 330 Meyer Road, Amherst, New York 14226, in the amount of \$510,269.00, to be paid periodically on a percentage of completion basis, as invoiced and approved by the Department of Public Works, and

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

I. RESOLVED, that the bid of Amherst Paving, Inc., be, and the same hereby is, accepted, for a term commencing upon notice to proceed, with completion on or before September 9, 2016, with a contract termination date of December 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.

Five sets of specifications were sent out.

Four bids were received meeting specifications.

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"/>

**BID ACCEPTANCE FOR MILL AND PAVE OF COUNTY ROAD NO. 101 AND
OVERLAY OF COUNTY ROAD NO. 55
(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 mill and pave of County Road No. 101 and the overlay of County Road No. 55, according to specifications provided by the Public Works Committee, and

II. WHEREAS, the lowest bid received meeting specifications was the bid of Occhino Corp., 2650 Seneca Street, West Seneca, New York 14224, in the amount of \$444,803.50, to be paid periodically on a percentage of completion basis, as invoiced and approved by the Department of Public Works, and

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

I. RESOLVED, that the bid of Occhino Corp. be, and the same hereby is, accepted, for a term commencing upon notice to proceed, with completion on or before September 9, 2016, with a contract termination date of December 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.

Five sets of specifications were sent out.

Five bids were received meeting specifications.

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
GREENMAN-PEDERSEN, INC. FOR CONSTRUCTION SUPPORT/INSPECTION SERVICES
FOR 2016 BRIDGE DECK SEALING AND BRIDGE WASHING PROGRAM**

Pursuant to Section 131-b of the Highway Law and
Section 450 of the County Law.

- I. WHEREAS, the County is in need of construction support/inspection services for the 2016 bridge deck sealing and bridge washing program, and
- II. WHEREAS, Greenman-Pedersen, Inc. (GPI), 4950 Genesee Street, Suite 100, Buffalo, New York 14225, can provide the necessary construction support/inspection services for the aforementioned bridge deck sealing and bridge washing program for an amount not to exceed \$50,000.00, to be paid on a percent-of-completion basis, as determined and approved by the Department of Public Works, and
- III. 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 Greenman-Pedersen, Inc. (GPI), for the provision of the above-described engineering services, for a term commencing June 8, 2016 and terminating December 31, 2016, according to the above-described terms.

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"/>

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
WENDEL WD ARCHITECTURE, ENGINEERING, SURVEYING & LANDSCAPE ARCHITECTURE, PC
FOR 2016 STONE HOUSE CAPITAL IMPROVEMENT PROJECT ENGINEERING SERVICES
(Phase 2 - Façade Improvements)**

Pursuant to Sections 215 and 450 of the County Law.

I. WHEREAS, Act 648-2015 authorized a contract with Wendel WD Architecture, Engineering, Surveying & Landscape Architecture, PC, for the provision of engineering services necessary for the Stone House capital improvement project, and

II. WHEREAS, the County Department of Public Works is desirous of obtaining the engineering services necessary for Phase 2 – Façade Improvements of the Stone House capital improvement project, and

III. WHEREAS, Wendel WD Architecture, Engineering, Surveying & Landscape Architecture, PC, 375 Essjay Road, Suite 200, Williamsville, New York 14221, can provide the engineering services necessary for the aforementioned repair and improvement project for an amount of \$54,000.00, plus reimbursable expenses, to be paid on a percent-of-completion basis as invoiced and approved by the Department of Public Works, and

IV. 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 Wendel WD Architecture, Engineering, Surveying & Landscape Architecture, PC, for the provision of the above-described engineering services, for a term commencing June 8, 2016 and terminating December 31, 2016, according to the above-described terms.

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"/>

**LOCAL LAW NUMBER 4 - 2016
COUNTY OF CATTARAUGUS, NEW YORK**

Pursuant to Section 10 of the Municipal Home Rule Law.

**A LOCAL LAW AMENDING LOCAL LAW NO. 22-2003 (INTRO NUMBER 21-2003)
REGARDING FEES FOR PROCESSING CERTAIN TAX TITLE PROPERTY**

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

Section 1. Legislative Intent. The purpose of this local law is to amend Local Law No. 22-2003 (Intro No. 21-2003) entitled "A Local Law Establishing Fees for Processing Certain Tax Title Property and Repealing Local Law Number 10-1991 (Intro Number 12-1991)" to establish fees for various departments for the processing of returning tax title property to former owners by legislative resolution and deed after foreclosure.

Section 2. Amendment. Local Law No. 22-2003 (Intro No. 21-2003) shall be amended as follows:

2.1 Delete Section 2. Processing Fees, and replace with the following: "Section 2. Processing Fees. Effective January 1, 2017, any property which is sold to the former owner without competitive bidding shall be subject to a processing fee of \$1,100 to be allocated as follows: County Attorney's Office - \$800; County Treasurer's Office - \$200; Real Property Tax Service Agency - \$100."

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 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 4 - 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 June 3, 2016, a proposed Local Law entitled, "A Local Law Amending Local Law No. 22-2003 (Intro Number 21-2003) Regarding Fees for Processing Certain Tax Title Property", 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 22nd day of June, 2016, at 4:01 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 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 THE CHAIR TO EXECUTE CONTRACT
WITH YOURCARE HEALTH PLAN, INC.
FOR DEPARTMENT OF SOCIAL SERVICES HOME ASSESSMENTS**

Pursuant to 42 CFR 431.53, 18 NYCRR 505.10,
Section 365-a of the Social Services Law and Section 450 of the County Law.

- I. WHEREAS, YourCare Health Plan, Inc., formerly Univera, 6400 Sheridan Drive, Suite 120, Buffalo, New York 14221, is desirous of having home assessments conducted for its clients, and
- II. WHEREAS, the home care staff of the County Department of Social Services can perform the aforementioned home assessments for YourCare Health Plan, Inc., and
- III. WHEREAS, YourCare Health Plan, Inc., shall pay the County Department of Social Services an amount of \$175.00 per assessment, now, therefore, be it
- I. RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with YourCare Health Plan, Inc., for the provision of the above-described services, for a term commencing June 1, 2016 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"/>
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 ERIE 1 BOCES TECHNOLOGY SERVICES
FOR CLEARTRACK COUNTY MEDICAID MODULE**

Pursuant to Section 450 of the County Law.

I. WHEREAS, Act 221-2015 authorized a contract with Erie 1 BOCES Technology Services, 355 Harlem Road, West Seneca, New York 14224, for the access to the ClearTrack County Medicaid Module for the Special Needs Pre-K Program for the 2015-2016 school year, and

II. WHEREAS, Erie 1 BOCES can provide access to the ClearTrack County Medicaid Module, for an amount of \$4,295.00 for the 2016-2017 school year, to be paid as invoiced, and

III. WHEREAS, sufficient funds are included in the budget to cover the cost of the aforementioned module, 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 Erie 1 BOCES Technology Services for the provision of the above-described services, for a term commencing July 1, 2016 and terminating June 30, 2017, 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 CONTRACTS WITH
VARIOUS HANDICAPPED EDUCATION PROVIDERS FOR
YOUTH BUREAU CHILDREN WITH SPECIAL NEEDS PROGRAM**

Pursuant to Section 236 of the Family Court Act and
Section 450 of the County Law.

I. WHEREAS, Act 229-2015 authorized contracts with various handicapped education providers for the provision of educational and evaluation services for various County preschool-aged children with special needs, the terms of which expire June 30, 2016, and

II. WHEREAS, the Family Court Act mandates that the County provide payment for the educational and evaluation services which are approved by the Court, and

III. WHEREAS, contracts are necessary with education providers, related-service providers, and evaluators which are accredited by the New York State Education Department, and

IV. WHEREAS, payments to the education providers, related-service providers, and evaluators will be in accordance with the budgetary tuition rate approved by the County and/or the State, and

V. WHEREAS, these services are 59.5% State funded and 40.5% County funded, now, therefore, be it

I. RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute contracts, on behalf of Cattaraugus County, with various education providers, related-service providers, and evaluators for the provision of the above-described services, for a term commencing July 1, 2016 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"/>
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"/>

**REJECTING CERTAIN DEPARTMENT OF PUBLIC WORKS BIDS FOR
PURCHASE OF 8 PASSENGER VAN
(Department of Public Works)**

Pursuant to Section 103 of the General Municipal Law.

I. WHEREAS, the Department of Public Works advertised for sealed bids for the purchase of one (1) new & unused 2016 or newer, 8 passenger van for the Department of Public Works, according to bid specifications and general information provided by the Public Works Committee, and

II. WHEREAS, bids received for the purchase of the aforementioned passenger van, which were opened on May 19, 2016, did not contain the required bid security and should be rejected and rebid, now, therefore, be it

I. RESOLVED, that the Cattaraugus County Legislature hereby rejects the bids received for purchase of one (1) new & unused 2016 or newer, 8 passenger van for the Department of Public Works and authorizes a rebid for the same.

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"/>