



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: \$84,240

The following committees will meet on **Wednesday, June 15, 2016**, at the County Center in Little Valley, New York, at the indicated times:

Public Works	4:00 p.m.
Labor Relations	5:00 p.m.
Human Services	5:15 p.m.
County Operations/Public Safety	5:45 p.m.
Development & Agriculture	6:00 p.m.
Finance	6:15 p.m.

ACT NO.

PREFILED RESOLUTIONS

- | | |
|--------|--|
| 284-16 | Mr. Koch
BID ACCEPTANCE FOR PURCHASE OF REFUSE CONTAINERS (Department of Public Works) |
| 285-16 | Mr. Koch
BID ACCEPTANCE FOR MAKE-UP AIR UNIT REPLACEMENT (Department of Public Works) |
| 286-16 | Mr. Koch
AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH WENDEL WD, ENGINEERING, SURVEYING & LANDSCAPE ARCHITECTURE, P.C. FOR ENGINEERING SERVICES FOR MAKEUP AIR UNITS AND FABRICATION SHOP AIR EXTRACTION PROJECTS |
| 287-16 | Mr. Koch
AUTHORIZING THE CHAIR TO EXECUTE LICENSE AGREEMENT WITH ADMINISTRATIVE OFFICE OF THE UNITED STATES BANKRUPTCY COURT FOR FEDERAL USE OF COUNTY PROPERTY |
| 288-16 | Mr. Boberg and Mr. Helmich
CANCELING UNENFORCEABLE LIEN (Town of Ashford) |
| 289-16 | Mr. Snyder, Sr., and Ms. Hastings
CANCELING UNENFORCEABLE LIEN (Town of Allegany) |
| 290-16 | Ms. Hastings
DIRECTING COUNTY TREASURER TO ISSUE CERTIFICATE OF PROSPECTIVE CANCELLATION AND CANCELING UNENFORCEABLE LIEN |
| 291-16 | Mr. VanRensselaer and Mr. Keller
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH MDB INSIGHT FOR DEVELOPMENT OF COUNTYWIDE ARTS, CULTURE AND HERITAGE PLAN |

- 292-16 Mrs. Stockman
LOCAL LAW NUMBER 5-2016 – A LOCAL LAW AMENDING LOCAL LAW NO. 22-2003 (INTRO NUMBER 21-2003) REGARDING FEES FOR PROCESSING CERTAIN TAX TITLE PROPERTY
- 293-16 Mrs. Stockman
AUTHORIZING PUBLIC HEARING ON LOCAL LAW NUMBER 5-2016
- 294-16 Ms. Vickman and Mrs. Labuhn
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH CITY OF OLEAN FOR USE OF PAVILION AT FRANCHOT PARK FOR WORLD BREAST FEEDING EVENT WEEK PICNIC
- 295-16 Ms. Vickman, Ms. Hastings and Mrs. Labuhn
CREATION OF CATTARAUGUS COUNTY HEROIN/OPIOID TASK FORCE
- 296-16 Ms. Vickman and Mrs. Labuhn
AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH DOYLE SECURITY SYSTEMS, INC. FOR PERSONAL EMERGENCY RESPONSE UNITS MONITORING SERVICES FOR DEPARTMENTS OF HEALTH, AGING AND SOCIAL SERVICES
- 297-16 Ms. Vickman and Mrs. Labuhn
AUTHORIZING THE CHAIR TO EXECUTE CONTRACTS WITH VARIOUS ENTITIES FOR RESIDENTIAL INSTITUTIONAL FOSTER CARE
- 298-16 Ms. Vickman and Mrs. Labuhn
AUTHORIZING THE CHAIR TO EXECUTE CONTRACTS WITH VARIOUS ENTITIES FOR DEPARTMENT OF SOCIAL SERVICES PSYCHOLOGICAL EVALUATIONS AND ASSESSMENTS
- 299-16 Ms. Vickman and Mrs. Labuhn
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH CATTARAUGUS COMMUNITY ACTION, INC. FOR YOUTH PLACEMENT PREVENTION PROGRAMMING (FAST) AND TEENAGE SERVICE ACT (TASA) SERVICES
- 300-16 Ms. Vickman and Mrs. Labuhn
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH LIBERTY HEALTH SUPPLY, INC. FOR DEPARTMENT OF NURSING HOMES MEDICARE PARTS A & B MEDICAL SUPPLIES
- 301-16 Ms. Vickman and Mrs. Labuhn
AUTHORIZING CHARGE-OFFS OF CERTAIN ACCOUNTS RECEIVABLE IN THE DEPARTMENT OF COMMUNITY SERVICES
- 302-16 Ms. Vickman and Mrs. Labuhn
APPROVING AMENDED CONTRACT BETWEEN CATTARAUGUS COUNTY COMMUNITY SERVICES BOARD AND CATTARAUGUS COMMUNITY ACTION, INC. FOR DEPARTMENT OF COMMUNITY SERVICES THERAPY AND SUPPORT SERVICES FOR MENTAL HEALTH CLINIC AND PROS PROGRAM AND AFTER HOURS ON-CALL SERVICES AND ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS (Department of Community Services)

- 303-16 Ms. Vickman and Mrs. Labuhn
APPROVING CONTRACTS BETWEEN CATTARAUGUS COUNTY COMMUNITY SERVICES BOARD AND OLEAN CITY SCHOOL DISTRICT FOR MENTAL HEALTH SOCIAL WORKER SERVICES
- 304-16 Mr. Snyder, Sr. and Mrs. Stockman
DEFERRED COMPENSATION COMMITTEE RESOLUTION TO ADOPT FUND CHANGES
- 305-16 Mr. Snyder, Sr. and Mrs. Stockman
DEFERRED COMPENSATION COMMITTEE RESOLUTION TO ADOPT SCHEDULE "A"
- 306-16 Mrs. Snyder, Sr. and Mrs. Stockman
DEFERRED COMPENSATION COMMITTEE RESOLUTION TO ADOPT A FIDUCIARY ASSURE SERVICE
- 307-16 Mr. Klancer, Mr. Boberg and Mrs. Stockman
AUTHORIZING THE CHAIR TO EXECUTE GRANT DOCUMENTS WITH NEW YORK STATE OFFICE OF INDIGENT LEGAL SERVICES FOR INDIGENT LEGAL SERVICES FUNDING AND ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS (January 1, 2015 – December 31, 2017 Grant – Round 5)
- 308-16 Mrs. Stockman
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH ALLEGANY COUNTY AND CATTARAUGUS-ALLEGANY WORKFORCE INVESTMENT INNOVATION AND OPPORTUNITY SERVICES
- 309-16 Mrs. Stockman
LOCAL LAW NUMBER 6-2016 – A LOCAL LAW AMENDING LOCAL LAW NUMBER 5-1985 (INTRO NUMBER 10-1985), AS AMENDED, REGARDING THE POSITION OF COUNTY ADMINISTRATOR
- 310-16 Mrs. Stockman
AUTHORIZING PUBLIC HEARING ON LOCAL LAW NUMBER 6-2016
- 311-16 Mrs. Stockman
REPEALING ACT 184-2009 REGARDING POSITION VALUE SYSTEM FOR DEPARTMENT HEAD AND LEGISLATIVE APPOINTMENT EVALUATIONS FOR SALARY INCREASES

Committee Referrals for June 15, 2016 Committee Meetings

Act #	Finance	County Ops/Pub Safety	DPW	Human Services	Strategic Planning	Dev & Ag	Labor Relations
284	X		X				
285	X		X				
286	X		X				
287	X		X				
288	X	X					
289	X	X					
290	X	X					
291	X					X	
292	X	X					
293	X	X					
294	X			X			
295	X			X			
296	X			X			
297	X			X			
298	X			X			
299	X			X			
300	X			X			
301	X			X			
302	X			X			
303	X			X			
304	X						X
305	X						X
306	X						X
307	X	X					X
308	X			X			
309	X						X
310	X						X
311	X						X
TOTALS	28	6	4	11	0	1	7

**BID ACCEPTANCE FOR PURCHASE OF REFUSE CONTAINERS
(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 refuse containers, according to specifications provided by the Public Works Committee, and

II. WHEREAS, the lowest bids received meeting specifications were the bids of United Services GP, Inc., 15 Havenshire Road, Rochester, New York 14625, to be paid by the County as invoiced and determined by the Department of Public Works, as follows:

48 Cubic Yard Closed Container without Ram	\$13,500.00 per container
50 Cubic Yard Container with Roof	\$12,950.00 per container,

and

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

I. RESOLVED, that the bids of United Services GP, Inc., be, and the same hereby are, accepted, for a term commencing upon signing of contract and terminating December 31, 2016, 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.

13 sets of specifications were sent out.

1 bid was 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"/>

**BID ACCEPTANCE FOR MAKE-UP AIR UNIT REPLACEMENT
(Department of Public Works)**

Pursuant to Section 103 of the General Municipal Law and
Sections 408 and 408-a of the County Law.

I. WHEREAS, the Clerk of the Legislature was authorized to advertise for sealed bids for the replacement of the Make-Up Air Unit at the Cattaraugus County Public Works facility, according to specifications provided by the Public Works Committee, and

II. WHEREAS, the lowest bid received meeting specifications was the bid of Mazza Mechanical Services, Inc., 430 North 7th Street, Olean, New York 14760, in the total amount not to exceed \$355,500.00 to be paid by the County as invoiced and determined by the Department of Public Works, as follows:

Base Bid	\$298,900.00
Alternate #1	<u>\$ 56,600.00</u>
Total Base Bid plus Alternate #1	\$355,500.00,

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 Mazza Mechanical Services, Inc., be, and the same hereby is, accepted, for a term commencing upon notice to proceed and terminating September 30, 2016, 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.

Five sets of specifications were sent out.

Three 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 AMENDED CONTRACT WITH
WENDEL WD, ENGINEERING, SURVEYING & LANDSCAPE ARCHITECTURE, P.C.
FOR ENGINEERING SERVICES FOR MAKEUP AIR UNITS AND
FABRICATION SHOP AIR EXTRACTION PROJECTS**

Pursuant to Sections 215 and 450 of the County Law.

I. WHEREAS, Act 445-2015, as amended by Act 682-2015, authorized a contract with Wendel WD, Engineering, Surveying & Landscape Architecture, P.C., Centerpointe Corporate Park, 375 Essjay Road, Suite 200, Williamsville, New York 14221, for the provision of engineering services necessary to evaluate the existing rooftop makeup air units and the extraction exhaust and ventilation system at the Fabrication Shop, the term of which expires December 31, 2016, and

II. WHEREAS, Wendel WD Engineering assisted the County in bidding the makeup air units and fabrication shop air extraction projects, which additional services were outside of the current scope of work and additional expenses were incurred, and

III. WHEREAS, the County Department of Public Works requested services to re-package the bid documents with scope reduction modifications to both the base bid work and alternates identified in the bid packages to better align with the available funding, and

IV. WHEREAS, Wendel WD, Engineering, Surveying & Landscape Architecture, P.C., provided the aforementioned additional services for an additional amount of \$4,945.00, exclusive of reimbursable expenses, to be paid on a percent-of-completion basis, as invoiced and approved by the Department of Public Works, and

V. WHEREAS, sufficient funds are included in the budget to cover the cost of the aforementioned additional expenses, 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 Wendel WD, Engineering, Surveying & Landscape Architecture, P.C., for the provision of the above-described services, which amends the contract which commenced September 23, 2015 and terminates 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"/>		<input type="checkbox"/>

**AUTHORIZING THE CHAIR TO EXECUTE LICENSE AGREEMENT WITH
ADMINISTRATIVE OFFICE OF THE UNITED STATES BANKRUPTCY COURT FOR
FEDERAL USE OF COUNTY PROPERTY**

Pursuant to Sections 215 and 450 of the County Law.

I. WHEREAS, Act 218-2015 authorized a license agreement with the Administrative Office of the United States Bankruptcy Court for the use of the County's court facility located in the Olean Office Building one day each month, the term of which expires September 30, 2016, and

II. WHEREAS, the United States Bankruptcy Court is desirous of continuing the aforementioned license agreement under the same terms, and

III. WHEREAS, the County has agreed to allow the United States Bankruptcy Court to utilize the County's court facility located in the Olean Office Building once per month for an amount of \$600.00 per month, now, therefore, be it

I. RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a license agreement, on behalf of Cattaraugus County, with the Administrative Office of the United States Bankruptcy Court to use the above-described space for a term commencing October 1, 2016, and terminating September 30, 2017, 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"/>

**CANCELING UNENFORCEABLE LIEN
(Town of Ashford)**

Pursuant to Section 558 of the Real Property Tax Law.

- I. WHEREAS, a certain property located in Cattaraugus County is no longer on the tax roll, and
- II. WHEREAS, it is necessary and prudent for the Cattaraugus County Legislature to cancel the unpaid taxes where the lien of such taxes is unenforceable, now, therefore, be it
- I. RESOLVED, that the Cattaraugus County Legislature hereby cancels the lien of taxes for the property below, as being unenforceable:

<u>Town/Village</u>	<u>Owner</u>	<u>Tax Map No.</u>	<u>Amount</u>
Ashford	Town of Ashford	522.000-9905-999.986/188	\$685.86

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"/>		

**CANCELING UNENFORCEABLE LIEN
(Town of Allegany)**

Pursuant to Sections 454 and 558 of the Real Property Tax Law.

I. WHEREAS, a certain parcel of land located in the Town of Allegany was transferred to the Seneca Nation of Indians or members thereof, and

II. WHEREAS, Section 454 of the Real Property Tax Law exempts property located on a reservation and owned by the Seneca Nation of Indians, from taxation, special ad valorem levies and special assessments, and

III. WHEREAS, it is necessary for the Cattaraugus County Legislature to cancel the unpaid taxes where the lien of such taxes is unenforceable, now, therefore, be it

I. RESOLVED, that the Cattaraugus County Legislature hereby cancels the lien of taxes for the property listed below, as being unenforceable:

<u>Town/Village</u>	<u>Owner</u>	<u>Tax Map No.</u>	<u>Amount</u>
Allegany	Jack D. Redeye	92.002-2-.360	\$728.97.

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"/>		

**DIRECTING COUNTY TREASURER TO ISSUE
CERTIFICATE OF PROSPECTIVE CANCELLATION
AND CANCELING UNENFORCEABLE LIEN**

Pursuant to Sections 454, 558 and 1138(6)(d) of the Real Property Tax Law.

I. WHEREAS, there are certain parcels of property on the assessment roll for which there is no practical method to enforce the collection of delinquent tax liens arising hereafter against these parcels, and

II. WHEREAS, the County Treasurer should issue a certificate of Prospective Cancellation on each parcel, and

III. WHEREAS, the parcel shall then become exempt from taxation notwithstanding any other provision of law, and shall remain exempt until the County Legislature determines that the parcel should be restored to the taxable portion of the assessment roll, and

IV. WHEREAS, it is necessary for the Cattaraugus County Legislature to cancel the unpaid taxes where the lien of such taxes is unenforceable, now, therefore, be it

I. RESOLVED, that the County Treasurer is hereby directed to issue a Certificate of Prospective Cancellation and the Cattaraugus County Legislature hereby cancels the lien of taxes for the following property:

<u>TOWN/VILLAGE</u>	<u>OWNER</u>	<u>TAX MAP NO.</u>	<u>AMOUNT</u>
Carrollton	Carl A. Carlson Ruby Carlson	92.002-1-.59	\$5,940.02

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 MDB INSIGHT FOR DEVELOPMENT OF
COUNTYWIDE ARTS, CULTURE AND HERITAGE PLAN**

Pursuant to Section 450 of the County Law.

I. WHEREAS, Act 384-2015 authorized the Chairman to apply for funding through the New York Empire State Council on the Arts for Arts, Culture and Heritage New Initiatives – Planning Round 5 funds, and

II. WHEREAS, the County Department of Economic Development, Planning and Tourism has been awarded funding in the amount of \$49,500.00 through the aforementioned grant, and

III. WHEREAS, the Department of Economic Development, Planning and Tourism is desirous of developing a Countywide Arts, Culture and Heritage Plan in order to attract visitors, to encourage increased public interaction, to create new jobs and impact the economy, to expand business opportunities for citizens and newcomers, and to connect all sectors of the County in creating a collaborative spirit and a complete sense of place, and

IV. WHEREAS, MDB Insight, 172 King Street East, 3rd Floor, Toronto, Ontario M5A 1J3, can develop a Countywide Arts, Culture and Heritage Plan for the County for an amount of \$49,075.00, to be paid as invoiced and approved by the Director of the Department of Economic Development, Planning and Tourism, 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 MDB Insight, for the provision of the above-described services, for a term commencing June 1, 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 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"/>

**LOCAL LAW NUMBER 5 - 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 \$1,200.00 to be allocated as follows: County Attorney's Office - \$800.00; County Treasurer's Office - \$200.00; Real Property Tax Service Agency - \$100.00; and County Clerk - \$100.00."

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

Section 4. Effective Date. This local law shall take effect immediately.

Resolution Referred to:

Finance	<input checked="" type="checkbox"/>	Human Services	<input 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 5 - 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 22, 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 13th day of July, 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 CITY OF OLEAN
FOR USE OF PAVILION AT FRANCHOT PARK FOR
WORLD BREAST FEEDING EVENT WEEK PICNIC**

Pursuant to Section 450 of the County Law.

I. WHEREAS, the Department of Health is desirous of hosting a picnic for WIC participants who support breastfeeding in our communities, and

II. WHEREAS, the City of Olean, 101 East State Street, Municipal Building, Olean, New York 14760, has agreed to allow the County Health Department to use a large pavilion at Franchot Park for the World Breast Feeding Event Week picnic for an amount of \$55.00, to be paid as invoiced, and

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

I. RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with the City of Olean, for use of the above-described pavilion at Franchot Park, for a term commencing August 5, 2016 and terminating August 7, 2016, 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"/>

CREATION OF CATTARAUGUS COUNTY HEROIN/OPIOID TASK FORCE

Pursuant to Section 153 of the County Law.

- I. WHEREAS, the Cattaraugus County Health Department has noted a sustained and growing number of opioid addicted persons in our community identifying a public health crisis, and
 - II. WHEREAS, New York State Department of Health projects 2016 to have the greatest number of reported opioid related fatalities, and
 - III. WHEREAS, if not for the distribution of Naloxone to first responders and widespread training in its use to the general public, the number of opioid related fatalities would have been significantly higher, and
 - IV. WHEREAS, the Cattaraugus County Department of Community Services has identified the need for additional inpatient beds, out-patient slots, community-based medication-assisted treatment with Methadone and Suboxone, and related services to treat those suffering from opioid addiction, and
 - V. WHEREAS, the opioid crisis affects every part of Cattaraugus County, and
 - VI. WHEREAS, opioid addiction often starts in individuals who are prescribed opioid pain medications or who take opioid medication prescribed for other people and may progress to using illegally manufactured drugs, such as Heroin, and
 - VII. WHEREAS, dangerous and powerful opioids, such as Fentanyl, are increasingly being found on our streets, in addition to Heroin, and
 - VIII. WHEREAS, no single strategy alone can address this complex, multifaceted issue, and
 - IX. WHEREAS, coordination of the many individual anti-opioid initiatives currently being undertaken throughout Western New York is critically needed, and
 - X. WHEREAS, a task force should be created to examine all areas of the opioid crisis, now, therefore, be it
- I. RESOLVED, that the Cattaraugus County Legislature does hereby declare a public health crisis in Cattaraugus County related to the opioid epidemic, and be it further
 - II. RESOLVED, that there is hereby created a task force of the Cattaraugus County Legislature to be known as the Cattaraugus County Heroin/Opioid Task Force to be headed by the Public Health Director and the Director of the Department of Community Services and include community experts from social service agencies, law enforcement, physicians, mental health and addictions providers, the health insurance industry, and members of victims' families, and be it further
 - III. RESOLVED, that the Heroin/Opioid Task Force will examine all areas of the opioid crisis including, but not limited to, opioid prescribing practices, access to inpatient, outpatient and community-based medication-assisted treatment programs, police-assisted recovery and the distribution of lifesaving medication like Naloxone, and be it further

IV. RESOLVED, that the Heroin/Opioid Task Force will serve to coordinate efforts of its members and have the power to create various work groups and/or other subcommittees to assist it in the performance of its duties, and be it further

V. RESOLVED, that the Heroin/Opioid Task Force shall meet every other month and report its progress to the Cattaraugus County Legislature on a quarterly basis until such a time as the work of the task force is no longer needed, and be it further

VI. RESOLVED, that the Cattaraugus County Legislature hereby creates the Cattaraugus County Heroin/Opioid Task Force to be comprised of a maximum of 40 members, which may include up to three (3) legislators, to be appointed by the Chairman of the Cattaraugus County Legislature.

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 AMENDED CONTRACT WITH
DOYLE SECURITY SYSTEMS, INC. FOR
PERSONAL EMERGENCY RESPONSE UNITS MONITORING SERVICES
FOR DEPARTMENTS OF HEALTH, AGING AND SOCIAL SERVICES**

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

- I. WHEREAS, Act 546-2015 authorized a contract with Doyle Security Systems, Inc., 792 Calkins Road, Rochester, New York 14623, for the provision of various services to the County Departments of Health, Aging and Social Services, the term of which expires December 31, 2016, and
- II. WHEREAS, the County Departments of Health, Aging and Social Services are desirous of amending the aforementioned contract to include additional monitoring units, and
- III. WHEREAS, Doyle Security Systems, Inc., has agreed to provide additional units and services to the County Departments of Health, Aging and Social Services, as follows:

<u>Category of Service</u>	<u>Rate</u>
<u>HEALTH DEPARTMENT</u>	
PERS Monitoring	\$18/month/unit
Electronic Medication Monitoring	\$49/month/unit
Telguard TG-P Cellular Communicator Monitoring	\$10/month/unit
Fall Prevention PERS Monitoring Unit	\$23/month/unit
GPS PERS monitoring Unit	\$35/month/unit
<u>SOCIAL SERVICES</u>	
PERS Monitoring	\$18/month/unit
Electronic Medication Monitoring	\$49/month/unit
Telguard TG-P Cellular Communicator Monitoring	\$10/month/unit
Fall Prevention PERS Monitoring Unit	\$23/month/unit
GPS PERS monitoring Unit	\$35/month/unit
<u>DEPARTMENT OF AGING</u>	
PERS Monitoring (Expanded In-Home Services for the Elderly Program)	\$15/month/unit
Telguard TG-P Cellular Communicator Monitoring	\$10/month/unit
Fall Prevention PERS Monitoring Unit	\$20/month/unit
GPS PERS monitoring Unit	\$35/month/unit

and

- IV. WHEREAS, an amendment to the aforementioned contract is necessary, 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 Doyle Security Systems, Inc., for the provision of the above-described services for a term commencing January 1, 2016 and terminating December 31, 2016, 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 ENTITIES FOR RESIDENTIAL INSTITUTIONAL FOSTER CARE**

Pursuant to 18 NYCRR Part 405 and
Section 450 of the County Law.

I. WHEREAS, Act 319-2015 authorized contracts with various residential foster care institutions throughout New York State for the provision of residential-therapeutic foster care services in accordance with a New York State-approved fee schedule for the approved listing of residential institutions throughout New York State, the terms of which expire June 30, 2016, and

II. WHEREAS, the County Department of Social Services has the responsibility of placing children at risk into foster care, and

III. WHEREAS, the County Department of Social Services is desirous of renewing the aforementioned contracts with various residential foster care institutions in accordance with a New York State fee schedule for the approved listing of residential institutions throughout New York State, and

IV. WHEREAS, this program is 62% state and 38% county funded, 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 contracts, on behalf of Cattaraugus County, with various residential foster care institutions 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"/>		<input type="checkbox"/>

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACTS WITH
VARIOUS ENTITIES FOR DEPARTMENT OF SOCIAL SERVICES
PSYCHOLOGICAL EVALUATIONS AND ASSESSMENTS**

Pursuant to Section 251 of the Family Court Act and
Section 450 of the County Law.

I. WHEREAS, Act 320-2015 authorized contracts with various entities for psychological evaluation and assessment services, which consist of interviews with clients, consultation with other care providers and case managers, and preparation of reports, including recommendations for placement, treatment or custody/visitation, the terms of which expire June 30, 2016, and

II. WHEREAS, contracts are needed with various entities for the provision of the above-described services, with a maximum rate based on the current highest acceptable rate within the service area which are as follows:

<u>Position</u>	<u>Rate</u>
Doctor of Psychiatry	Not to Exceed \$185 per session
Doctor of Psychology	Not to Exceed \$175 per session
Licensed Mental Health Counselor	Not to Exceed \$125 per session
Family Counseling	Not to Exceed \$100 per session
Preparation & Court Testimony	Not to Exceed \$175 per hour
Testing	Not to Exceed \$180 per hour,

and

III. WHEREAS, this program is 62% state and 38% county funded, 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 contracts, on behalf of Cattaraugus County, with various entities, for the provision of the aforementioned court-ordered psychological assessments and evaluations, 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"/>		<input type="checkbox"/>

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
CATTARAUGUS COMMUNITY ACTION, INC., FOR
YOUTH PLACEMENT PREVENTION PROGRAMMING (FAST) AND
TEENAGE SERVICE ACT (TASA) SERVICES**

Pursuant to 9 NYCRR Subpart 165-1, Section 501 of the Executive Law,
and Section 450 of the County Law.

I. WHEREAS, Act 321-2015 authorized a contract with Cattaraugus Community Action, Inc., 25 Jefferson Street, Salamanca, New York 14779, through its "Families and Schools Together (FAST) Program", for the provision of a placement prevention program to reduce the number of Cattaraugus County youth that are court-ordered to placement due to a history of PINS and/or juvenile delinquency behavior, the term of which expires June 30, 2016, and

II. WHEREAS, the County Department of Social Services is desirous of continuing the aforementioned program, and

III. WHEREAS, Cattaraugus Community Action, Inc., through its "Families and Schools Together (FAST) Program" and "Teenage Service Act (TASA) Program", will target specific school districts mutually agreed upon by both parties, except the Olean City School District, and has agreed to continue the aforementioned services, plus provide TASA services, for an amount not to exceed \$204,048.00, to be paid on a monthly basis for services provided during the preceding month, as invoiced, and

IV. WHEREAS, this program is 62% state and 38% county funded, and

V. WHEREAS, sufficient funds are included in the budget to cover the cost of the aforementioned program, 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 Cattaraugus Community Action, Inc., for the provision of the above-described Youth Placement Prevention Programming, 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"/>		<input type="checkbox"/>

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
LIBERTY HEALTH SUPPLY, INC. FOR DEPARTMENT OF NURSING HOMES
MEDICARE PARTS A & B MEDICAL SUPPLIES**

Pursuant to Section 450 of the County Law.

I. WHEREAS, the County Department of Nursing Homes is desirous of purchasing medical supplies, including Prosthetic Supplies and Enteral Supplies for residents who are eligible to receive benefits under Part A and Part B of the Medicare program and/or non-Medicare-eligible residents, and

II. WHEREAS, the Department of Nursing Homes can purchase the above-described medical supplies from Liberty Health Supply, Inc., 1099 Jay Street, Suite E, Rochester, New York 14611, for an amount not to exceed \$3,000.00 per year, and

III. WHEREAS, sufficient funds are included in the budget to cover the cost of the aforementioned medical supplies, 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 Liberty Health Supply, Inc., for the provision of the medical supplies, for a term commencing July 1, 2016 and terminating June 30, 2017, with automatic renewals for successive one-year terms, until terminated by either party upon ninety (90) days written notice, 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 CHARGE-OFFS OF CERTAIN ACCOUNTS
RECEIVABLE IN THE DEPARTMENT OF COMMUNITY SERVICES**

Pursuant to Section 153 of the County Law.

I. WHEREAS, the Department of Community Services has accounts receivable related to the Mental Health Clinic which have been deemed to be uncollectable, and

II. WHEREAS, the Cattaraugus County Community Services Board has recommended that the County remove these bad debts from the records of the Department of Community Services, now, therefore, be it

I. RESOLVED, that the Cattaraugus County Legislature hereby authorizes the removal of the debts from the accounts receivable records of the Department of Community Services in an amount of \$7,857.00.

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"/>

**APPROVING AMENDED CONTRACT BETWEEN CATTARAUGUS COUNTY COMMUNITY
SERVICES BOARD AND CATTARAUGUS COMMUNITY ACTION, INC. FOR
DEPARTMENT OF COMMUNITY SERVICES
THERAPY AND SUPPORT SERVICES FOR MENTAL HEALTH CLINIC AND
PROS PROGRAM AND AFTER HOURS ON-CALL SERVICES AND
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
(Department of Community Services)**

Pursuant to Section 41.13(a)(6) of the Mental Hygiene Law and
Sections 363, 366 and 450 of the County Law.

I. WHEREAS, Act 674-2015 authorized a contract with Cattaraugus Community Action, Inc., for the provision of various therapy and support services for Department of Community Services mental health clinic, PROS Program, including after hours on-call crisis services and mobile transitional services, the term of which expires December 31, 2016, and

II. WHEREAS, the Cattaraugus County Community Services Board is desirous of amending the aforementioned contract to add one (1) full-time social worker for the provision of mental health services in the Olean City School District, and

III. WHEREAS, Cattaraugus Community Action, Inc., 25 Jefferson Street, Salamanca, New York 14779, will provide one (1) additional social worker for the provision of mental health services in the Olean City School District for an additional amount of \$22,068.00 commencing August 22, 2016, and

IV. WHEREAS, the cost of these services is covered through a combination of state aid, billable insurance, and County funds, and

V. WHEREAS, various appropriation and revenue accounts must be adjusted to cover the cost of the additional services, 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 Cattaraugus Community Action, Inc., to signify the County's approval, for the provision of the above-described services, the original term of which commenced January 1, 2016 and terminates December 31, 2016, 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 Accounts:

A.431.4335.2100.2705.13	Clinic-Gifts & Donations-School Districts MSW	\$ 3,333.00
A.431.4335.2100.1620.02	Clinic-MH Fees: Medicaid	\$ 5,214.00
A.431.4335.2100.1620.03	Clinic-MH Fees: Third Parties	\$ 3,600.00
A.431.4335.2100.1620.04	Clinic-MH Fees: Private Pay	\$ 484.00
A.431.4335.2100.1620.08	Clinic-MH Fees: Managed Care	\$ 9,437.00

Increase Appropriation Account:

A.431.4335.2100.41229

Clinic-Social Worker Contracted

\$22,068.00.

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"/>

**APPROVING CONTRACTS BETWEEN
CATTARAUGUS COUNTY COMMUNITY SERVICES BOARD AND
OLEAN CITY SCHOOL DISTRICT FOR
MENTAL HEALTH SOCIAL WORKER SERVICES**

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

I. WHEREAS, the Olean City School District, 410 West Sullivan Street, Olean, New York 14760, is desirous of obtaining the services of a social worker for the provision of mental health services in the following locations:

- * East View Elementary
- * Washington West Elementary
- * Olean Middle/High School,

and

II. WHEREAS, the County Department of Community Services is desirous of providing one (1) full-time social worker in the Olean City School District for the provision of mental health services for an amount of \$13,333.00, to be paid by the Olean City School District to the County, as follows:

\$3,333.00	8/29/2016 – 12/31/2016
\$10,000.00	1/1/2017 – 12/31/2017,

and

III. WHEREAS, the Olean City School District shall contribute an amount of \$10,000.00 per year and provide an office, a family meeting room, a phone line and furniture for the County's staff social worker at no cost to the County, now, therefore, be it

I. RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, between the Cattaraugus County Community Services Board and the Olean City School District, to signify the County's approval, for the provision of the above-described services, for a term commencing August 29, 2016 and terminating December 31, 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"/>	

**DEFERRED COMPENSATION COMMITTEE RESOLUTION
TO ADOPT FUND CHANGES**

Pursuant to Section 405 of the County Law and
Section 5 of the State Finance Law.

I. WHEREAS, the Cattaraugus County Deferred Compensation Committee is required from time-to-time to review fund options within the Cattaraugus County 457 Deferred Compensation Plan, and

II. WHEREAS, the Cattaraugus County Deferred Compensation Committee previously met and discussed, and now recommends certain fund option alternatives, including replacing the MFS High Income Fund with the Premier Babson Cap High Yield Fund, and the Davis NY Venture with the Hartford Cap App HLS, now, therefore, be it

I. RESOLVED, that effective immediately, Cattaraugus County hereby adopts the fund changes described above, and be it further

II. RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute all documents necessary, on behalf of Cattaraugus County, with MassMutual Retirement Services, for the fund changes described above.

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 checked="" type="checkbox"/>	Strategic Planning	<input type="checkbox"/>
Co. Operations/Public Safety			<input type="checkbox"/>

**DEFERRED COMPENSATION COMMITTEE RESOLUTION
TO ADOPT SCHEDULE "A"**

Pursuant to Section 405 of the County Law and
Section 5 of the State Finance Law.

- I. WHEREAS, the Cattaraugus County Deferred Compensation Committee is required from time-to-time to adopt certain optional Plan amendments and provisions, and
- II. WHEREAS, the Cattaraugus County Deferred Compensation Committee recently met and discussed certain optional Plan revisions, including a Roth 457 Program, as included as Appendix A below, and
- III. WHEREAS, the Cattaraugus County Deferred Compensation Committee recommends the adoption of Schedule A to accompany its Model Plan, now, therefore, be it
- I. RESOLVED, that effective immediately, Cattaraugus County hereby adopts the Optional Plan revisions attached hereto as Schedule A.

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 checked="" type="checkbox"/>	Strategic Planning	<input type="checkbox"/>
Co. Operations/Public Safety			<input type="checkbox"/>

SCHEDULE A

Effective date of last completion or amendment of this Schedule A: 5/10/2011

Instructions

This Schedule A and all later amendments to this Schedule A are part of the Plan document and should remain attached to the Plan document.

Schedule A is used by the Committee (1) TO ACTIVATE or TERMINATE optional Plan provisions described below, (2) TO MODIFY the default provisions of the Plan described below or (3) TO INDICATE that the default provisions described below will continue to apply under the Plan.

Each section of this Schedule A must be completed by the Committee in connection with the adoption of this amendment and restatement of the Plan. All selections made shall remain effective until this Schedule A is later amended by the Committee.

All section references refer to the corresponding sections of the Plan and all defined terms have the meanings ascribed to them in the Plan.

Committee Elections – Optional Plan Provisions

3.1(c) ROTH PROGRAM

Section 3.1(c) of the Plan permits Roth Contributions only if the Committee checks YES below. The Committee must also indicate below the effective date of this election. The Committee should check NO below to indicate that Roth Contributions will not be permitted under the Plan or, at a later time, to change prospectively (as of a specified effective date) a prior election under this section.

The Plan shall maintain a Roth Program under which Participants may make Roth Contributions to the Plan, which Roth Contributions will be made and separately accounted for in compliance with the relevant provisions of the Plan and the Code.

☒ YES

☐ NO

Effective date: June 22, 2016 (Date of Legislature resolution)

**DEFERRED COMPENSATION COMMITTEE RESOLUTION
TO ADOPT A FIDUCIARY ASSURE SERVICE**

Pursuant to Section 405 of the County Law and
Section 5 of the State Finance Law.

I. WHEREAS, the Cattaraugus County Deferred Compensation Committee is required from time-to-time to review fund options within the Cattaraugus County 457 Deferred Compensation Plan, and

II. WHEREAS, the Cattaraugus County Deferred Compensation Committee previously met and discussed, and now recommends using a third-party Fiduciary Assure Service in order to have period reviews of all of the funds, now, therefore, be it

I. RESOLVED, that effective immediately, Cattaraugus County hereby adopts the Fiduciary Assure Service through Envestnet Retirement Solutions, LLC, within the Cattaraugus County Deferred Compensation Plan, and be it further

II. RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute all documents necessary, on behalf of Cattaraugus County, with Envestnet Retirement Solutions, LLC, as described above.

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 checked="" 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 OF INDIGENT LEGAL SERVICES FOR
INDIGENT LEGAL SERVICES FUNDING AND
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
(January 1, 2015 – December 31, 2017 Grant - Round 5)**

Pursuant to Article 30 of the Executive Law,
Article 18-B and Sections 363, 366 and 450 of the County Law.

- I. WHEREAS, the New York State Office of Indigent Legal Services has announced that it is accepting proposals for a three-year distribution of funds from the Indigent Legal Services Fund (ILSF) for the period January 1, 2015 through December 31, 2017, and
- II. WHEREAS, a three-year plan must be submitted to the Office of Indigent Legal Services which demonstrates that the funding provided will be utilized to improve the quality of legal representation under Article 18-B of the County Law, and
- III. WHEREAS, Cattaraugus County has been notified that it shall receive an amount of \$161,466.00 per year for three (3) years, for a total three-year grant in the amount of \$484,398.00 for the period January 1, 2015 through December 31, 2017, and
- IV. WHEREAS, the application for the aforementioned funding shall reflect the following proposed uses as have been agreed upon by the Public Defender, the Administrator of Assigned Counsel and Legal Assistance of Western New York, with the approval of the County Administrator:

<u>Description</u>	<u>3 Year Total</u>
3/4 Time Family Court Paralegal Position at LawNY (Southern Tier Legal Services), Office Space and Office Equipment	\$ 82,329.00
1/2 Time Social Worker/Mitigation Specialist Position at Public Defender's Office, Office Equipment, Office Expenses, Training and Continuing Education	\$ 89,400.00
Pay Parity for Public Defender	\$285,656.00
Training/Evaluation Contract with Erie County Bar Association Aid to Indigent Prisoners Society, Inc. for Assigned Counsel Program	\$ 22,500.00
Equipment Purchases and Updates for Public Defender Offices and	\$ 4,513.00

- V. WHEREAS, it is in the best interests of Cattaraugus County to submit the aforementioned three-year proposal and apply for the ILSF funding at no cost to the County, and
- VI. WHEREAS, various appropriation and revenue accounts must be adjusted, now, therefore, be it
- I. RESOLVED, that the Public Defender's Office, with the agreement of the Administrator of Assigned Counsel and Legal Assistance of Western New York, and subject to the advice and consent of the Cattaraugus County Administrator, be, and hereby is, authorized and directed to submit to the NYS Office of

Indigent Legal Services a three-year proposal for its proposed use of the aforementioned funds within the parameters set forth herein, and be it further

II. RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute grant documents and a contract, on behalf of Cattaraugus County, with the New York State Office of Indigent Legal Services, in order to apply, accept and receive the aforementioned Round 5 grant funds, and commit Cattaraugus County to their use as prescribed by such office, for a term commencing January 1, 2015 through December 31, 2017, according to the above-described terms, and be it further

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

IV. 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

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

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

Increase Estimated Revenue Account:

A.117.1170.1181.3025	State Aid, ILS Fund	\$161,466.00
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Increase Appropriation Accounts:

A.117.1170.1181.11000	Full-Time Wages	\$ 75,094.00
A.117.1170.1181.12000	Part-Time Wages	\$ 21,346.00
A.117.1170.1181.20006	Computer Equipment/Software	\$ 2,900.00
A.117.1170.1181.40401.1	Assigned Counsel Legal Aid of WNY, Inc.	\$ 27,477.00
A.117.1170.1181.40401.3	Erie Co. Bar Association Assigned Counsel Plan	\$ 7,500.00
A.117.1170.1181.41404	Internet Contracts	\$ 481.00
A.117.1170.1181.46106	Training	\$ 2,500.00
A.117.1170.1181.46108	Cellular Phone Charges	\$ 719.00
A.117.1170.1181.47002	Office Supplies	\$ 1,586.00
A.117.1170.1181.81000	FICA	\$ 7,378.00
A.117.1170.1181.82000	Retirement	\$ 14,485.00.

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 checked="" type="checkbox"/>	Strategic Planning	<input type="checkbox"/>
Co. Operations/Public Safety	<input checked="" type="checkbox"/>		

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
ALLEGANY COUNTY AND CATTARAUGUS–ALLEGANY WORKFORCE
INVESTMENT BOARD, INC. FOR WORKFORCE INNOVATION AND OPPORTUNITY SERVICES**

Pursuant to Section 117(d)(3) of the Workforce
Investment Act of 1998 and 29 USCS 2832 (d)(3).

I. WHEREAS, Act 268-2014 authorized a contract with Allegany County and the Cattaraugus-Allegany Workforce Investment Board, Inc., the term of which expires June 30, 2016, and

II. WHEREAS, the purpose of the aforementioned contract was to define and delineate the functions, powers, duties, relationships and operating procedures of the grant recipient, the Workforce Investment Board and the chief elected officials of Allegany and Cattaraugus Counties, in order to facilitate the provision of policy guidance for, and the exercise of oversight of, the Workforce Investment Act, and

III. WHEREAS, the parties are desirous of continuing the aforementioned services, and

IV. WHEREAS, an agreement is necessary with Allegany County and the Cattaraugus–Allegany Workforce Investment Board, Inc., to authorize the funding streams which are currently being received by the County, or which are anticipated to be received by the County in conjunction with the Workforce Investment System, to flow to the Workforce Investment Board, Inc., 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 Allegany County and the Cattaraugus–Allegany Workforce Investment Board, Inc., for the provision of the above-described services and funding, for a term commencing upon concurrent acceptance by the counties and subsequent signature by the Chief Elected Officials of Allegany and Cattaraugus Counties, 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"/>

**LOCAL LAW NUMBER 6 - 2016
COUNTY OF CATTARAUGUS, NEW YORK**

Pursuant to Section 10 of the Municipal Home Rule Law.

**A LOCAL LAW AMENDING LOCAL LAW NUMBER 5-1985
(INTRO NUMBER 10-1985), AS AMENDED, REGARDING THE POSITION
OF COUNTY ADMINISTRATOR**

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

SECTION 1. Legislative Intent. It is the intent of this Local Law to clarify the powers and duties of the County Administrator.

SECTION 2. Amendment of Local Law Number 5-1985 (Intro Number 10-1985), as amended. Section 4. Powers and Duties. Local Law Number 5-1985 (Intro Number 10-1985), as amended by Local Law Number 4-2008 (Intro Number 5-2008), is hereby further amended as follows: In Section 4, delete subsection 23 and renumber old subsection "24" to "23".

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 checked="" type="checkbox"/>	Strategic Planning	<input type="checkbox"/>
Co. Operations/Public Safety			<input type="checkbox"/>

AUTHORIZING PUBLIC HEARING ON LOCAL LAW NUMBER 6 - 2016

Pursuant to Section 20 of the Municipal Home Rule Law.

I. WHEREAS, there has been duly presented and introduced at a meeting of this Legislature held on June 22, 2016, a proposed Local Law entitled "A Local Law Amending Local Law Number 5-1985 (Intro Number 10-1985), as amended, Regarding the Position of County Administrator", 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 13th day of July, 2016, at 4:02 p.m. at the Legislature's Chambers, County Office 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 checked="" type="checkbox"/>	Strategic Planning	<input type="checkbox"/>
Co. Operations/Public Safety			<input type="checkbox"/>

**REPEALING ACT 184-2009 REGARDING POSITION VALUE SYSTEM FOR DEPARTMENT HEAD
AND LEGISLATIVE APPOINTMENT EVALUATIONS FOR SALARY INCREASES**

Pursuant to Section 205 of the County Law.

I. WHEREAS, Act 184-2009 established a position value system for associating department head and legislative appointment salary increases to a performance evaluation based system as directed by Local Law Number 4-2008 (Intro Number 5-2008), as amended, and

II. WHEREAS, Local Law Number 6-2016 repeals the requirement for evaluations to be conducted on an annual basis, and

III. WHEREAS, Act 184-2009 should be repealed, now, therefore, be it

I. RESOLVED, that Act 184-2009 be, and hereby is, repealed effective 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 checked="" type="checkbox"/>	Strategic Planning	<input type="checkbox"/>
Co. Operations/Public Safety			<input type="checkbox"/>