



CATTARAUGUS COUNTY

John R. Searles, County Administrator

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The Legislature of Cattaraugus County will meet in adjourned session at the County Center, Little Valley, New York, on **Wednesday, July 13, 2016**, for the transaction of such business as may properly come before the meeting.

Contingent Fund Balance: \$84,240

4:00 p.m. CALL TO ORDER
 ROLL CALL
 INVOCATION
 MINUTES OF PREVIOUS MEETING
 COMMUNICATIONS
 PRIVILEGE OF THE FLOOR
 – *Public Hearing - Local Law Number 5-2016*
 – *Public Hearing – Local Law Number 6-2016*
 RESOLUTIONS READY FOR ACTION
 RESOLUTIONS – IMMEDIATE CONSIDERATION
 UNFINISHED BUSINESS
 ADJOURNMENT

.....

ACT NO.

RESOLUTIONS NOT READY FOR ACTION

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) (***Referred at June 22, 2016 Board Meeting***)
Held in Finance, County Operations/Public Safety and Labor Relations

334-16

Ms. Vickman and Mrs. Labuhn
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH WESTCOM SOLUTIONS, INC. D/B/A POINTCLICKCARE FOR ELECTRONIC MEDICAL RECORDS SYSTEM AND ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS (Department of Nursing Homes)
Held in Finance and Human Services

336-16

Human Services Committee: Ms. Vickman, Mrs. Labuhn, Mr. Breton, Mr. Helmich, Mr. Neal and Ms. Hastings
CREATING TWO (2) POSITIONS OF CASEWORKER AND ESTABLISHING COMPENSATION FOR THE SAME (Department of Social Services)
Held in Finance and Labor Relations

RESOLUTIONS READY FOR ACTION

- 292-16 Mrs. Stockman
LOCAL LAW NUMBER 5-2016 – A LOCAL LAW AMENDING LOCAL LAW NO. 22-2008 (INTRO NUMBER 21-2003) REGARDING FEES FOR PROCESSING CERTAIN TAX TITLE PROPERTY
Approved by 5 Finance and 7 County Operations/Public Safety
- 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
Approved by 4 Finance and 4 Labor Relations
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- 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
Additional sponsor: Ms. Hastings
Approved by 7 Finance and 5 Human Services
- 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
Approved by 5 Finance and 4 Human Services
- 319-16 Mr. Klancer and Mr. Koch
BID ACCEPTANCE FOR PRIMARY GRINDING OF GREEN WASTE (Department of Public Works)
Approved by 6 Finance and 7 Public Works
- 320-16 Mr. Klancer and Mr. Koch
BID ACCEPTANCE FOR 2016 BRIDGE DECK REPLACEMENT PROGRAM (Department of Public Works)
Approved by 6 Finance and 7 Public Works
- 321-16 Mr. Klancer and Mr. Koch
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH GREENMAN-PEDERSEN, INC. FOR CONSTRUCTION INSPECTION SERVICES FOR 2016 BRIDGE DECK REPLACEMENT PROGRAM
Approved by 6 Finance and 7 Public Works
- 322-16 Mr. Klancer and Mr. Koch
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH NEW YORK STATE UNIFIED COURT SYSTEM FOR COUNTY COURTROOM RENOVATION PROJECT AND ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS (Department of Public Works)
Approved by 6 Finance and 7 Public Works
- 323-16 Mr. Klancer and Mr. Koch
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH LABELLA ASSOCIATES, D.P.C. FOR COUNTY COURTROOM RENOVATION PROJECT ARCHITECTURAL AND ENGINEERING SERVICES
Approved by 6 Finance and 7 Public Works

- 324-16 Mr. Klancer and Mr. Koch
AUTHORIZING THE CHAIR TO EXECUTE LEASE DOCUMENTS WITH JAMES B. SCHWAB CO., INC.
AND FINANCING DOCUMENTS WITH US BANK EQUIPMENT FINANCE FOR DEPARTMENT OF
PUBLIC WORKS WIDE FORMAT IMAGING SYSTEM
Approved by 6 Finance and 7 Public Works
- 325-16 Ms. Vickman and Mrs. Labuhn
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH DAVID F. TESSMER, D/B/A DT
COMPLIANCE, FOR ENGINEERING SERVICES FOR DEPARTMENT OF NURSING HOMES
WASTEWATER SAMPLING
Approved by 6 Finance, 6 Human Services and 6 Public Works
- 326-16 Ms. Vickman and Mrs. Labuhn
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT AMENDMENT WITH NEW YORK STATE
DEPARTMENT OF HEALTH FOR IMMUNIZATION CONSORTIUM REIMBURSEMENT – COLA
Approved by 6 Finance and 7 Human Services
- 327-16 Ms. Vickman and Mrs. Labuhn
AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH NEW YORK STATE
DEPARTMENT OF HEALTH FOR CHILDREN WITH SPECIAL HEALTH SERVICES NEEDS (CSHSN)
(COLA)
Approved by 6 Finance and 7 Human Services
- 328-16 Ms. Vickman and Mrs. Labuhn
AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH NEW YORK STATE
DEPARTMENT OF HEALTH FOR RABIES PROGRAM REIMBURSEMENT
Approved by 6 Finance and 7 Human Services
- 329-16 Ms. Vickman and Mrs. Labuhn
AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH NEW YORK STATE
DEPARTMENT OF HEALTH FOR HEALTH DEPARTMENT CHILDHOOD LEAD POISONING
PREVENTION PROGRAM
Approved by 6 Finance and 7 Human Services
- 330-16 Ms. Vickman and Mrs. Labuhn
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH NEW YORK STATE DEPARTMENT OF
HEALTH FOR ADOLESCENT TOBACCO USE PREVENTION ACT ENFORCEMENT PROGRAM
Additional sponsor: Ms. Hastings
Approved by 6 Finance and 6 Human Services
- 331-16 Ms. Vickman and Mrs. Labuhn
AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH NEW YORK STATE
DEPARTMENT OF HEALTH FOR FAMILY PLANNING PROGRAMS
Approved by 6 Finance and 6 Human Services
- 332-16 Ms. Vickman and Mrs. Labuhn
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH FIELDS RESEARCH, INC. FOR
DEPARTMENT OF HEALTH HH-CAHPS SURVEY
Approved by 6 Finance and 6 Human Services

- 333-16 Ms. Vickman and Mrs. Labuhn
AUTHORIZING THE CHAIR TO EXECUTE CONTRACTS WITH VARIOUS ENTITIES FOR HEALTH HOME SERVICES
Approved by 6 Finance and 6 Human Services
- 335-16 Ms. Vickman and Mrs. Labuhn
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH LABORATORY CORPORATION OF AMERICA HOLDINGS (LABCORP) FOR DEPARTMENT OF SOCIAL SERVICES GENETIC PARENTAGE TESTING SERVICES
Approved by 6 Finance and 6 Human Services
- 337-16 Ms. Vickman and Mrs. Labuhn
APPROVING AMENDED CONTRACT BETWEEN CATTARAUGUS COUNTY COMMUNITY SERVICES BOARD AND NEW YORK STATE CATHOLIC HEALTH PLAN, INC. D/B/A FIDELIS CARE NEW YORK FOR BEHAVIORAL HEALTH SERVICES THROUGH DEPARTMENT OF COMMUNITY SERVICES
Approved by 6 Finance and 6 Human Services
- 338-16 Ms. Vickman and Mrs. Labuhn
AUTHORIZING APPLICATION BETWEEN CATTARAUGUS COUNTY COMMUNITY SERVICES BOARD AND WELLCARE OF NEW YORK, INC. FOR DEPARTMENT OF COMMUNITY SERVICES MENTAL HEALTH SERVICES PROVIDED THROUGH MANAGED CARE PROVIDER PROGRAM
Approved by 6 Finance and 6 Human Services
- 339-16 Ms. Vickman and Mrs. Labuhn
ADJUSTING VARIOUS APPROPRIATION ACCOUNTS (Department of Community Services)
Approved by 6 Finance and 6 Human Services
- 340-16 Ms. Vickman and Mrs. Labuhn
APPROVING CONTRACT BETWEEN CATTARAUGUS COUNTY COMMUNITY SERVICES BOARD AND TRACEY FOWLER FOR DEPARTMENT OF COMMUNITY SERVICES PSYCHIATRIC NURSE PRACTITIONER SERVICES FOR CLIENTS IN THE MENTAL HEALTH CLINIC
AMENDED: in the 2nd Whereas, delete "140", replace with "112"; delete \$15,400.00", replace with "\$12,320.00"; in the 1st Resolved, delete "August", replace with "September"
Approved by 6 Finance and 6 Human Services
- 341-16 Ms. Vickman and Mrs. Labuhn
AUTHORIZING THE CHAIR TO EXECUTE GRANT DOCUMENTS WITH NEW YORK STATE OFFICE OF MENTAL HEALTH FOR OMH HEALTH INFORMATION TECHNOLOGY FUNDING AND ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS (Department of Community Services)
Approved by 6 Finance and 6 Human Services
- 342-16 County Operations/Public Safety Committee: Mr. Neal, Mr. Padlo, Mr. Boberg, Mr. Klancer, Mr. Snyder, Jr., Mr. VanRensselaer and Mr. Koch
CREATING ONE (1) POSITION OF MEDICAL DIRECTOR, ESTABLISHING COMPENSATION FOR THE SAME AND ADJUSTING VARIOUS APPROPRIATION ACCOUNTS (Emergency Services Department)
Approved by 6 Finance and 4 Labor Relations

- 343-16 Mr. Neal
AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH CATTARAUGUS-ALLEGANY-ERIE-WYOMING BOCES FOR INMATE INSTRUCTIONAL SERVICES SECURITY
AMENDED: in the 2nd Whereas, delete “over the age of 21”, replace with “21 years of age or older,”
Approved by 5 Finance and 6 County Operations/Public Safety
- 344-16 Mr. Neal, Mr. Padlo, Mr. Boberg and Ms. Vickman
ABOLISHING ONE (1) POSITION OF DEPUTY SHERIFF, CREATING ONE (1) POSITION OF DEPUTY SHERIFF SERGEANT, ESTABLISHING COMPENSATION FOR THE SAME AND ADJUSTING VARIOUS APPROPRIATION ACCOUNTS (Sheriff’s Office)
Approved by 6 Finance, 7 County Operations/Public Safety and 4 Labor Relations
- 345-16 Mr. VanRensselaer and Mr. Keller
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH CHAUTAUQUA-ALLEGHENY REGION FOR 2016 MATCHING FUNDS PROGRAM
Approved by 6 Finance and 7 Development & Agriculture
- 346-16 Mr. VanRensselaer
AUTHORIZING PUBLIC HEARING FOR CONSOLIDATION OF AGRICULTURAL DISTRICT NOS. 1, 3, 4, 5, 6 AND 7 INTO CONSOLIDATED AGRICULTURAL DISTRICT NO. 5
Approved by 6 Finance and 7 Development & Agriculture
- 347-16 Mrs. Stockman and Ms. Vickman
UPDATING WORKPLACE VIOLENCE PREVENTION POLICY STATEMENT
Approved by 6 Finance and 4 Labor Relations
- 348-16 Mrs. Stockman, Mr. Snyder, Sr., Ms. Vickman, Mr. VanRensselaer, Mrs. Labuhn and Mr. Koch
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH GILROY, KERNAN & GILROY, INC. FOR BENEFITS PLAN MANAGEMENT SERVICES
Approved by 6 Finance and 4 Labor Relations
- 349-16 Mrs. Stockman
APPOINTMENT OF ELECTION COMMISSIONER
Approved by 6 Finance and 7 County Operations/Public Safety

**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.

**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.

**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.

**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.

**APPROVING CONTRACT BETWEEN CATTARAUGUS COUNTY COMMUNITY
SERVICES BOARD AND TRACEY FOWLER FOR
DEPARTMENT OF COMMUNITY SERVICES
PSYCHIATRIC NURSE PRACTITIONER SERVICES FOR CLIENTS
IN THE MENTAL HEALTH CLINIC**

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

- I. WHEREAS, the County Department of Community Services is in need of psychiatric nurse practitioner services for clients in the mental health clinic, and
- II. WHEREAS, Tracey Fowler, 26 North Pine Street, Port Allegany, Pennsylvania 16743, an independent contractor, can provide psychiatric nurse practitioner services to clients in the mental health clinic for an amount of \$110.00 per direct care hour, for a maximum of ~~140~~ **112** hours annually, not to exceed a total contract amount of ~~\$15,400.00~~ **\$12,320.00**, to be paid on a monthly basis, as invoiced, and
- III. WHEREAS, this program is funded through federal, state and local funds, 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 Tracey Fowler, to signify the County's approval, for the provision of the above-described services, for a term commencing ~~August~~ **September** 1, 2016 and terminating December 31, 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.

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH
CATTARAUGUS-ALLEGANY-ERIE-WYOMING BOCES FOR
INMATE INSTRUCTIONAL SERVICES SECURITY**

Pursuant to 8 NYCRR Part 118 and Section 450 of the County Law.

- I. WHEREAS, Act 342-2012 authorized a contract with BOCES for the provision of security services by the Sheriff's Office to be provided during the hours of instructional programs provided by BOCES to persons under 21 years of age who have not received a high school diploma and who have been incarcerated for a period of 10 or more calendar days in a County jail, and
- II. WHEREAS, BOCES would like to provide instructional services to adult inmates who are ~~over the age of~~ **21 21 years of age or older**, who have not received a high school diploma and who have been incarcerated for a period of 10 or more calendar days in a County jail, and
- III. WHEREAS, the County Sheriff's Office has agreed to provide security services during the hours of the aforementioned instructional programs provided by BOCES, and
- IV. WHEREAS, BOCES shall pay to the County an amount of \$16.30 per hour for security services provided during the hours of instructional programs for a maximum of 30 hours per week for 50 weeks per year, 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 Cattaraugus-Allegany-Erie-Wyoming BOCES, for the provision of the above-described services, for a term commencing July 1, 2016 to continue in full force and effect until terminated by either party hereto, with periodic rate adjustments as agreed upon between the parties, according to the above-described terms.