



- 387-09 Mr. Giardini and Mr. Ellis  
BID ACCEPTANCE FOR TRACTOR WITH LOADER AND ADJUSTING  
VARIOUS APPROPRIATION ACCOUNTS (Department of Public Works)
- 388-09 Mr. Giardini and Mr. Ellis  
BID ACCEPTANCE FOR PHASE I ELECTRICAL UPGRADE TO LITTLE  
VALLEY COUNTY CENTER (Department of Public Works)
- 389-09 Mr. Giardini and Mr. Ellis  
AUTHORIZING CHAIR TO EXECUTE EXPEDITED ENFORCEMENT  
COMPLIANCE ORDER AND SETTLEMENT AGREEMENT WITH UNITED  
STATES ENVIRONMENTAL PROTECTION AGENCY FOR UNDERGROUND  
STORAGE TANK FIELD CITATION
- 390-09 Mr. Giardini and Mr. Ellis, Mr. Vecchiarella and Mr. McClune  
AUTHORIZING THE CHAIR TO EXECUTE MODIFIED LEASE WITH SENECA  
NATION OF INDIANS FOR SALAMANCA REFUSE TRANSFER STATION  
SITE
- 391-09 Mr. Giardini and Mr. Ellis  
AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACT  
WITH NEW YORK STATE INDUSTRIES FOR THE DISABLED FOR OLEAN  
OFFICE FACILITY JANITORIAL SERVICES
- 392-09 Mrs. Abers and Mr. O'Brien  
CATTARAUGUS COUNTY IDENTITY THEFT PREVENTION POLICY
- 393-09 Mr. Snyder  
APPOINTMENT OF ADMINISTRATOR OF ASSIGNED COUNSEL FOR  
REPRESENTATION OF INDIGENT PERSON ACCUSED OF CRIME
- 394-09 Mr. Aiello, Mr. Snyder, Mr. Teachman, Mr. Padlo, Mr. Sprague and Mrs. Witte  
SALE OF TAX TITLE PROPERTY TO FORMER OWNERS (Town of Yorkshire  
and City of Olean)
- 395-09 Mr. Aiello and Mr. Snyder  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH LUTHER  
ROBINSON FOR FETAL ALCOHOL SYNDROME TRAINING FOR  
DEPARTMENT OF SOCIAL SERVICES
- 396-09 Mr. Aiello and Mr. Snyder  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH NEW YORK  
STATE DEPARTMENT OF HEALTH FOR CHILD FIND AND EARLY  
INTERVENTION PROGRAM ADMINISTRATION (EIP)
- 397-09 Mr. Aiello and Mr. Snyder  
AUTHORIZING MEMORANDUM OF UNDERSTANDING BETWEEN  
AMERICAN RED CROSS OF SOUTHWESTERN NY AND CATTARAUGUS  
COUNTY HEALTH DEPARTMENT FOR DISASTER ASSISTANCE AND  
RESCINDING ACT 242-2009
- 398-09 Mr. Aiello and Mr. Snyder  
AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACT  
WITH CITY OF OLEAN FOR RENTAL OF FRANCHOT PARK PAVILION FOR  
DEPARTMENT OF HEALTH WIC PICNIC

- 399-09 Mr. Neal and Mr. McClune  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH VA HEALTHCARE NETWORK UPSTATE NEW YORK FOR SOCIAL ADULT DAY CARE SERVICES FOR VETERANS
- 400-09 Mr. Vecchiarella  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT AND GRANT DOCUMENTS WITH NEW YORK STATE DIVISION OF PROBATION AND CORRECTIONAL ALTERNATIVES FOR PROBATION-ELIGIBLE FELONY OFFENDER DIVERSION INITIATIVE
- 401-09 Mr. Vecchiarella  
AUTHORIZING THE CHAIR TO EXECUTE MEMORANDUM OF UNDERSTANDING WITH NEW YORK STATE DIVISION OF PROBATION AND CORRECTIONAL ALTERNATIVES FOR PROBATION SERVICES STATE AID
- 402-09 Mr. Vecchiarella  
AUTHORIZING THE CHAIR TO EXECUTE GRANT DOCUMENTS THROUGH THE NEW YORK STATE DIVISION OF PROBATION AND CORRECTIONAL ALTERNATIVES FOR FUNDING FOR PROBATION VIOLATION RESIDENTIAL CENTERS
- 403-09 Mr. Burrell and Mr. Boser  
AUTHORIZING PUBLIC HEARING ON CATTARAUGUS COUNTY AGRICULTURAL DISTRICT NO. 3 (SOUTHWEST AGRICULTURAL DISTRICT EIGHT-YEAR REVIEW)
- 404-09 Mr. Burrell and Mr. Boser  
AUTHORIZING THE CHAIR TO EXECUTE GRANT APPLICATION WITH NEW YORK STATE OFFICE OF PARKS, RECREATION AND HISTORIC PRESERVATION FOR SNOWMOBILE TRAIL MAINTENANCE PROGRAM FUNDING
- 405-09 Mr. Burrell and Mr. Boser  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH RANDOLPH AREA COMMUNITY DEVELOPMENT CORPORATION FOR PRELIMINARY DEVELOPMENT OF NEW YORK AMISH TRAIL MARKETING CAMPAIGN
- 406-09 Mr. Snyder  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH NATIONAL MEDICAL SERVICES FOR COUNTY TOXICOLOGY LABORATORY SERVICES
- 407-09 Mr. Giardini and Mr. Ellis  
AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACT WITH U & S SERVICES, INC. FOR ANDOVER CONTROLS DIRECT DIGITAL CONTROL SYSTEM FOR PINES HEALTHCARE AND REHABILITATION CENTER – OLEAN CAMPUS
- 408-09 Mrs. Abers, Mr. Aiello, Mr. Burrell, Mr. Ellis, Mr. Marsh, Mr. O'Brien, Mr. Vecchiarella and Ms. Vickman  
AUTHORIZING THE CHAIR TO EXECUTE DOCUMENTS FOR PURCHASE OF FORMER ST. MARY'S CHURCH AND RECTORY IN THE VILLAGE OF LITTLE VALLEY FOR RELOCATION OF BOARD OF ELECTIONS AND ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS

- 409-09 Mrs. Abers, Mr. Aiello, Mr. Burrell, Mr. Ellis, Mr. Marsh, Mr. O'Brien, Mr. Vecchiarella and Ms. Vickman  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH TRAUTMAN KING MARKWART ASSOCIATES, P.C., ARCHITECTS AND ENGINEERS FOR ENGINEERING AND ARCHITECTURAL SERVICES FOR RELOCATION OF BOARD OF ELECTIONS AND ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
- 410-09 Mrs. Abers, Mr. Aiello, Mr. Burrell, Mr. Ellis, Mr. Marsh, Mr. O'Brien, Mr. Vecchiarella and Ms. Vickman  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH BIEL'S INFORMATION TECHNOLOGY SYSTEMS CORPORATION FOR SCANNING OF COUNTY CLERK MORTGAGES AND ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS (County Clerk's Office)
- 411-09 Mrs. Abers, Mr. Aiello, Mr. Burrell, Mr. Ellis, Mr. Marsh, Mr. O'Brien, Mr. Vecchiarella and Ms. Vickman  
AUTHORIZING THE CHAIR TO EXECUTE GRANT APPLICATION FOR COUNTY'S FIVE POINTS LANDFILL LEACHATE TREATMENT SYSTEM
- 412-09 Mrs. Abers, Mr. Aiello, Mr. Burrell, Mr. Ellis, Mr. Marsh, Mr. O'Brien, Mr. Vecchiarella and Ms. Vickman  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH WENDEL DUCHSCHERER ARCHITECTS & ENGINEERS, P.C. FOR COUNTY OFFICE BUILDINGS IMPROVEMENTS AND ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS (ARRA – Building Improvements)
- 413-09 Mrs. Abers, Mr. Aiello, Mr. Burrell, Mr. Ellis, Mr. Marsh, Mr. O'Brien, Mr. Vecchiarella and Ms. Vickman  
AUTHORIZING COMMISSIONER OF PUBLIC WORKS TO SOLICIT PROPOSALS FOR ENGINEERING SERVICES FOR NEXT PHASE OF COUNTY ROAD NO. 27 RECONSTRUCTION PROJECT
- 414-09 Mrs. Abers, Mr. Aiello, Mr. Burrell, Mr. Ellis, Mr. Marsh, Mr. O'Brien, Mr. Vecchiarella and Ms. Vickman  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH RAM DATA SYSTEMS FOR REAL PROPERTY TAX MANAGEMENT SYSTEM AND ADJUSTING VARIOUS APPROPRIATION ACCOUNTS (County Treasurer)
- 415-09 Mrs. Abers, Mr. Aiello, Mr. Burrell, Mr. Ellis, Mr. Marsh, Mr. O'Brien, Mr. Vecchiarella and Ms. Vickman  
TRANSFER OF FUNDS (COMPUTER SOFTWARE)
- 416-09 Mrs. Abers, Mr. Aiello, Mr. Burrell, Mr. Ellis, Mr. Marsh, Mr. O'Brien, Mr. Vecchiarella and Ms. Vickman  
AUTHORIZING THE CHAIR TO EXECUTE GRANT APPLICATION UNDER NEW YORK STATE GROW NY ENTERPRISE PROGRAM FOR FARMERS MARKET
- 417-09 Mrs. Abers, Mr. Aiello, Mr. Burrell, Mr. Ellis, Mr. Marsh, Mr. O'Brien, Mr. Vecchiarella and Ms. Vickman  
AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH NEW WORLD SYSTEMS FOR INTEGRATED FINANCIAL MANAGEMENT SOFTWARE AND MAINTENANCE AND ADJUSTING VARIOUS APPROPRIATION ACCOUNTS (ARRA – Software Project)

Committee referrals for the July 15, 2009 Committee meetings										
Act #	Finance	County Ops	DPW	Senior Services	Strategic Planning	Human Services	Develop. & Agriculture	Public Safety	Labor Relations	Comment
356	X					X			X	Referred back
376	X						X			Referred back
385	X		X							
386	X		X							
387	X		X							
388	X		X							
389	X		X							
390	X		X							
391	X		X							
392	X	X		X		X				
393	X							X		
394	X	X								
395	X					X				
396	X					X				
397	X					X		X		
398	X					X				
399	X			X						
400	X							X		
401	X							X		
402	X							X		
403	X						X			
404	X						X			
405	X						X			
406	X					X				
407	X			X						
408	X	X	X							
409	X		X							
410	X	X								
411	X		X							
412	X		X							
413	X		X							
414	X									
415	X									
416	X						X			
417	X									
TOTALS	35	5	11	3	0	7	5	5	1	

Mr. Snyder, Mr. Aiello, Mr. Marsh,  
Ms. Vickman, Mr. Giardini, Mr. Ward and Mrs. Witte

**ABOLISHING ONE (1) POSITION OF COMPUTER OPERATOR AND  
ONE (1) POSITION OF CLAIMS MANAGER IN DEPARTMENT OF  
SOCIAL SERVICES AND CREATING ONE (1) POSITION OF DATA ENTRY OPERATOR  
AND  
ONE (1) POSITION OF PRINCIPAL ACCOUNT CLERK IN THE DEPARTMENT OF  
SOCIAL SERVICES AND ESTABLISHING COMPENSATION FOR SAME**

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

I. WHEREAS, the Department of Social Services is desirous of restructuring both its Systems Support Unit and its Accounting Unit in order to be more effective and cost efficient in providing its services, and

II. WHEREAS, this restructuring requires the redistribution of its staff as well as changes in the essential functions, duties and responsibilities associated with certain positions which subsequently requires the abolition of certain positions and additionally requires the creation of certain other positions, and

III. WHEREAS, the New Position Duties Statements associated with these proposed new positions have been submitted to the Cattaraugus County Civil Service Commission, which has approved their titles in accordance with Section 22 of the Civil Service Law, now, therefore, be it

I. RESOLVED, that effective July 5, 2009 at 11:59 p.m., there is hereby abolished one (1) position of Computer Operator, in the Department Of Social Services, and be it further

II. RESOLVED, that effective July 6, 2009, there is hereby created one (1) position of Data Entry Operator, in the Department of Social Services, to be to be compensated at Grade 14 (\$14.32 - \$16.90 per hour) of the General Bargaining Unit Salary Schedule, and be it further

III. RESOLVED, that effective August 2, 2009 at 11:59 p.m., there is hereby abolished one (1) position of Claims Manager, in the Department Of Social Services, and be it further

IV. RESOLVED, that effective August 3, 2009, there is hereby created one (1) position of Principal Account Clerk, in the Department Of Social Services, to be compensated at Grade 19 (\$16.90 - \$20.18 per hour) of the General Bargaining Unit Salary Schedule.

***Referred back to Committees at June 24, 2009 Board Meeting***

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

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
VILLAGE OF CATTARAUGUS FOR FEASIBILITY STUDY FOR  
REUSE OF OLD CATTARAUGUS SCHOOL**

Pursuant to Section 119-o of the General Municipal Law,  
Section 99-h of the State Finance Law and  
Section 450 of the County Law.

I. WHEREAS, the County is in the process of foreclosing on the old school property on Jefferson Street in the Village of Cattaraugus, and

II. WHEREAS, the Village of Cattaraugus is interested in acquiring the old school property in the Village of Cattaraugus from the County, and

III. WHEREAS, the Village is in need of \$6,500 to conduct a feasibility study to determine the feasibility of converting the school into apartments, and

IV. WHEREAS, the Village has requested that the County provide the \$6,500 from the casino funds for the study, and

V. WHEREAS, sufficient funds are available in the economic development fund from the casino proceeds for this study, 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 Village of Cattaraugus, for the above-described purposes, according to the above-described terms, for a term commencing July 1, 2009 and terminating December 31, 2009.

***Referred to Committees at June 24, 2009 Board Meeting***

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

**BID ACCEPTANCE FOR PRECAST CONCRETE BOX CULVERT  
FOR FRANKLINVILLE CULVERT NO. 38**

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

I. WHEREAS, the Clerk of the Legislature was authorized to advertise for sealed bids for a precast concrete box culvert for Franklinville Culvert No. 38, according to specifications provided by the Public Works Committee, and

II. WHEREAS, the lowest responsible bid received meeting specifications for the aforementioned precast concrete box culvert, was the bid of Kistner Concrete Products, Inc., P.O. Box 218, 8713 Read Road, East Pembroke, New York 14056, for an amount of \$33,260, and

III. WHEREAS, sufficient funds are included in the 2009 budget to cover the costs of the aforementioned culvert, now, therefore, be it

I. RESOLVED, that the bid of Kistner Concrete Products, Inc., be, and the same hereby is, accepted, for a term commencing upon the signing of the contract documents and terminating 30 days after shop drawing approval, and be it further

II. RESOLVED, that the vouchers accordingly certified by the Commissioner of the Department of Public Works be audited by the Auditor and paid by the County Treasurer.

No State Bid.

Three sets of specifications were sent out.

Three submitted bids.

Resolution Referred to:

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



**BID ACCEPTANCE FOR 7500 GALLON TANK TRAILER  
AND ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS  
(Department of Public Works)**

Pursuant to Section 103 of the General Municipal Law and  
Sections 363 and 366 of the County Law.

I. WHEREAS, the Clerk of the Legislature was authorized to advertise for sealed bids for the purchase of one (1) new and unused 7500 gallon tank trailer, according to specifications provided by the Public Works Committee, and

II. WHEREAS, the lowest responsible bid received meeting specifications for one (1) new and unused 7500 gallon tank trailer, was the bid of Tri Tank Corp., 115 Farrell Road, Syracuse, New York 13209, for an amount of \$50,488, and

III. WHEREAS, various appropriation and revenue accounts must be adjusted, now, therefore, be it

I. RESOLVED, that the bid of Tri Tank Corp., be, and the same hereby is, accepted, for a term commencing July 23, 2009 and terminating August 30, 2009, 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, and be it further

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

Decrease Appropriation Accounts:

DM.5130.253	Backhoes (3)	\$48,579.66
DM.5130.277	Utility Truck with Crane	\$ 1,908.34
A.9522.952	Transfer to Road Machinery	\$50,488.00

Decrease Estimated Revenue Account:

DM.2810	Transfer from General Fund	\$50,488.00
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Increase Appropriation Account:

A.8162.250	Tank Trailer	\$50,488.00.
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No State Bid.

Eleven sets of specifications were sent out.  
Four bids were received.

Resolution Referred to:

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

**BID ACCEPTANCE FOR TRACTOR WITH LOADER AND  
ADJUSTING VARIOUS APPROPRIATION ACCOUNTS  
(Department of Public Works)**

Pursuant to Section 103 of the General Municipal Law and  
Sections 363 and 366 of the County Law.

I. WHEREAS, the Clerk of the Legislature was authorized to advertise for sealed bids for the purchase of one (1) new and unused 2008 or newer tractor with loader, according to specifications provided by the Public Works Committee, and

II. WHEREAS, the lowest responsible bid received meeting specifications for one (1) new and unused 2008 or newer tractor with loader, was the bid of Rodgers & Sons, Inc., 7406 North Road, Route 83, Cherry Creek, New York 14723, for an amount of \$23,400, and

III. WHEREAS, various appropriation accounts must be adjusted, now, therefore, be it

I. RESOLVED, that the bid of Rodgers & Sons, Inc., be, and the same hereby is, accepted, for a term commencing July 23, 2009 and terminating upon delivery, which is within thirty (30) days after receipt of order, 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, and be it further

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

Decrease Appropriation Account:

A.8160.253	Rolloff Trailer	\$2,707.00
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Increase Appropriation Account:

A.8160.255	Skidster	\$2,707.00.
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State Bid is higher than the bid submitted by Rodgers & Sons, Inc.  
Twelve sets of specifications were sent out.  
Four bids were received.

Resolution Referred to:

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

**BID ACCEPTANCE FOR PHASE I ELECTRICAL UPGRADE  
TO LITTLE VALLEY COUNTY CENTER  
(Department of Public Works)**

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

I. WHEREAS, Act 140-2009, as amended by Act 233-2009, authorized a contract with Wendel Duchscherer Architects & Engineers, for the provision of professional engineering services needed to upgrade the electrical systems at the Little Valley County Center, and

II. WHEREAS, the Clerk of the Legislature was authorized to advertise for sealed bids for electrical upgrades for the Little Valley County Center, according to specifications provided by the Public Works Committee, and

III. WHEREAS, the lowest responsible bid received meeting specifications for the Phase I electrical upgrade was the bid of CIR Electrical Construction Corp., 400 Ingham Avenue, Buffalo, New York 14218, in the amount of \$122,300, now, therefore, be it

I. RESOLVED, that the bid of CIR Electrical Construction Corp. be, and the same hereby is, accepted, for a final completion by February 26, 2010, 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.

Seven sets of specifications were sent out.

Seven bids were received.

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

**AUTHORIZING CHAIR TO EXECUTE EXPEDITED ENFORCEMENT COMPLIANCE  
ORDER AND SETTLEMENT AGREEMENT WITH  
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY FOR  
UNDERGROUND STORAGE TANK FIELD CITATION**

Pursuant to 42 USC Section 6991 et seq. and  
Section 450 of the County Law.

I. WHEREAS, Cattaraugus County is the owner of the Onoville Marina in the Town of South Valley, and

II. WHEREAS, the United States Environmental Protection Agency issued a violation for failing to maintain documentation of compliance with release detection requirements regarding an underground storage tank located at the Onoville Marina, West Bank Perimeter Road, Steamburg, New York 14783, and

III. WHEREAS, Cattaraugus County is desirous of correcting the above-described violation by submitting true and accurate documentation of the correction and submission to the U.S. Treasury of a fine in the amount of \$50, and

IV. WHEREAS, the County should execute an Expedited Enforcement Compliance Order and Settlement Agreement for Expedited Settlement No. II-UST-FC-547EC, now, therefore, be it

I. RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute an Expedited Enforcement Compliance Order and Settlement Agreement with the United States Environmental Protection Agency, and be it further

II. RESOLVED, that the Cattaraugus County Treasurer submit to the U.S. Treasury an amount of \$50 for payment of the above-described fine.

Resolution Referred to:

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

**AUTHORIZING THE CHAIR TO EXECUTE MODIFIED LEASE WITH  
SENECA NATION OF INDIANS FOR  
SALAMANCA REFUSE TRANSFER STATION SITE**

Pursuant to Sections 215 and 450 of the County Law.

I. WHEREAS, Act 223-1991 authorized a lease agreement with the Seneca Nation of Indians for the site on which the Salamanca Refuse Transfer Station is located, 289 Center Street, Salamanca, New York 14779, and

II. WHEREAS, the parties to the aforementioned lease agreement have recognized that the description of the leased premises contained in Lease No. CS-01787 is inaccurate and should be corrected, and

III. WHEREAS, the modification to the description of the premises is further necessary for the reconstruction of the Center Street Bridge by the New York State Department of Transportation, and

IV. WHEREAS, a modified lease should be executed between the County and the Seneca Nation of Indians, with all other terms and conditions remaining unchanged from Lease No. CS-01787 dated April 26, 1991, now, therefore, be it

I. RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a modified lease, on behalf of Cattaraugus County, with the Seneca Nation of Indians, for a term as described in Lease No. CS-01787.

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

**AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACT WITH  
NEW YORK STATE INDUSTRIES FOR THE DISABLED FOR  
OLEAN OFFICE FACILITY JANITORIAL SERVICES**

Pursuant to Section 162 of the State Finance  
Law and Act 432-2002 of the Cattaraugus County Legislature.

I. WHEREAS, Act 496-2007 authorized a contract with New York State Industries for the Disabled, 155 Washington Avenue, Suite 400, Albany, New York 12210, through SubCon Industries, Inc., for the provision of janitorial services for the Olean Office Facility, the term of which expires December 31, 2009, and

II. WHEREAS, County Department of Public Works is desirous of renewing the aforementioned contract for a term commencing January 1, 2010 and terminating December 31, 2011, and

III. WHEREAS, the New York State Industries for the Disabled, through SubCon Industries, Inc., has agreed to perform the aforementioned janitorial services at a cost not to exceed \$166,957.42 per year, with the option to increase if the minimum wage increases, now, therefore, be it

I. RESOLVED, that the County Administrator be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with New York State Industries for the Disabled, through SubCon Industries, Inc., for the provision of the above-described services, for a term commencing January 1, 2010 and terminating December 31, 2011, according to the above-described terms.

Resolution Referred to:

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

**CATTARAUGUS COUNTY IDENTITY THEFT PREVENTION POLICY**

Pursuant to 16 C.F.R. §681.2 and Section 153 of the County Law.

I. WHEREAS, the Fair and Accurate Credit Transactions Act of 2003, an amendment to the Fair Credit Reporting Act, required rules regarding identity theft protection to be promulgated, and

II. WHEREAS, those rules require certain businesses to implement an identity theft program and policy, and

III. WHEREAS, the Cattaraugus County Legislature has determined that the following policy is in the best interest of the County and its citizens, now, therefore, be it

I. RESOLVED, that the following is the Cattaraugus County Identity Theft Prevention Policy:

**CATTARAUGUS COUNTY  
IDENTITY THEFT PREVENTION POLICY**

**SECTION 1: BACKGROUND**

The risk to the County, its employees, customers, clients or patients from data loss and identity theft is of significant concern to the County and can be reduced only through the combined efforts of every employee and contractor.

**SECTION 2: PURPOSE**

2.1 Cattaraugus County adopts this sensitive information policy to help protect employees, customers, clients, patients, and the County from damages related to the loss or misuse of sensitive information.

2.2 This policy:

2.2.1 Defines sensitive information;

2.2.2 Describes the physical security of data when it is printed on paper;

2.2.3 Describes the electronic security of data when stored and distributed; and

2.2.4 Places the County in compliance with federal law regarding identity theft protection.

2.3 This policy enables the County to protect existing customers, clients and patients, to reduce risk from identity fraud, and to minimize potential damage to the County from fraudulent accounts. The policy will help the County:

2.3.1 Identify risks that signify potentially fraudulent activity within new or existing covered accounts;

2.3.2 Detect risks when they occur in covered accounts;

2.3.3 Respond to risks to determine if fraudulent activity has occurred and act if fraud has been attempted or committed; and

2.3.4 Update the policy periodically, including reviewing the accounts that are covered and the identified risks that are part of the program.

### **SECTION 3: SCOPE**

This policy applies to employees, contractors, consultants, temporary workers, and other workers at the County, including all personnel affiliated with third parties.

### **SECTION 4: SENSITIVE INFORMATION POLICY**

#### **4.1 Definition of Sensitive Information**

Sensitive information includes the following items whether stored in electronic or printed format:

##### **4.1.1 Credit card information, including any of the following:**

- .1 Credit card number (in part or whole)
- .2 Credit card expiration date
- .3 Cardholder name
- .4 Cardholder address.

##### **4.1.2 Tax identification numbers, including:**

- .1 Social Security number
- .2 Business identification number
- .3 Employer identification numbers.

##### **4.1.3 Payroll information, including, among other information:**

- .1 Paychecks
- .2 Pay stubs.

##### **4.1.4 Cafeteria plan check requests and associated paperwork.**

##### **4.1.5 Medical information for any employee or customer, client or patient, including but not limited to:**

- .1 Doctor names and claims
- .2 Insurance claims
- .3 Prescriptions
- .4 Any related personal medical information.

##### **4.1.6 Other personal information belonging to any customer, client, patient, employee or contractor, examples of which include:**

- .1 Date of birth
- .2 Address
- .3 Phone numbers
- .4 Maiden name
- .5 Names
- .6 Account, customer, client or patient number
- .7 Medicaid and Medicare numbers.

#### **4.2 Supervisor Review**



4.2.1 County personnel are encouraged to use common sense judgment in securing confidential information to the proper extent.

4.2.2 Furthermore, this section should be read in conjunction with Article 6 of the New York State Public Officers Law.

4.2.3 If an employee is uncertain of the sensitivity of a particular piece of information, then he/she should contact their supervisor.

#### 4.3 Hard Copy Distribution

Each employee and contractor performing work for the County will comply with the following policies:

4.3.1 File cabinets, desk drawers, overhead cabinets, and any other storage space containing documents with sensitive information will be closed when not in use.

4.3.2 Storage rooms containing documents with sensitive information and record retention areas will be locked at the end of each workday or when unsupervised.

4.3.3 Desks, workstations, work areas, printers and fax machines, and common shared work areas will be cleared of all documents containing sensitive information when not in use.

4.3.4 Whiteboards, dry-erase boards, writing tablets, and similar items in common shared work areas will be erased, removed, or shredded when not in use.

4.3.5 When documents containing sensitive information are discarded, they will be placed inside a shred bin or immediately shredded using a mechanical shredding device. A cross-cut device is preferable. County records, however, may only be destroyed in accordance with the County's Records Retention and Disposition Schedule available from the County Clerk.

#### 4.4 Electronic Distribution

Each employee and contractor performing work for the County will comply with the following policies:

4.4.1 Internally, sensitive information may be transmitted using approved County e-mail.

4.4.2 Any sensitive information sent externally must be sent only to approved recipients. Additionally, a statement such as this should be included in the e-mail:

*"This message may contain confidential and/or proprietary information and is intended for the person/entity to whom it was originally addressed. Any use by others is strictly prohibited."*

### **SECTION 5: RED FLAG IDENTITY THEFT PREVENTION PROGRAM (For Healthcare Departments Only)**

#### 5. Definitions.

##### 5.1 Covered accounts

A covered account includes any account that involves or is designed to permit multiple payments or transactions. Every new and existing patient account that meets the following criteria is covered by this program:

5.1.1 Business, personal and household accounts for which there is a reasonably foreseeable risk of identity theft; or

5.1.2 Business, personal and household accounts for which there is a reasonably foreseeable risk to the safety or soundness of the County from identity theft, including financial, operational, compliance, reputation, or litigation risks.

## 5.2 Red flags

5.2.1 The following red flags are potential indicators of fraud:

- .1 Alerts, notifications or warnings from a consumer reporting agency;
- .2 A fraud or active duty alert included with a consumer report;
- .3 A notice of credit freeze from a consumer reporting agency in response to a request for a consumer report; or
- .4 A notice of address discrepancy from a consumer reporting agency as defined in § 334.82(b) of the Fairness and Accuracy in Credit Transactions Act.

5.2.2 Red flags also include consumer reports that indicate a pattern of activity inconsistent with the history and usual pattern of activity of a patient, such as:

- .1 A recent and significant increase in the volume of inquiries;
- .2 An unusual number of recently established credit relationships;
- .3 A material change in the use of credit, especially with respect to recently established credit relationships; or
- .4 An account that was closed for cause or identified for abuse of account privileges by a financial institution or creditor.

5.2.3 Any time a red flag, or a situation closely resembling a red flag, is apparent, it should be investigated for verification.

## 5.3 Suspicious documents

5.3.1 Documents provided for identification that appear to have been altered or forged.

5.3.2 The photograph or physical description on the identification is not consistent with the appearance of the patient presenting the identification.

5.3.3 Other information on the identification is not consistent with information provided by the person opening a new covered account or patient presenting the identification.

5.3.4 Other information on the identification is not consistent with readily accessible information that is on file with the County, such as a signature card or a recent check.

- 5.3.5 An application appears to have been altered or forged, or gives the appearance of having been destroyed and reassembled.
- 5.4 Suspicious personal identifying information
  - 5.4.1 Personal identifying information provided is inconsistent when compared against external information sources used by the County. For example:
    - .1 The address does not match any address in the consumer report;
    - .2 The Social Security number (SSN) has not been issued or is listed on the Social Security Administration's Death Master File; or
    - .3 Personal identifying information provided by the patient is not consistent with other personal identifying information provided by the patient. For example, there is a lack of correlation between the SSN range and date of birth.
  - 5.4.2 Personal identifying information provided is associated with known fraudulent activity as indicated by internal or third-party sources used by the County. For example, the address on an application is the same as the address provided on a fraudulent application.
  - 5.4.3 Personal identifying information provided is of a type commonly associated with fraudulent activity as indicated by internal or third-party sources used by the County. For example:
    - .1 The address on an application is fictitious, a mail drop, or a prison; or
    - .2 The phone number is invalid or is associated with a pager or answering service.
  - 5.4.4 The SSN provided is the same as that submitted by other persons opening an account or other patients.
  - 5.4.5 The address or telephone number provided is the same as or similar to the address or telephone number submitted by an unusually large number of other patients or other persons opening accounts.
  - 5.4.6 The patient, or the person opening the covered account fails to provide all required personal identifying information on an application or in response to notification that the application is incomplete.
  - 5.4.7 Personal identifying information provided is not consistent with personal identifying information that is on file with the County.
  - 5.4.8 When using security questions (mother's maiden name, pet's name, etc.), the person opening the covered account or the patient cannot provide authenticating information beyond that which generally would be available from a wallet or consumer report.
- 5.5 Unusual use of, or suspicious activity related to, the covered account

- 5.5.1 Shortly following the notice of a change of address for a covered account, the County receives a request for new, additional, or replacement goods or services, or for the addition of authorized users on the account.
- 5.5.2 A new revolving credit account is used in a manner commonly associated with known patterns of fraud patterns. For example, the patient fails to make the first payment or makes an initial payment but no subsequent payments.
- 5.5.3 A covered account is used in a manner that is not consistent with established patterns of activity on the account. There is, for example:
- .1 Nonpayment when there is no history of late or missed payments;
  - .2 A material change in purchasing or usage patterns.
- 5.5.4 A covered account that has been inactive for a reasonably lengthy period of time is used (taking into consideration the type of account, the expected pattern of usage and other relevant factors).
- 5.5.5 Mail sent to the patient is returned repeatedly as undeliverable, although transactions continue to be conducted in connection with the patient's covered account.
- 5.5.6 The County is notified that the patient is not receiving paper account statements.
- 5.5.7 The County is notified of unauthorized charges or transactions in connection with a patient's covered account.
- 5.5.8 The County receives notice from patients, victims of identity theft, law enforcement authorities, or other persons regarding possible identity theft in connection with covered accounts held by the County.
- 5.5.9 The County is notified by a patient, a victim of identity theft, a law enforcement authority, or any other person that it has opened a fraudulent account for a person engaged in identity theft.

**SECTION 6: RESPONDING TO RED FLAGS**  
**(For Healthcare Departments Only)**

6.1 Once potentially fraudulent activity is detected, an employee must act quickly, as a rapid appropriate response can protect patients and the County from damages and loss.

- 6.1.1 Once potentially fraudulent activity is detected, gather all related documentation and write a description of the situation. Present this information to the immediate supervisor for determination.
- 6.1.2 The designated authority will complete additional authentication to determine whether the attempted transaction was fraudulent or authentic.

6.2 If a transaction is determined to be fraudulent, then appropriate actions must be taken immediately. Actions may include:

- 6.2.1 Canceling the transaction;
  - 6.2.2 Notifying and cooperating with appropriate law enforcement;
  - 6.2.3 Determining the extent of liability of the County;
  - 6.2.4 Notifying the actual patient that fraud has been attempted; and
  - 6.2.5 Notify County Department Head.
- 6.3 See attached chart for protocol.

**SECTION 7: PERIODIC UPDATES TO PLAN**  
**(For Healthcare Departments Only)**

- 7.1 At periodic intervals established in the program, or as required, the program will be re-evaluated by the Deputy County Administrator to determine whether all aspects of the program are up-to-date and applicable in the current environment.
- 7.2 Periodic reviews will include an assessment of which accounts are covered by the program.
- 7.3 As part of the review, red flags may be revised, replaced or eliminated. Defining new red flags may also be appropriate.
- 7.4 Actions to take in the event that fraudulent activity is discovered may also require revision to reduce damage to the County and its patients.

**SECTION 8: POLICY ADMINISTRATION**

- 8.1 Involvement of management
  - 8.1.1 The Identity Theft Prevention Policy is the responsibility of the Cattaraugus County Legislature.
  - 8.1.2 Operational responsibility of the policy is delegated to the Deputy County Administrator.
- 8.2 Staff training
  - 8.2.1 Staff training shall be conducted for all employees, officials and contractors for whom it is reasonably foreseeable that they may come into contact with accounts or personally identifiable information that may constitute a risk to the County or its patients.
  - 8.2.2 The Deputy County Administrator is responsible for ensuring identity theft training for all requisite employees and contractors.
  - 8.2.3 Employees must receive periodic training in all elements of this policy.
  - 8.2.4 To ensure maximum effectiveness, employees may continue to receive additional training as changes to the program are made.
  - 8.2.5 This policy shall be reviewed with new County employees as part of the orientation process.

### 8.3 Oversight of service provider arrangements

8.3.1 A service provider that maintains its own identity theft prevention program, consistent with the guidance of the red flag rules and validated by appropriate due diligence, may be considered to be meeting these requirements.

8.3.2 Any specific requirements should be specifically addressed in the appropriate contract arrangements.

**Attachment A**  
**(For Healthcare Departments Only)**

**Relevant Identity Theft Red Flags Mitigation and Resolution Procedures**

<b>IDENTITY THEFT RED FLAG</b>	<b>PREVENTION/MITIGATION PROCEDURE</b>	<b>RESOLUTION OF RED FLAG</b>
Documents provided for identification appear to have been altered or forged.	Stop the admissions/billing process and require applicant to provide additional satisfactory information to verify identity. Contact immediate supervisor.	Additional documentation must be provided to resolve discrepancy and continue admissions/billing process.
Personal identifying information provided by the patient is not consistent with other personal identifying information provided by the patient. For example, there is a lack of correlation between the Social Security Number (SSN) range and date of birth.	Stop the admissions/billing process and require applicant to provide additional satisfactory information to verify identity. Contact immediate supervisor.	Additional documentation must be provided to resolve discrepancy and continue admissions/billing process.
The SSN provided is the same as that submitted by other persons opening an account or other patients.	Stop the admissions/billing process and require patient to provide additional satisfactory information to verify identity. Contact immediate supervisor.	Additional documentation must be provided to resolve discrepancy and continue admissions/billing process.
Patient has an insurance number but never produces an insurance card or other physical documentation of insurance.	Stop the admissions/billing process and require applicant to provide additional satisfactory information to verify identity. Contact immediate supervisor.	Additional documentation must be provided to resolve discrepancy and continue admissions/billing process. Contact insurance company as necessary. If the results of the investigation do not indicate fraud, then all contact and identifying information is re-verified with patient.
Records showing medical or other treatment that is inconsistent with a physical examination or with a medical history as reported by the patient (e.g., inconsistent blood type).	Investigate complaint, interview individuals as appropriate, review previous files for potential inaccurate records. Items to consider include: blood type, age, race, and other physical descriptions may be evidence of medical identity theft. Contact immediate supervisor.	Depending on the inconsistency and review of previous file, either delay/ do not open a new covered account, or terminate services. If the results of the investigation do not indicate fraud, then all contact and identifying information is re-verified with patient.
Complaint/inquiry from an individual based on receipt of: <ul style="list-style-type: none"> <li>▪ a bill for another individual</li> <li>▪ a bill for a product or service that the patient denies receiving</li> <li>▪ a bill from a health care provider that the patient never patronized</li> <li>▪ a notice of insurance benefits (or Explanation of Benefits ) for health services never received.</li> </ul>	Investigate complaint, interview individuals as appropriate. Contact immediate supervisor.	Terminate treatment/credit until identity has been accurately resolved; refuse to continue attempting to collect on the account until identity has been resolved, or terminate treatment. Notify law enforcement as appropriate. If the results of the investigation do not indicate fraud, then all contact and identifying information is re-verified with patient.

Complaint/inquiry from a patient about information added to a credit report by a health care provider or insurer	Investigate complaint, interview individuals as appropriate. Contact immediate supervisor.	Terminate treatment/credit until identity has been accurately resolved or refuse to continue attempting to collect on the account until identity has been resolved. Notify law enforcement as appropriate. If the results of the investigation do not indicate fraud, then all contact and identifying information is re-verified with patient.
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Complaint or question from a patient about the receipt of a collection notice from a bill collector.	Investigate complaint, interview individuals as appropriate. Contact immediate supervisor.	Terminate treatment/credit until identity has been accurately resolved or refuse to continue attempting to collect on the account until identity has been resolved. Notify law enforcement as appropriate. If the results of the investigation do not indicate fraud, then all contact and identifying information is re-verified with patient.
Patient or insurance company report that coverage for legitimate services is denied because insurance benefits have been depleted or a lifetime cap has been reached.	Investigate complaint, interview individuals as appropriate. Contact immediate supervisor.	Additional documentation must be provided to resolve discrepancy and continue admissions/billing process. Contact insurance company as necessary. Notify law enforcement as appropriate. If the results of the investigation do not indicate fraud, then all contact and identifying information is re-verified with patient.
Mail sent to the patient is returned repeatedly as undeliverable although transactions continue to be conducted in connection with the patient's covered account.	Skip-tracing procedures are used to find the patient's current mailing address. Contact immediate supervisor.	Patient is found and contact information is updated.
County is notified by a patient, a victim of identity theft, a law enforcement authority, or any other person that it has opened a fraudulent account for a person engaged in identity theft.	Investigation to determine if billing was made fraudulently. Contact immediate supervisor.	Additional documentation must be provided to resolve discrepancy and continue admissions/billing process. Contact insurance company as necessary. Notify law enforcement as appropriate. If the results of the investigation do not indicate fraud, then all contact and identifying information is re-verified with patient.
Personal identifying information provided by the patient is associated with known fraudulent activity as indicated by internal or third-party sources used by the County. For example: <ul style="list-style-type: none"> <li>▪ The address on an application is the same as the address provided on a fraudulent application; or</li> <li>▪ The phone number on an application is the same as the number provided on a fraudulent application.</li> </ul>	Investigate complaint, interview individuals as appropriate. Contact immediate supervisor.	Terminate credit until identity has been accurately resolved or refuse to continue attempting to collect on the account until identity has been resolved. Notify law enforcement as appropriate. If the results of the investigation do not indicate fraud, then all contact and identifying information is re-verified with patient.

Resolution Referred to:

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

**APPOINTMENT OF ADMINISTRATOR OF ASSIGNED COUNSEL FOR  
REPRESENTATION OF INDIGENT PERSONS ACCUSED OF CRIME**

Pursuant to Section 205 of the County Law and  
Sections 722 and 722(e) of the County Law.

I. RESOLVED, that effective August 1, 2009, Linda Schnell, 637 Grandview Avenue, Olean, New York 14760, is hereby appointed Administrator of Assigned Counsel for the representation of indigent persons accused of crime in Cattaraugus County at a salary as has heretofore, or may hereafter be established, and be it further

II. RESOLVED, that the Clerk of the Legislature be, and hereby is, authorized and directed to forward certified copies of this resolution to the Honorable Chief Administrative Judge Ann Pfau, 25 Beaver Street, New York, New York 10004, and to the Honorable Administrative Judge Sharon S. Townsend, Eighth Judicial District, Erie County Hall, 92 Franklin Street, Buffalo, New York 14202.

Resolution Referred to:

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

**SALE OF TAX TITLE PROPERTY TO FORMER OWNERS  
(Town of Yorkshire and City of Olean)**

Pursuant to Section 215 of the County Law and  
Rule 40 of the Rules of Order of the  
Cattaraugus County Legislature.

I. WHEREAS, Cattaraugus County has tax title to certain property  
situate in the Town of Yorkshire and the City of Olean, as described below,  
and

II. WHEREAS, the former owners of the properties have offered to  
purchase the same at a cost which will cover the County's financial  
involvement in these premises, and

III. WHEREAS, the costs involved for these premises have been tendered  
to the County Treasurer's Office, now, therefore, be it

I. RESOLVED, that the County Treasurer be, and hereby is, authorized  
and directed, on behalf of Cattaraugus County, to execute County Treasurer's  
Deeds conveying these properties to the following individuals or entities:

**TOWN OF YORKSHIRE**

#	TAX MAP NO.	FORMER OWNER(S)	ADDRESS	COUNTY INVOLVEMENT
323	13.045-1-18.3	Irene Lander	11 South St. PO Box 402 Delevan, NY 14042	\$12,332.47

**CITY OF OLEAN**

#	TAX MAP NO.	FORMER OWNER(S)	ADDRESS	COUNTY INVOLVEMENT
247	94.073-7-37	Olean Lumber LLC	232 Barry St. S Olean, NY 14760	\$11,000.40

Resolution Referred to:

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

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
LUTHER ROBINSON FOR FETAL ALCOHOL SYNDROME TRAINING FOR  
DEPARTMENT OF SOCIAL SERVICES**

Pursuant to Title XX of the Social Security Act and  
Section 450 of the County Law.

I. WHEREAS, the County Department of Social Services is desirous of obtaining fetal alcohol syndrome training for county employees, and

II. WHEREAS, Luther Robinson, 2167 Como Park Boulevard, Lancaster, New York 14086, can provide a one day training on fetal alcohol syndrome for County employees for an amount of \$1,000, and

III. WHEREAS, the training shall include the following:

- an overview of fetal alcohol syndrome disorder (FASD), which will include FASD characteristics and the development of FASD children;
- evaluation processes, as well as established FASD response processes, procedures and possibilities; and
- local resources for FASD-affected children in western New York,

and

IV. WHEREAS, this program is provided through 50% federal and 25% state and 25% county funding, and

V. WHEREAS, sufficient funds are included in the 2009 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 Luther Robinson, for the provision of the above-described training, for a term commencing July 28, 2009 and terminating July 28, 2009, according to the above-described terms.

Resolution Referred to:

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

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
NEW YORK STATE DEPARTMENT OF HEALTH FOR CHILD FIND AND  
EARLY INTERVENTION PROGRAM ADMINISTRATION (EIP)**

Pursuant to Public Law 98-8 and Section 450 of the County Law.

I. WHEREAS, Act 107-2007 authorized the Chair to execute a five-year contract with the New York State Department of Health and various entities for the Child Find (Infant & Child Health Assessment Program) and the Early Intervention Program (EIP) administration, the term of which expires September 30, 2011, and

II. WHEREAS, Act 258-2008, amended by Act 149-2009, authorized the Chair to execute a contract with the New York State Department of Health and various entities for the above-described programs for approved funding in the amount of \$55,232 for the term October 1, 2008 and terminating September 30, 2009, and

III. WHEREAS, the New York State Department of Health, Bureau of Child and Adolescent Health, has approved funding in the amount of \$55,232 to the County Health Department to continue a system to gather quality information about children with special health care needs in Cattaraugus County for the period commencing October 1, 2009 and terminating September 30, 2010, and

IV. WHEREAS, a contract is necessary with the New York State Department of Health in order to obtain the aforementioned funding, and

V. WHEREAS, this program is 53% federal and 47% state funded, now, therefore, be it

I. RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with the New York State Department of Health, in order to obtain the aforementioned funding for the Child Find and Early Intervention Programs, for a term commencing October 1, 2009 and terminating September 30, 2010, according to the above-described terms.

Resolution Referred to:

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

**AUTHORIZING MEMORANDUM OF UNDERSTANDING BETWEEN  
AMERICAN RED CROSS OF SOUTHWESTERN NY  
AND CATTARAUGUS COUNTY HEALTH DEPARTMENT  
FOR DISASTER ASSISTANCE AND RESCINDING ACT 242-2009**

Pursuant to Section 450 of the County Law.

I. WHEREAS, the American Red Cross of Southwestern NY and the Cattaraugus County Health Department are desirous of collaborating together for the provision of disaster health and mental health services to communities affected by disasters, and

II. WHEREAS, the parties herein are desirous of entering into a Memorandum of Understanding to define the working relationship in preparing for, and responding to, disaster relief situations at all levels within Cattaraugus County, at no cost to the County, and

III. WHEREAS, the parties herein express their intent to collaborate as set forth in the April 2, 2009 memorandum issued jointly by the American Red Cross and the Office of the Civilian Volunteer Medical Reserve Corps, Office of the Surgeon General, Department of Health and Human Services, entitled "Local Partnerships Between American Red Cross and Medical Reserve Corps", now, therefore, be it

I. RESOLVED, that the Cattaraugus County Public Health Director hereby is, authorized and directed to execute a memorandum of understanding with the American Red Cross of Southwestern NY, for the provision of the above-described services, for a term commencing July 1, 2009 and terminating April 30, 2014, according to the above-described terms, and be it further

II. RESOLVED, that Act 242-2009 is hereby rescinded.

Resolution Referred to:

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

**AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACT WITH  
CITY OF OLEAN FOR RENTAL OF FRANCHOT PARK PAVILION FOR  
DEPARTMENT OF HEALTH WIC PICNIC**

Pursuant to Section 215 of the County Law and  
Act 432-2002 of the Cattaraugus County Legislature.

I. WHEREAS, Act 257-2008 authorized a contract with the City of Olean for the rental of Franchot Park Pavilion for the County Health Department's WIC picnic, the term of which expired August 1, 2008, and

II. WHEREAS, the County Health Department is desirous of using the Franchot Park Pavilion for the WIC picnic again on August 6, 2009, and

III. WHEREAS, the City of Olean has agreed to allow the County to use the Franchot Park Pavilion for an amount of \$55, and

IV. WHEREAS, sufficient funds are included in the 2009 budget to cover the costs of the aforementioned services, now, therefore, be it

I. RESOLVED, that the County Administrator be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with the City of Olean for the rental of the above-described park pavilion, for August 6, 2009, according to the above-described terms.

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

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
VA HEALTHCARE NETWORK UPSTATE NEW YORK FOR SOCIAL  
ADULT DAY CARE SERVICES FOR VETERANS**

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

I. WHEREAS, Act 646-2002 authorized a contract with the VA Healthcare Network Upstate New York, 3495 Bailey Avenue, Buffalo, New York 14215, for the provision of social adult day care services for veteran patients, the term of which has expired, and

II. WHEREAS, the VA Healthcare Network Upstate New York is desirous of continuing the provision of social adult day care services for its veteran patients, and

III. WHEREAS, the County Department of Aging has agreed to provide the aforementioned social adult day care services, for an amount of \$40 per day per veteran, at the Linwood Adult Day Center in Olean, 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 VA Healthcare Network Upstate New York, for the provision of the above-described services, for a term commencing August 1, 2009 and terminating July 31, 2010, according to the above-described terms.

Resolution Referred to:

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



**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT AND GRANT DOCUMENTS WITH  
NEW YORK STATE DIVISION OF PROBATION AND CORRECTIONAL ALTERNATIVES  
FOR PROBATION-ELIGIBLE FELONY OFFENDER DIVERSION INITIATIVE**

Pursuant to Chapter 54 of the Laws of 1996 and  
Section 450 of the County Law.

I. WHEREAS, Act 394-2008, as amended by Act 520-2008, authorized the Chair to execute contract with the New York State Division of Probation and Correctional Alternatives for the Probation-Eligible Felony Offender Diversion Initiative, the term of which expired December 31, 2008, and

II. WHEREAS, \$31,396 is available to the County Probation Department for the aforementioned program for the 2009 program year, and

III. WHEREAS, a grant application must be filed with the New York State Division of Probation and Correctional Alternatives in order to apply for the aforementioned grant funding, now, therefore, be it

I. 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 Department of Probation and Correctional Alternatives, in order to apply for, and accept, funding for the above-described 2009 program year, for a term commencing January 1, 2009 and terminating December 31, 2009, according to the above-described terms.

Resolution Referred to:

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

**AUTHORIZING THE CHAIR TO EXECUTE MEMORANDUM OF  
UNDERSTANDING WITH NEW YORK STATE DIVISION OF PROBATION AND  
CORRECTIONAL ALTERNATIVES FOR PROBATION SERVICES STATE AID**

Pursuant to 9 NYCRR Part 345 and Section 450 of the County Law.

I. WHEREAS, Act 439-2008 authorized a memorandum of understanding with the New York State Department of Probation and Correctional Alternatives for probation services state aid, the term of which expired December 31, 2008, and

II. WHEREAS, the projected state aid for the 2009 project period for the County Department of Probation is \$186,107, and

III. WHEREAS, the New York State Division of Probation and Correctional Alternatives is requesting the County execute a memorandum of understanding in order to receive state aid reimbursement, now, therefore, be it

I. RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a memorandum of understanding, on behalf of Cattaraugus County, with the New York State Division of Probation and Correctional Alternatives, in order to receive the above-described state aid reimbursement, for a term commencing January 1, 2009 and terminating December 31, 2009, according to the above-described terms.

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

**AUTHORIZING THE CHAIR TO EXECUTE GRANT DOCUMENTS THROUGH THE  
NEW YORK STATE DIVISION OF PROBATION AND CORRECTIONAL ALTERNATIVES  
FOR FUNDING FOR PROBATION VIOLATION RESIDENTIAL CENTERS**

Pursuant to American Recovery and Reinvestment Act of 2009  
(Public Law 111-5), 42 USC Section 3751(a) and  
Section 450 of the County Law.

I. WHEREAS, American Recovery and Reinvestment Act funding is available through the New York State Division of Probation and Correctional Alternatives for the expansion of probation violation residential centers in New York State, and

II. WHEREAS, the purpose of the aforementioned funding is to build a partnership with a community-based organization, as well as, build cooperative agreements with the surrounding county probation departments in an effort to provide the following:

- staffing directly responsible to provide identified evidence-based program services, including case monitoring and supervision;
- staffing who serve as part of an interagency team in the provision of evidence-based program services, including case monitoring and supervision;
- subcontracting with an evidence-based service provider,

and

III. WHEREAS, the New York State Division of Probation and Correctional Alternatives has issued a request for proposal (RFP) for the operation of regional probation violation residential centers to assist probation departments in stabilizing convicted felony drug offenders sentenced to probation who are engaging in noncompliant behaviors that have, or will likely result in the filing of a violation of probation and the possible commitment to state prison, and

IV. WHEREAS, the County Probation Department should submit a response to the RFP and apply for the above-described funding, and

V. WHEREAS, this program is provided through 50% federal and 50% state funding, now, therefore, be it

I. RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute grant documents, on behalf of Cattaraugus County, with the New York State Division of Probation and

Correctional Alternatives in order to submit an RFP and apply for the  
aforementioned funding, for a term commencing January 1, 2010 and  
terminating December 31, 2010, according to the above-described terms.

Resolution Referred to:

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

**AUTHORIZING PUBLIC HEARING ON  
CATTARAUGUS COUNTY AGRICULTURAL DISTRICT NO. 3  
(SOUTHWEST AGRICULTURAL DISTRICT)  
EIGHT-YEAR REVIEW**

Pursuant to Section 303 of the Agriculture and Markets Law.

I. WHEREAS, an eight-year review is required by the New York State Department of Agriculture and Markets on Cattaraugus County Agricultural District No. 3, locally known as the Southwest Agricultural District, and

II. WHEREAS, the Cattaraugus County Legislature has received the recommendations of the Agricultural and Farmland Protection Board on the Cattaraugus County Agricultural District No. 3 (Southwest Agricultural District) eight-year review, and

III. WHEREAS, a public hearing is necessary on the District under review, now, therefore, be it

I. RESOLVED, that the Cattaraugus County Legislature hereby authorizes a public hearing on the Cattaraugus County Agricultural District No. 3 (Southwest Agricultural District) to be held at the Cattaraugus County Center, 303 Court Street in the Village of Little Valley, on the 26th day of August at 3:00 p.m., and be it further

II. RESOLVED, that the notice of hearing be published in the area newspapers, posted in at least five (5) conspicuous places within the District, and mailed to the land owners affected by the District, to all municipalities affected by the District, and to the New York State Department of Environmental Conservation, the New York State Department of State and the Agricultural Resources Commission.

Resolution Referred to:

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

**AUTHORIZING THE CHAIR TO EXECUTE GRANT APPLICATION WITH NEW YORK  
STATE OFFICE OF PARKS, RECREATION AND HISTORIC PRESERVATION FOR  
SNOWMOBILE TRAIL MAINTENANCE PROGRAM FUNDING**

Pursuant to Article 27 of the Parks, Recreation and  
Historic Preservation Law and Section 450 of the County Law.

I. WHEREAS, Act 338-2008 authorized the Chair to apply for funding with the New York State Office of Parks, Recreation and Historic Preservation for snowmobile trail maintenance program funding for the 2008-2009 program year, and

II. WHEREAS, funding is again available through the New York State Office of Parks, Recreation and Historic Preservation for maintenance of snowmobile trails, and

III. WHEREAS, Cattaraugus County has been requested by the Cattaraugus County Snowmobile Federation to act as a local sponsor for the grant application, and

IV. WHEREAS, if the grant application is successful, then the legislature would consider legislation entering into contracts with either the Cattaraugus County Federation of Snowmobile Clubs, Inc. or the snowmobile clubs for the snowmobile trail maintenance, now, therefore, be it

I. RESOLVED, that the Chair of the Legislature, be, and hereby is, authorized and directed to execute a grant application, on behalf of Cattaraugus County, with the New York State Office of Parks, Recreation and Historic Preservation, for the 2009-2010 program year, according to the above-described terms.

Resolution Referred to:

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

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH RANDOLPH AREA COMMUNITY  
DEVELOPMENT CORPORATION FOR PRELIMINARY DEVELOPMENT OF  
NEW YORK AMISH TRAIL MARKETING CAMPAIGN**

Pursuant to Section 164 of the Economic Development Law,  
Section 99-h of the State Finance Law and  
Sections 363 and 365 of the County Law.

I. WHEREAS, Act 252-2009 designated Cattaraugus County as the lead agency for the Explore NY Matching Funds Grant for purposes of development of the Amish Trail Marketing Program, and

II. WHEREAS, the state has not yet converted the lead agency from the Randolph Area Community Development Corporation to Cattaraugus County, and

III. WHEREAS, funds are being expended by the Randolph Area Community Development Corporation to develop the marketing campaign, and

IV. WHEREAS, the County needs to contract with the Randolph Area Community Development Corporation for those expenses, and

V. WHEREAS, the County will then seek reimbursement from New York State, once the conversion of the lead agency status occurs, and

VI. WHEREAS, a contract is needed with the Randolph Area Community Development Corporation for an amount not to exceed \$6,275, to be paid by 100% state aid, 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 Randolph Area Community Development Corporation for the above-described services, for a term commencing October 1, 2008 and terminating December 31, 2009, and be it further

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

Increase Estimated Revenue Account:		
A.3716	Explore NY Grant	\$35,000.00

Increase Appropriation Account:		
A.6429.445	Explore NY Amish Trail	\$35,000.00.

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

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT  
WITH NATIONAL MEDICAL SERVICES  
FOR COUNTY CORONER TOXICOLOGY LABORATORY SERVICES**

Pursuant to Sections 450 and 674 of the County Law.

I. WHEREAS, the County Coroners need toxicology laboratory services to conduct their investigations, and

II. WHEREAS, National Medical Services (NMS Labs), 3701 Welsh Road, Willow Grove, Pennsylvania 19090, can provide comprehensive options for routine laboratory testing services for a flat-fee bundled rate not to exceed \$15,000 for a total of 30-40 cases, in accordance with the following rate schedule:

<u>Test Number</u>	<u>Test Description</u>	<u>Price per Sample</u>
8051B	<b>Basic Postmortem Toxicology Panel - Blood, Urine, Serum/Plasma</b>	\$187.00
8051U	Includes screening and quantitative confirmatory analysis for	
8051SP	illicit drugs of abuse, alcohol and some therapeutic compounds	
8051FL	<b>Basic Postmortem Toxicology Panel - Non-Routine Fluids</b>	\$287.00
8051TI	<b>Basic Postmortem Toxicology Panel - Tissue</b>	\$337.00
	Use for routine postmortem toxicology testing of tissue samples and non-routine biological fluids (gastric contents, bile, purge fluid, etc.)	
8052B	<b>Expanded Postmortem Toxicology Panel - Blood, urine, Serum/Plasma</b>	\$275.00
8052U	Includes screening and quantitative confirmatory analysis for	
8052SP	350+ therapeutic medications, illicit drugs of abuse and alcohol	
8052FL	<b>Expanded Postmortem Toxicology Panel - Non-Routine Fluids</b>	\$450.00
8052TI	<b>Expanded Postmortem Toxicology Panel - Tissue</b>	\$500.00
	Use for routine postmortem toxicology testing of tissue samples and non-routine biological fluids (gastric contents, bile, purge fluid, etc.)	
8050U	<b>Urine Drug Screen</b>	\$23.00
	Includes screening analysis of urine for illicit drugs of abuse with confirmation testing for Opiates and 6-MAM (can be ordered in addition to Basic or Expanded drug screens)	
8092B	<b>Expert Therapeutic &amp; Abused Drugs Panel - Blood, Urine,</b>	\$479.00
8092U	<b>Serum/Plasma</b>	
8092SP	Use as needed for cases requiring toxicologist consultation based on available case history. Includes screening for over 600 drugs (therapeutic medications & illicit drugs of abuse), metabolites, poisons and toxins	
8092FL	<b>Expert Therapeutic &amp; Abused Drugs Panel - Non-Routine Fluids</b>	\$606.00
8092TI	<b>Expert Therapeutic &amp; Abused Drugs Panel - Tissue</b>	\$656.00
	Use as needed for cases requiring toxicologist consultation based on available case history	
<b>Additional Professional Expert Services</b>		In accordance with NMS
(court testimony, deposition, written opinion)		Expert Services Fee Schedule

and



III. WHEREAS, sufficient funds are included in the 2009 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 National Medical Services, for the provision of the above-described toxicology laboratory services, for a term commencing August 1, 2009 and terminating February 28, 2010, according to the above-described terms.

Resolution Referred to:

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

**AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACT WITH  
U & S SERVICES, INC. FOR ANDOVER CONTROLS DIRECT DIGITAL CONTROL  
SYSTEM FOR PINES HEALTHCARE AND REHABILITATION CENTER - OLEAN CAMPUS**

Pursuant to Section 215 of the County Law and  
Act 432-2002 of the Cattaraugus County Legislature.

I. WHEREAS, the County Department of Public Works is desirous of upgrading the Andover Controls Direct Digital Control System at the Pines Healthcare & Rehabilitation Center - Olean Campus, and

II. WHEREAS, U & S Services, Inc., 233 Fillmore Avenue, Suite 11, Tonawanda, New York 14150, can provide the aforementioned Direct Digital Control System, for an amount of \$23,850, as follows:

- Andover Controls Direct Digital Control System complete with all material, wiring, engineering, software, programming, system commissioning, start-up, checkout, and one-year warranty;
- DDC Controls for (1) new rooftop [unit-RTU-1], (2) fan coil units [FCU-1 & 2] and (1) coil pump for FCU-1; and
- Additional points:
  - o add (1) new temperature sensor in Atrium for AHU-C;
  - o provide and wire new control valve for AHU-C; and
  - o reconnect or rewire coil pump for AHU-C,

and

III. WHEREAS, sufficient funds are included in the 2009 budget to cover the costs of the aforementioned services, now, therefore, be it

I. RESOLVED, that the County Administrator be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with U & S Services, Inc., for the provision of the above-described services, for a term commencing July 23, 2009 and terminating December 31, 2009, according to the above-described terms.

Resolution Referred to:

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

by Mrs. Abers, Mr. Aiello, Mr. Burrell,  
Mr. Ellis, Mr. Marsh, Mr. O'Brien,  
Mr. Vecchiarella and Ms. Vickman

**AUTHORIZING THE CHAIR TO EXECUTE  
DOCUMENTS FOR PURCHASE OF FORMER ST. MARY'S CHURCH AND  
RECTORY IN THE VILLAGE OF LITTLE VALLEY FOR  
RELOCATION OF BOARD OF ELECTIONS AND  
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS  
(Board of Elections)**

Pursuant to Sections 215, 216, 363, 366 and 450 of the County Law and the American Recovery and Reinvestment Act of 2009 (Public Law 111-5).

I. WHEREAS, due to the condition of the existing Board of Elections structure, the County has been exploring various options for the relocation of the Board of Elections to another site within the Village of Little Valley, and

II. WHEREAS, it is proposed that the County acquire property located at 423 and 425 Erie Street, which is the former St. Mary's Church and rectory from the Diocese of Buffalo, and

III. WHEREAS, it is proposed that the County renovate the church facility into Board of Elections space, and

IV. WHEREAS, it is proposed that the County pay the sum of \$89,900 for both the former church and rectory property, and

V. WHEREAS, the American Recovery and Reinvestment Act funding is available for the purchases, now, therefore, be it

I. RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute purchase documents for the above-described property, and be it further

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

Increase Estimated Revenue Accounts:

A.4489	ARRA Medicaid Stimulus Aid	\$89,900.00
H.2810	Transfer from General Fund	\$89,900.00

Increase Appropriation Accounts:

A.9522.954	Transfer to Capital Projects	\$89,900.00
H.1450.242	Board of Elections Building	\$89,900.00.

Resolution Referred to:

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

by Mrs. Abers, Mr. Aiello, Mr. Burrell,  
Mr. Ellis, Mr. Marsh, Mr. O'Brien,  
Mr. Vecchiarella and Ms. Vickman

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
TRAUTMAN KING MARKWART ASSOCIATES, P.C., ARCHITECTS AND ENGINEERS FOR  
ENGINEERING AND ARCHITECTURAL SERVICES FOR  
RELOCATION OF BOARD OF ELECTIONS AND  
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS  
(Board of Elections)**

Pursuant to Sections 215, 216, 363, 366 and 450 of the County Law and the American Recovery and Reinvestment Act of 2009 (Public Law 111-5).

I. WHEREAS, the County is in the process of acquiring property at 423 and 425 Erie Street in the Village of Little Valley for purposes of relocating the Board of Elections from its existing site on Court Street, and

II. WHEREAS, the firm of Trautman King Markwart Associates, P.C., Architects and Engineers has conducted a feasibility study for the conversion of the church facility into Board of Elections Offices, and

III. WHEREAS, Trautman King Markwart Associates, P.C., Architects and Engineers can perform the aforementioned engineering and architectural services for the amount of \$41,535, and

IV. WHEREAS, American Recovery and Reinvestment funding is available for these 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 Trautman King Markwart Associates, P.C., Architects and Engineers, for the provision of the above-described services, according to the above-described terms, for a term commencing August 1, 2009 and terminating December 31, 2010, and be it further

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

Increase Estimated Revenue Accounts:

A.4489	ARRA Medicaid Stimulus Aid	\$41,535.00
H.2810	Transfer from General Fund	\$41,535.00

Increase Appropriation Accounts:

A.9522.954	Transfer to Capital Projects	\$41,535.00
H.1450.242	Board of Elections Building	\$41,535.00.

Resolution Referred to:

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

by Mrs. Abers, Mr. Aiello, Mr. Burrell,  
Mr. Ellis, Mr. Marsh, Mr. O'Brien,  
Mr. Vecchiarella and Ms. Vickman

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
BIEL'S INFORMATION TECHNOLOGY SYSTEMS CORPORATION FOR  
SCANNING OF COUNTY CLERK MORTGAGES AND  
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS  
(County Clerk's Office)**

Pursuant to Sections 363, 366, 450 and 525 of the County Law and  
the American Recovery and Reinvestment Act of 2009 (Public Law 111-5).

I. WHEREAS, the County Clerk's Office has permanent land records  
recorded from 1813 to the present, and

II. WHEREAS, all the mortgages recorded in the County Clerk's Office  
since 1984 have been digitally scanned and indexed into an electronic data  
management system, and

III. WHEREAS, the County should commence scanning the mortgages  
recorded prior to 1984, and

IV. WHEREAS, scanning the documents will eliminate the possibility of  
records in the Clerk's Office being damaged due to water or other natural  
causes, and

V. WHEREAS, Biel's Information Technology Systems Corporation, 1201  
Indian Church Road, Buffalo, New York 14224 has proposed to scan and tag  
mortgages at a rate of \$.07 per image, and

VI. WHEREAS, the County can appropriate \$47,504 from the American  
Recovery and Reinvestment Act funding to commence this project, now,  
therefore, be it

I. RESOLVED, that the Chair of the Legislature be, and hereby is,  
authorized and directed to execute a contract, on behalf of Cattaraugus  
County, with Biel's Information Technology Systems Corporation for the  
provision of the above-described services, and according to the above-  
described terms for a term commencing August 1, 2009 and terminating December  
31, 2010, and be it further

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

Increase Estimated Revenue Account:

A.4489	ARRA Medicaid Stimulus Aid	\$47,504.00
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Increase Appropriation Account:

A.1410.476	ARRA Scanning Services Contracted	\$47,504.00.
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Resolution Referred to:

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

by Mrs. Abers, Mr. Aiello, Mr. Burrell,  
Mr. Ellis, Mr. Marsh, Mr. O'Brien,  
Mr. Vecchiarella and Ms. Vickman

**AUTHORIZING THE CHAIR TO EXECUTE GRANT APPLICATION FOR  
COUNTY'S FIVE POINTS LANDFILL LEACHATE TREATMENT SYSTEM**

Pursuant to Section 153 of the County Law.

I. WHEREAS, funding may be available under the New York State Water Quality Improvement Project Program, and related programs, to treat the leachate generated in the County's Five Points Landfill in the Town of Mansfield, and

II. WHEREAS, the County should submit a grant application to the New York State Department of Environmental Conservation to obtain funding for the treatment program, now, therefore, be it

I. RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a grant application, on behalf of Cattaraugus County, with the New York State Department of Environmental Conservation for the above-described project.

Resolution Referred to:

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

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT  
WITH WENDEL DUCHSCHERER ARCHITECTS & ENGINEERS, P.C.  
FOR COUNTY OFFICE BUILDINGS IMPROVEMENTS AND  
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS  
(ARRA-Building Improvements)**

Pursuant to American Recovery and Reinvestment Act of 2009  
(Public Law 111-5), and Section 450 of the County Law.

I. WHEREAS, Act 229-2006 authorized an energy efficiency study, which recommended several energy conservation projects and various water conservation measures in the County's Olean Office facility, and

II. WHEREAS, the study further recommended conservation measures including water conservation and building envelope improvements to the Little Valley County Center, and

III. WHEREAS, the County Department of Public Works is desirous of implementing the aforementioned recommendations in an effort to conserve energy, and

IV. WHEREAS, Wendel Duchscherer Architects & Engineers, P.C., 140 John James Audubon Parkway, Suite 201, Amherst, New York 14228, can provide design and construction services for the following projects for a lump sum fee of \$39,500:

- Little Valley County Center
  - o Windows and entrance doors energy improvements, including sealing of individual unit perimeters, and gasket replacement at operable units, at office center portion of facility;
  - o Sealing of various building control joints, as well as cracks due to age, to be determined upon inspection of the building, at office center portion of facility; and
  - o Water conservation improvement measures at all plumbing fixtures throughout the building, including the replacement of plumbing fixtures and faucets, at both the office center and jail portion of facility;
- Olean Office Center
  - o Entrance doors energy improvements, including sealing of individual unit perimeters, and gasket replacement at operable units;

- o Replacement of all exterior windows (to be determined after initial thorough inspection);
- o Repair of damaged EIFS, exterior wall veneer, at areas identified after an onsite inspection;
- o Repainting of the exterior walls of the building; and
- o Water conservation improvement measures at all plumbing fixtures throughout the building, including the replacement of plumbing fixtures and faucets,

and

V. WHEREAS, American Recovery and Reinvestment Act funding is available for 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 Duchscherer Architects & Engineers, P.C., for the provision of the above-described services, for a term commencing August 1, 2009, and terminating December 31, 2010, 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.4489	ARRA Medicaid Stimulus Aid	\$39,500.00
H.2810	Transfer from General Fund	\$39,500.00

Increase Appropriation Accounts:

A.9522.954	Transfer to Capital Projects Fund	\$39,500.00
H.1620.262	LV Energy Improvements	\$ 6,320.00
H.1623.262	Olean Energy Improvements	\$33,180.00.

Resolution Referred to:

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



by Mrs. Abers, Mr. Aiello, Mr. Burrell,  
Mr. Ellis, Mr. Marsh, Mr. O'Brien,  
Mr. Vecchiarella and Ms. Vickman

**AUTHORIZING COMMISSIONER OF PUBLIC WORKS TO SOLICIT PROPOSALS FOR  
ENGINEERING SERVICES FOR NEXT PHASE OF COUNTY ROAD NO. 27  
RECONSTRUCTION PROJECT**

Pursuant to Section 103 of the General Municipal Law and  
the American Recovery and Reinvestment Act of 2009 (Public Law 111-5).

I. WHEREAS, construction on the current phase of the reconstruction  
of County Road No. 27 is almost completed, and

II. WHEREAS, the County should solicit proposals for the preliminary  
engineering, surveying and land acquisition of the next phase of the County  
Road No. 27 reconstruction project, now, therefore, be it

I. RESOLVED, that the Commissioner of Public Works is hereby  
authorized to solicit proposals for the engineering services described above  
for the next phase of the County Road No. 27 reconstruction project.

Resolution Referred to:

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

by Mrs. Abers, Mr. Aiello, Mr. Burrell,  
Mr. Ellis, Mr. Marsh, Mr. O'Brien,  
Mr. Vecchiarella and Ms. Vickman

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
RAM DATA SYSTEMS FOR  
REAL PROPERTY TAX MANAGEMENT SYSTEM AND  
ADJUSTING VARIOUS APPROPRIATION ACCOUNTS  
(County Treasurer)**

Pursuant to Sections 363, 366 and 450 of the County Law and  
the American Recovery and Reinvestment Act of 2009  
(Public Law 111-5).

I. WHEREAS, as part of the conversion of the County's financial management software system, the County will be converting its real property tax management system, and

II. WHEREAS, RAM Data Systems, 3935 Old William Penn Highway, Murrysville, Pennsylvania 15668-1854, can provide the aforementioned software for an amount not to exceed \$139,500, plus multi-user network required software, for an amount of \$12,760, plus support costs in the amount of \$25,000 per year for the first year, \$20,000 for the second year, and \$15,000 per year for the third year, plus travel, and

III. WHEREAS, the American Recovery and Reinvestment Act and \$23,000 of the New York State ORPS Tax Collection Grant funding is available for the purchase, 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 RAM Data Systems, 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.4489	ARRA Medicaid Stimulus Aid	\$129,260.00
H.2810	Transfer from General Fund	\$129,260.00

Increase Appropriation Accounts:		
A.9522.954	Transfer to Capital Projects Fund	\$129,260.00
H.1997.238	Tax Collection Software	\$129,260.00.

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

by Mrs. Abers, Mr. Aiello, Mr. Burrell,  
Mr. Ellis, Mr. Marsh, Mr. O'Brien,  
Mr. Vecchiarella and Ms. Vickman

**TRANSFER OF FUNDS  
(COMPUTER SOFTWARE)**

Pursuant to Sections 363 and 366 of the County Law and  
the American Recovery and Reinvestment Act of 2009  
(Public Law 111-5).

I. WHEREAS, additional computer hardware is necessary for the  
conversion to the new County's financial management software system, and

II. WHEREAS, the equipment will be purchased utilizing state bid, and

III. WHEREAS, the American Recovery and Reinvestment Act funding will  
be used for the purchases, now, therefore, be it

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

Increase Estimated Revenue Accounts:

A.4489	ARRA Medicaid Stimulus Aid	\$75,000.00
H.2810	Transfer from General Fund	\$75,000.00

Increase Appropriation Accounts:

A.9522.954	Transfer to Capital Projects	\$75,000.00
H.1997.236	FIS/HRP Software Project	\$75,000.00.

Resolution Referred to:

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

by Mrs. Abers, Mr. Aiello, Mr. Burrell,  
Mr. Ellis, Mr. Marsh, Mr. O'Brien,  
Mr. Vecchiarella and Ms. Vickman

**AUTHORIZING THE CHAIR TO EXECUTE GRANT APPLICATION  
UNDER NEW YORK STATE GROW NY ENTERPRISE PROGRAM FOR  
FARMERS MARKET**

Pursuant to Section 153 of the County Law.

I. WHEREAS, the Grow New York Enterprise Program is a joint effort of the New York State Department of Agriculture and Markets, the Empire State Development Corporation and the Office for Small Cities, and

II. WHEREAS, funding is available to increase the demand for, and expand the use of, New York's agricultural and forest products, and

III. WHEREAS, funding may be available under the program for the development of a farmers market in the Olean area, and

IV. WHEREAS, the County should submit a grant application to obtain grant funding for the project, now, therefore, be it

I. RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute the aforementioned grant application, for the development of a farmers market in the Olean area.

Resolution Referred to:

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

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
NEW WORLD SYSTEMS FOR  
INTEGRATED FINANCIAL MANAGEMENT SOFTWARE AND MAINTENANCE AND  
ADJUSTING VARIOUS APPROPRIATION ACCOUNTS  
(ARRA - Software Project)**

Pursuant to the American Recovery and Reinvestment Act of 2009  
(Public Law 111-5), and Sections 363, 366 and 450 of the County Law.

I. WHEREAS, the County is desirous of implementing Commercial Off The Shelf Integrated Financial Management, Payroll/Human Resources and eSuite financial management software and maintenance support services, and

II. WHEREAS, New World Systems, 888 West Big Beaver, Suite 1100, Troy, Michigan 48084, can provide the aforementioned software packages and site licenses for up to 350 authorized users, for an amount not to exceed \$578,064, plus 10-year maintenance support services, as follows:

Standard Software Maintenance Services (SSMA)	
<u>Annual Maintenance Cost (5-year plan, billed annually)</u>	
Warranty Period	90 Days
Year 1	\$43,200.00
Year 2	\$45,900.00
Year 3	\$48,600.00
Year 4	\$51,300.00
Year 5	\$54,000.00

SSMA cost increases will be limited to the lesser of a 5% annual increase or the CPI factor for each year thereafter (base year 2014 times the CPI factor for the Buffalo, NY area),

and

III. WHEREAS, American Recovery and Reinvestment Act funding is available for the aforementioned purchase, 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 New World Systems, for the provision of the above-described AVL software and services, for a term commencing August 1, 2009 and terminating December 31, 2019, 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.4489	ARRA Medicaid Stimulus Aid	\$578,064.00
H.2810	Transfer from General Fund	\$578,064.00

Increase Appropriation Accounts:

A.9522.954	Transfer to Capital Projects Fund	\$578,064.00
H.1997.236	FIS/HRP Software project	\$578,064.00.

Resolution Referred to:

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