

March 25, 2009

The meeting was called to order by Chairman Crystal J. Abers.

The invocation was given by Rev. Piatt.

The Attendance Roll Call disclosed one Legislator absent - Mr. Teachman.

MR. SNYDER moved, seconded by Mr. Giardini that the minutes of the March 11, 2009 session be approved. Carried.

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COMMUNICATIONS:

Town of Farmersville: Resolution from the Farmersville Town Board requesting the District 5 Legislators request the County Legislature to add a restrictive covenant to the deeds comprising the former IWS premises preventing the use of this site as a dump.

Village of Springville: Resolution in Support of the Conversion of the Buffalo-Pittsburg Railway right-of-way within the Village of Springville to a pedestrian trail.

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APPOINTMENTS:

The members of the Cattaraugus County Planning Board will serve as the Complete Count Committee for the 2010 census.

Corporate Compliance Committee:
Term to expire December 31, 2009

Cherianne Wold, Director
Department of Aging
1 Leo Moss Drive, Suite 7610
Olean, New York 14760

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CHAIRMAN ABERS granted privilege of the floor to John Sampson, County Veterans' Service Director, who gave his annual report. Current population of veterans in Cattaraugus County is approximately 8,600. Veteran's Office workload has doubled in the last ten years, with the 2008 workload up 18% over 2007. 650 veterans utilized the medical van last year for appointments. Veterans Administration outpatient clinic in Olean saw 1,941 veterans in 2008.

CHAIRMAN ABERS granted privilege of the floor to Joseph Keller, County Treasurer, who presented his 2008 Year-End Report.

CHAIRMAN ABERS granted privilege of the floor to Donna Kahm of Southern Tier Healthcare Network and Karen Hill of the Child Advocacy Center, who spoke on the Cattaraugus-Allegany Child Advocacy Center in Olean. They are in the process of opening a second center in Allegany County. The Center originally opened in the Olean General Hospital and has now relocated to a converted church on Main Street near the hospital. 180 cases were handled in

the first year. The Center is facing an approximate loss of \$30,000 in funding from New York State this year.

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ACT NO. 140-2009 by Mr. Giardini
and Mr. Ellis

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
WENDEL DUCHSCHERER ARCHITECTS & ENGINEERS FOR
LITTLE VALLEY COUNTY CENTER ELECTRICAL SYSTEMS UPGRADES**

Pursuant to Sections 215 and 450 of the County Law.

WHEREAS, Act 40-2009 authorized a contract with Wendel Duchscherer Architects & Engineers, 140 John James Audubon Parkway, Suite 201, Amherst, New York 14228, for the provision of an engineering study of the emergency power system and the existing conditions of all the other electrical systems within the Little Valley County Center, and

WHEREAS, the aforementioned engineering study is now complete and it has been determined that upgrades to the electrical systems are necessary, and

WHEREAS, Wendel Duchscherer Architects & Engineers, can provide professional engineering services necessary to upgrade the electrical systems at the Little Valley County Center for an amount not to exceed \$25,000, and

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

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, for the provision of the above-described services, for a term commencing March 26, 2009 and terminating June 30, 2009, according to the above-described terms.

Approved by 8 members of the Finance Committee and 9 members of the Public Works Committee.

Adopted March 25, 2009 by voice vote.

ACT NO. 141-2009 by Mr. Giardini
and Mr. Ellis

**ACCEPTING MATERIAL BIDS FOR HYDRAULIC AND MOTOR OIL
(Department of Public Works)**

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

RESOLVED, that the Commissioner of Public Works is authorized to contract for hydraulic oil and motor oil with the bidders recommended by the Public Works Committee for the season June 1, 2009 through May 31, 2010, and be it further

RESOLVED, that any city, village, town, school or fire district in Cattaraugus County may participate in the bid prices by dealing directly with the bidder, and be it further

RESOLVED, that the County of Cattaraugus reserves the right to make purchases of all materials at any time during the season for which the bids are taken.

Sandburg Oil Company
1641 East State Road
Olean, New York 14760

MOTOR OIL - Per Gallon Delivered

<u>Type</u>	<u>Delivery Units</u>	<u>Rate & Brand</u>
5W - 20 SM ILSAC GF-4	55 gallon drum	\$6.64 Brad Penn
5W - 30 SM ILSAC GF-4	55 gallon drum	\$6.44 Brad Penn
10W - 30 SM ILSAC GF-4	55 gallon drum	\$6.34 Brad Penn
15W-40 CJ-4 CI-4 CI-4+	Bulk delivery	\$6.63 Brad Penn
CH-4 SL CF/SM		
API CF-2 ACEA E7/E5		
Oil analysis	Price Per Sample	\$9.00

HYDRAULIC OIL - Per Gallon Delivered

Delivered any point Cattaraugus County in 55 gal. drums	\$5.35 gal. or \$294.25/55 gal. drum
Bulk Delivery to DPW garages in Little Valley, Franklinville, Allegany	\$4.87/gal.

State Bid does not meet specifications.
Four sets of specifications were sent out.

Approved by 8 members of the Finance Committee and 9 members of the Public Works Committee.

Adopted March 25, 2009 by voice vote.

ACT NO. 142-2009 by Mr. Giardini
and Mr. Ellis

**ACCEPTING MATERIAL BIDS FOR GALVANIZED SQUARE STEEL
TUBING FOR SIGN POSTS
(Department of Public Works)**

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

RESOLVED, that the Commissioner of Public Works is authorized to contract for galvanized square steel tubing for sign posts with the bidders recommended by the Public Works Committee for the season May 1, 2009 through April 30, 2010, and be it further

RESOLVED, that any city, village, town, school or fire district in Cattaraugus County may participate in the bid prices by dealing directly with the bidder, and be it further

RESOLVED, that the County of Cattaraugus reserves the right to make purchases of all materials at any time during the season for which the bids are taken, and be it further

RESOLVED, that the following bids be accepted:

GALVANIZED SQUARE STEEL TUBING FOR SIGN POSTS*Unistrut Buffalo, Div.**Eberl Iron Works, Inc.**128 Sycamore Street**Buffalo, New York 14204-1492*Tubing: price per foot (min. order 600 ft.) F.O.B. Little Valley

<u>Size</u>	<u>Price</u>	<u>2008 Rate</u>	<u>2009 Rate</u>
1" x 1"x 24 ft. w/o perforations	12 gauge	\$1.78	N/A
1½" x 1½" x 24 ft. w/perforations	12 gauge	\$2.07	\$2.22
1¾" x 1¾" x 24 ft. w/perforations	12 gauge	\$2.44	\$2.61
2" x 2" x 24 ft. w/perforations	12 gauge	\$2.64	\$2.83
2¼" x 2¼" x 24 ft. w/perforations	12 gauge	\$2.88	\$3.08

Other Items: price per 100

<u>Telspar or Equivalent</u>	<u>Description</u>	<u>Units</u>	<u>2008 Rate</u>	<u>2009 Rate</u>
TN-31	Tuff Nut 5/16" 18 thread	/100	\$ 69.00	\$ 63.80
TLO15	T Bracket, used on 1½", 1¾", 2" & 2¼"	/100	\$274.00	\$287.00
TLO16	90 Degree Bracket, used on 1½", 1¾", 2" & 2¼"	/100	\$386.00	\$404.00
TLO18	Straight Bracket, used on 1½", 1¾", 2" & 2¼"	/100	\$319.00	\$334.00
TLO19	Bracket, used on 1½", 1¾", 2" & 2¼"	/100	\$297.00	\$312.00
TLO20	Inside Corner Bracket, used on 1½", 1¾", 2" & 2¼"	/100	\$181.00	\$190.00

Corner Bolts - All 5/16"

		<u>Units</u>	<u>2008 Rate</u>	<u>2009 Rate</u>
TLO50	1½" sq., 1¾" sq., 2" sq.	/100	\$ 55.40	\$56.89
TLO70	2¼" Sq., 2½" Sq.	/100	\$ 51.80	\$53.19
TLO62	Heavy Hex Jam Nut for able Bolts	/100	\$ 9.80	\$10.04
TL130	Guard Rail Clamp	Each	\$ 20.57	\$21.95
TL186	Swing Sign Assembly	Each	Not Available	Not Available
TL3806	3/8" diameter large head multi-grip drive rivet	/100	\$ 64.50	\$66.15

State Bid does not meet County specifications.

Four sets of specifications were sent out.

Approved by 8 members of the Finance Committee and 9 members of the Public Works Committee.

Adopted March 25, 2009 by voice vote.

ACT NO. 143-2009 by Mr. Giardini
and Mr. Ellis

**MATERIAL BIDS FOR ASPHALT CONCRETE, LIQUID BITUMINOUS MATERIALS,
MICRO SURFACING, IN-PLACE RECYCLING OF BITUMINOUS
PAVEMENT, SURFACE TREATING, PAVER PLACE CHIP SEAL, FIBER
REINFORCED BITUMINOUS MEMBRANE SURFACE TREATMENT AND HOT MIX
ASPHALT IN-PLACE PAVING PROJECTS
(Department of Public Works)**

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

RESOLVED, that the Commissioner of Public Works is authorized to contract for materials with the bidders recommended by the Public Works Committee for the season May 1, 2009 through April 30, 2010, and be it further

RESOLVED, that any city, village, town, school, or fire district in Cattaraugus County may participate in the bid prices by dealing directly with the bidder, and be it further

RESOLVED, that the County of Cattaraugus reserves the right to make purchases of all materials at any time during the season for which the bids are taken.

• **ASPHALT CONCRETE**

GERNATT ASPHALT PRODUCTS, INC.
Taylor Hollow Road
P.O. Box 400
Collins, New York 14034

price/ton loaded in truck at Collins Plant

<u>Index No.</u>	<u>Description</u>		2008 Rate	2009 Rate
AC-1	403-11 1 Base (Dense)			
	<i>Loaded in truck @ plant</i>			
		0-500 tons	\$47.00	\$67.00
		501-1000 tons	\$47.00	\$67.00
		1001-3000 tons	\$47.00	\$67.00
		3001 and greater tons	\$46.00	\$66.00
AC-2	403-12 2 Base (Open)			
	<i>Loaded in truck @ plant</i>			
		0-500 tons	\$45.00	\$64.00
		501-1000 tons	\$45.00	\$64.00
		1001-3000 tons	\$45.00	\$64.00
		3001 and greater tons	\$44.00	\$63.00
AC-3	403-13 3 Binder (Dense)			
	<i>Loaded in truck @ plant</i>			
		0-500 tons	\$48.25	\$69.75
		501-1000 tons	\$48.25	\$69.75
		1001-3000 tons	\$48.25	\$69.75
		3001 and greater tons	\$47.25	\$68.75
AC-4	403-14 4 Binder (Open)			
	<i>Loaded in truck @ plant</i>			
		0-500 tons	\$46.75	\$66.50
		501-1000 tons	\$46.75	\$66.50
		1001-3000 tons	\$46.75	\$66.50
		3001 and greater tons	\$45.75	\$65.50
AC-5	403.15 5 Shim (Course)			
	<i>Loaded in truck @ plant</i>			

			0-500 tons	\$58.00	\$89.50
			501-1000 tons	\$58.00	\$89.50
			1001-3000 tons	\$58.00	\$89.50
			3001 and greater tons	\$57.00	\$88.50
AC-6	403-16	6 Top (State Top)			
		Loaded in truck @ plant			
			0-500 tons	\$52.00	\$76.75
			501-1000 tons	\$52.00	\$76.75
			1001-3000 tons	\$52.00	\$76.75
			3001 and greater tons	\$51.00	\$75.75
AC-7	403-17	6F Top (High Friction)			
		Loaded in truck @ plant			
			0-500 tons	\$52.00	\$76.75
			501-1000 tons	\$52.00	\$76.75
			1001-3000 tons	\$52.00	\$76.75
			3001 and greater tons	\$51.00	\$75.75
AC-8	403-18	7 Top (Armor Coat)			
		Loaded in truck @ plant			
			0-500 tons	\$54.25	\$80.75
			501-1000 tons	\$54.25	\$80.75
			1001-3000 tons	\$54.25	\$80.75
			3001 and greater tons	\$53.25	\$79.75
AC-9	403-19	7F Top (Friction Armor Coat)			
		Loaded in truck @ plant			
			0-500 tons	\$54.25	\$80.75
			501-1000 tons	\$54.25	\$80.75
			1001-3000 tons	\$54.25	\$80.75
			3001 and greater tons	\$53.25	\$79.75

Transportation Rates: Collins PlantDelivery Charge "Other Than" to Paver

All orders will be a minimum of 50 ton if delivery is requested.

0 - 5 miles	\$3.45 total cost first 5 miles
6 - 15 miles	above + \$.15/net ton mile
16 - 50 miles	above + \$.15/net ton mile

GERNATT ASPHALT PRODUCTS, INC.

Taylor Hollow Road

P.O. Box 400

Collins, New York 14034

price/ton loaded in truck at Springville Plant

<u>Index No.</u>	<u>Description</u>	2008 Rate	2009 Rate
AC-1	403-11 1 Base (Dense)		
	Loaded in truck @ plant		
		0-500 tons	\$45.50
		501-1000 tons	\$45.50
			\$65.50
			\$65.50

		1001-3000 tons	\$45.50	\$65.50
		3001 and greater tons	\$44.50	\$64.50
		<u>Delivered to Northwest Quad.</u>		
		0-500 tons	\$51.75	\$72.05
		501-1000 tons	\$51.75	\$72.05
		1001-3000 tons	\$51.75	\$72.05
		3001 and greater tons	\$50.75	\$71.05
		<u>Delivered to Southwest Quad.</u>		
		0-500 tons	\$52.25	\$72.60
		501-1000 tons	\$52.25	\$72.60
		1001-3000 tons	\$52.25	\$72.60
		3001 and greater tons	\$51.25	\$71.60
AC-2	403-12	2 Base (Open)		
		<i>Loaded in truck @ plant</i>		
		0-500 tons	\$43.50	\$62.50
		501-1000 tons	\$43.50	\$62.50
		1001-3000 tons	\$43.50	\$62.50
		3001 and greater tons	\$42.50	\$61.50
		<u>Delivered to Northwest Quad.</u>		
		0-500 tons	\$49.75	\$69.05
		501-1000 tons	\$49.75	\$69.05
		1001-3000 tons	\$49.75	\$69.05
		3001 and greater tons	\$48.75	\$68.05
AC-3	403-13	3 Binder (Dense)		
		<i>Loaded in truck @ plant</i>		
		0-500 tons	\$46.75	\$68.25
		501-1000 tons	\$46.75	\$68.25
		1001-3000 tons	\$46.75	\$68.25
		3001 and greater tons	\$45.75	\$67.25
		<u>Delivered to Northwest Quad.</u>		
		0-500 tons	\$53.00	\$74.80
		501-1000 tons	\$53.00	\$74.80
		1001-3000 tons	\$53.00	\$74.80
		3001 and greater tons	\$52.00	\$73.80
		<u>Delivered to Southwest Quad.</u>		
		0-500 tons	\$53.50	\$75.35
		501-1000 tons	\$53.50	\$75.35
		1001-3000 tons	\$53.50	\$75.35
		3001 and greater tons	\$52.50	\$74.35
AC-4	403-14	4 Binder (Open)		
		<i>Loaded in truck @ plant</i>		
		0-500 tons	\$45.25	\$65.00
		501-1000 tons	\$45.25	\$65.00
		1001-3000 tons	\$45.25	\$65.00
		3001 and greater tons	\$44.25	\$64.00
		<u>Delivered to Northwest Quad.</u>		
		0-500 tons	\$51.50	\$71.55
		501-1000 tons	\$51.50	\$71.55
		1001-3000 tons	\$51.50	\$71.55
		3001 and greater tons	\$50.50	\$70.55
AC-5	403.15	5 Shim (Course)		
		<i>Loaded in truck @ plant</i>		

		0-500 tons	\$56.50	\$88.00
		501-1000 tons	\$56.50	\$88.00
		1001-3000 tons	\$56.50	\$88.00
		3001 and greater tons	\$55.50	\$87.00
		<u>Delivered to Northeast Quad.</u>		
		0-500 tons	\$62.20	\$93.95
		501-1000 tons	\$62.20	\$93.95
		1001-3000 tons	\$62.20	\$93.95
		3001 and greater tons	\$61.20	\$92.95
		<u>Delivered to Northwest Quad.</u>		
		0-500 tons	\$62.75	\$94.55
		501-1000 tons	\$62.75	\$94.55
		1001-3000 tons	\$62.75	\$94.55
		3001 and greater tons	\$61.75	\$93.55
		<u>Delivered to Southwest Quad.</u>		
		0-500 tons	\$63.25	\$95.10
		501-1000 tons	\$63.25	\$95.10
		1001-3000 tons	\$63.25	\$95.10
		3001 and greater tons	\$62.25	\$94.10
AC-6	403-16	6 Top (State Top)		
		<i>Loaded in truck @ plant</i>		
		0-500 tons	\$50.50	\$75.25
		501-1000 tons	\$50.50	\$75.25
		1001-3000 tons	\$50.50	\$75.25
		3001 and greater tons	\$49.50	\$74.25
		<u>Delivered to Northwest Quad.</u>		
		100-500 tons	\$56.75	\$81.80
		501-1000 tons	\$56.75	\$81.80
		1001-3000 tons	\$56.75	\$81.80
		3001 and greater tons	\$55.75	\$80.80
		<u>Delivered to Southwest Quad.</u>		
		0-500 tons	\$57.25	\$82.35
		501-1000 tons	\$57.25	\$82.35
		1001-3000 tons	\$57.25	\$82.35
		3001 and greater tons	\$56.25	\$81.35
AC-7	403-17	6F Top (High Friction)		
		<i>Loaded in truck @ plant</i>		
		0-500 tons	\$50.50	\$75.25
		501-1000 tons	\$50.50	\$75.25
		1001-3000 tons	\$50.50	\$75.25
		3001 and greater tons	\$49.50	\$74.25
		<u>Delivered to Northwest Quad.</u>		
		0-500 tons	\$56.75	\$81.80
		501-1000 tons	\$56.75	\$81.80
		1001-3000 tons	\$56.75	\$81.80
		3001 and greater tons	\$55.75	\$80.80
		<u>Delivered to Southwest Quad.</u>		
		0-500 tons	\$57.25	\$82.35
		501-1000 tons	\$57.25	\$82.35
		1001-3000 tons	\$57.25	\$82.35
		3001 and greater tons	\$56.25	\$81.35
AC-8	403-18	7 Top (Armor Coat)		
		<i>Loaded in truck @ plant</i>		
		0-500 tons	\$52.75	\$79.25
		501-1000 tons	\$52.75	\$79.25
		1001-3000 tons	\$52.75	\$79.25

		3001 and greater tons	\$51.75	\$78.25
		<u>Delivered to Northwest Quad.</u>		
		0-500 tons	\$59.00	\$85.80
		501-1000 tons	\$59.00	\$85.80
		1001-3000 tons	\$59.00	\$85.80
		3001 and greater tons	\$58.00	\$84.80
		<u>Delivered to Southwest Quad.</u>		
		0-500 tons	\$59.50	\$86.35
		501-1000 tons	\$59.50	\$86.35
		1001-3000 tons	\$59.50	\$86.35
		3001 and greater tons	\$58.50	\$85.35
AC-9	403-19	7F Top (Friction Armor Coat)		
		<i>Loaded in truck @ plant</i>		
		0-500 tons	\$52.75	\$79.25
		501-1000 tons	\$52.75	\$79.25
		1001-3000 tons	\$52.75	\$79.25
		3001 and greater tons	\$51.75	\$78.25
		<u>Delivered to Northwest Quad.</u>		
		0-500 tons	\$59.00	\$85.80
		501-1000 tons	\$59.00	\$85.80
		1001-3000 tons	\$59.00	\$85.80
		3001 and greater tons	\$58.00	\$84.80
		<u>Delivered to Southwest Quad.</u>		
		0-500 tons	\$59.50	\$86.35
		501-1000 tons	\$59.50	\$86.35
		1001-3000 tons	\$59.50	\$86.35
		3001 and greater tons	\$58.50	\$85.35
AC-12	Plant Mixed Stockpile Patching Materials (Modified)			
		<i>Loaded in truck @ plant</i>		
		0-500 tons	\$81.60	\$92.75*
		501-1000 tons	\$81.60	\$92.75*
		1001-3000 tons	\$81.60	\$92.75*
		3001 and greater tons	\$80.60	\$91.75*
		<u>Delivered to Northeast Quad.</u>		
		0-500 tons		\$98.70*
		501-1000 tons		\$98.70*
		1001-3000 tons		\$98.70*
		3001 and greater tons		\$97.70*
		<u>Delivered to Northwest Quad.</u>		
		0-500 tons		\$99.30*
		501-1000 tons		\$99.30*
		1001-3000 tons		\$99.30*
		3001 and greater tons		\$98.30*
		<u>Delivered to Southwest Quad.</u>		
		0-500 tons		\$99.85*
		501-1000 tons		\$99.85*
		1001-3000 tons		\$99.85*
		3001 and greater tons		\$98.85*

* - Bid is for QPR

Transportation Rates: Springville Plant

Delivery Charge "Other Than" to Paver

All orders will be a minimum of 50 ton if delivery is requested.

0 - 5 miles \$3.45 total cost first 5 miles

6 - 15 miles above + \$.15/net ton mile

16 - 50 miles above + \$.15/net ton mile

GERNATT ASPHALT PRODUCTS, INC.

Taylor Hollow Road

P.O. Box 400

Collins, New York 14034

price/ton loaded in truck at Delevan Plant

<u>Index No.</u>	<u>Description</u>	2008 Rate	2009 Rate
AC-1	403-11 1 Base (Dense)		
	<i>Loaded in truck @ plant</i>		
	0-500 tons	\$45.00	\$65.00
	501-1000 tons	\$45.00	\$65.00
	1001-3000 tons	\$45.00	\$65.00
	3001 and greater tons	\$44.00	\$64.00
	<u>Delivered to Northeast Quad.</u>		
	0-500 tons	\$50.15	\$70.40
	501-1000 tons	\$50.15	\$70.40
	1001-3000 tons	\$50.15	\$70.40
	3001 and greater tons	\$49.15	\$69.40
AC-2	403-12 2 Base (Open)		
	<i>Loaded in truck @ plant</i>		
	0-500 tons	\$43.00	\$62.00
	501-1000 tons	\$43.00	\$62.00
	1001-3000 tons	\$43.00	\$62.00
	3001 and greater tons	\$42.00	\$61.00
	<u>Delivered to Northeast Quad.</u>		
	0-500 tons	\$48.15	\$67.40
	501-1000 tons	\$48.15	\$67.40
	1001-3000 tons	\$48.15	\$67.40
	3001 and greater tons	\$47.15	\$66.40
AC-3	403-13 3 Binder (Dense)		
	<i>Loaded in truck @ plant</i>		
	0-500 tons	\$46.25	\$67.75
	501-1000 tons	\$46.25	\$67.75
	1001-3000 tons	\$46.25	\$67.75
	3001 and greater tons	\$45.25	\$66.75
	<u>Delivered to Northeast Quad.</u>		
	0-500 tons	\$51.40	\$73.15
	501-1000 tons	\$51.40	\$73.15
	1001-3000 tons	\$51.40	\$73.15
	3001 and greater tons	\$50.40	\$72.15
	<u>Delivered to Southeast Quad.</u>		
	0-500 tons	\$54.20	\$76.20
	501-1000 tons	\$54.20	\$76.20
	1001-3000 tons	\$54.20	\$76.20
	3001 and greater tons	\$53.20	\$75.20
AC-4	403-14 4 Binder (Open)		
	<i>Loaded in truck @ plant</i>		
	0-500 tons	\$44.75	\$64.50
	501-1000 tons	\$44.75	\$64.50
	1001-3000 tons	\$44.75	\$64.50
	3001 and greater tons	\$43.75	\$63.50
	<u>Delivered to Northeast Quad.</u>		
	0-500 tons	\$49.90	\$69.90

		501-1000 tons	\$49.90	\$69.90
		1001-3000 tons	\$49.90	\$69.90
		3001 and greater tons	\$48.90	\$68.90
AC-6	403-16	6 Top (State Top)		
		<i>Loaded in truck @ plant</i>		
		0-500 tons	\$50.00	\$74.75
		501-1000 tons	\$50.00	\$74.75
		1001-3000 tons	\$50.00	\$74.75
		3001 and greater tons	\$49.00	\$73.75
		<u>Delivered to Northeast Quad.</u>		
		0-500 tons	\$55.15	\$80.15
		501-1000 tons	\$55.15	\$80.15
		1001-3000 tons	\$55.15	\$80.15
		3001 and greater tons	\$54.15	\$79.15
		<u>Delivered to Southeast Quad.</u>		
		0-500 tons	\$57.95	\$83.20
		501-1000 tons	\$57.95	\$83.20
		1001-3000 tons		
		3001 and greater tons	\$56.95	\$82.20
AC-7	403-17	6F Top (High Friction)		
		<i>Loaded in truck @ plant</i>		
		0-500 tons	\$50.00	\$74.75
		501-1000 tons	\$50.00	\$74.75
		1001-3000 tons	\$50.00	\$74.75
		3001 and greater tons	\$49.00	\$73.75
		<u>Delivered to Northeast Quad.</u>		
		0-500 tons	\$55.15	\$80.15
		501-1000 tons	\$55.15	\$80.15
		1001-3000 tons	\$55.15	\$80.15
		3001 and greater tons	\$54.15	\$79.15
		<u>Delivered to Southeast Quad.</u>		
		0-500 tons	\$57.95	\$83.20
		501-1000 tons	\$57.95	\$83.20
		1001-3000 tons		
		3001 and greater tons	\$56.95	\$82.20
AC-8	403-18	7 Top (Armor Coat)		
		<i>Loaded in truck @ plant</i>		
		0-500 tons	\$52.25	\$78.75
		501-1000 tons	\$52.25	\$78.75
		1001-3000 tons	\$52.25	\$78.75
		3001 and greater tons	\$51.25	\$77.75
		<u>Delivered to Northeast Quad.</u>		
		0-500 tons	\$57.40	\$84.15
		501-1000 tons	\$57.40	\$84.15
		1001-3000 tons	\$57.40	\$84.15
		3001 and greater tons	\$56.40	\$83.15
		<u>Delivered to Southeast Quad.</u>		
		0-500 tons	\$60.20	
		501-1000 tons	\$60.20	
		1001-3000 tons		
		3001 and greater tons	\$59.20	\$86.20
AC-9	403-19	7F Top (Friction Armor Coat)		

Loaded in truck @ plant

0-500 tons	\$52.25	\$78.75
501-1000 tons	\$52.25	\$78.75
1001-3000 tons	\$52.25	\$78.75
3001 and greater tons	\$51.25	\$77.75
<u>Delivered to Northeast Quad.</u>		
0-500 tons	\$57.40	\$84.15
501-1000 tons	\$57.40	\$84.15
1001-3000 tons	\$57.40	\$84.15
3001 and greater tons	\$56.40	\$83.15
<u>Delivered to Southeast Quad.</u>		
0-500 tons	\$60.20	
501-1000 tons	\$60.20	
1001-3000 tons		
3001 and greater tons	\$59.20	\$86.20

Transportation Rates: Delevan PlantDelivery Charge "Other Than" to Paver

All orders will be a minimum of 50 ton if delivery is requested.

0 - 5 miles	\$3.45 total cost first 5 miles
6 - 15 miles	above + \$.15/net ton mile
16 - 50 miles	above + \$.15/net ton mile

BLADES CONSTRUCTION PRODUCTS CORPORATION

7610 County Route 65

P.O. Box 590

Hornell, New York 14843

price/ton loaded in truck at PlantIndex No. Description

2008 Rate 2009 Rate

AC-1 403-11 1 Base (Dense)

Loaded in truck @ plant

0-500 tons	\$45.00	\$69.00
501-1000 tons	\$45.00	\$69.00
1001-3000 tons	\$44.50	\$68.50
3001 and greater tons	\$44.50	\$68.50

AC-2 403-12 2 Base (Open)

Loaded in truck @ plant

0-500 tons	\$43.00	\$61.00
501-1000 tons	\$43.00	\$61.00
1001-3000 tons	\$42.50	\$60.50
3001 and greater tons	\$42.50	\$60.50

AC-3 403-13 3 Binder (Dense)

Loaded in truck @ plant

0-500 tons	\$47.00	\$71.00
501-1000 tons	\$47.00	\$71.00
1001-3000 tons	\$46.50	\$70.50
3001 and greater tons	\$46.50	\$70.50

AC-4 403-14 4 Binder (Open)

<i>Loaded in truck @ plant</i>			
		0-500 tons	\$45.00 \$67.00
		501-1000 tons	\$45.00 \$67.00
		1001-3000 tons	\$44.50 \$66.50
		3001 and greater tons	\$44.50 \$66.50
AC-5	403.15	5 Shim (Course)	
<i>Loaded in truck @ plant</i>			
		0-500 tons	\$58.00 \$92.00
		501-1000 tons	\$58.00 \$92.00
		1001-3000 tons	\$57.50 \$91.50
		3001 and greater tons	\$57.50 \$91.50
AC-6	403-16	6 Top (State Top)	
<i>Loaded in truck @ plant</i>			
		0-500 tons	\$50.00 \$77.00
		501-1000 tons	\$50.00 \$77.00
		1001-3000 tons	\$49.50 \$76.50
		3001 and greater tons	\$49.50 \$76.50
AC-7	403-17	6F Top (High Friction)	
<i>Loaded in truck @ plant</i>			
		0-500 tons	\$50.00 \$77.00
		501-1000 tons	\$50.00 \$77.00
		1001-3000 tons	\$49.50 \$76.50
		3001 and greater tons	\$49.50 \$76.50
AC-8	403-18	7 Top (Armor Coat)	
<i>Loaded in truck @ plant</i>			
		0-500 tons	\$52.50 \$82.00
		501-1000 tons	\$52.50 \$82.00
		1001-3000 tons	\$52.00 \$81.50
		3001 and greater tons	\$52.00 \$81.50
AC-9	403-19	7F Top (Friction Armor Coat)	
<i>Loaded in truck @ plant</i>			
		0-500 tons	\$52.50 \$82.00
		501-1000 tons	\$52.50 \$82.00
		1001-3000 tons	\$52.00 \$81.50
		3001 and greater tons	\$52.00 \$81.50
AC-11	403-21	Truing & Leveling Plant Mix Stockpile Patching Materials (Reg)	
<i>Loaded in truck @ plant</i>			
		0-500 tons	\$77.00
		501-1000 tons	\$77.00
		1001-3000 tons	\$76.50
		3001 and greater tons	\$76.50

Transportation Rates: Cuba PlantDelivery Charge "Other Than" to Paver

All orders will be a minimum of 50 ton if delivery is requested.

0 - 5 miles \$3.00 total cost first 5 miles
 6 - 15 miles above + \$.30/net ton mile
 16 - 50 miles above + \$.25/net ton mile

BUFFALO CRUSHED STONE, INC.

2544 Clinton Street

P.O. Box 710

Buffalo, New York 14224

price/ton loaded in truck at Olean PlantIndex No. Description

2008 Rate 2009 Rate

AC-1 403-11 1 Base (Dense)

Loaded in truck @ plant

0-500 tons	\$46.70	\$66.10
501-1000 tons	\$46.70	\$66.10
1001-3000 tons	\$46.20	\$65.60
3001 and greater tons	\$46.20	\$65.60

Delivered to Southeast Quad.

0-500 tons		\$72.10
501-1000 tons		\$72.10
1001-3000 tons		\$71.60
3001 and greater tons		\$71.60

AC-2 403-12 2 Base (Open)

Loaded in truck @ plant

0-500 tons	\$43.15	\$57.35
501-1000 tons	\$43.15	\$57.35
1001-3000 tons	\$42.65	\$56.85
3001 and greater tons	\$42.65	\$56.85

Delivered to Southeast Quad.

0-500 tons	\$49.15	\$63.35
501-1000 tons	\$49.15	\$63.35
1001-3000 tons	\$48.65	\$62.85
3001 and greater tons	\$48.65	\$62.85

AC-3 403-13 3 Binder (Dense)

Loaded in truck @ plant

0-500 tons	\$50.00	\$71.15
501-1000 tons	\$50.00	\$71.15
1001-3000 tons	\$49.50	\$70.65
3001 and greater tons	\$49.50	\$70.65

AC-4 403-14 4 Binder (Open)

Loaded in truck @ plant

0-500 tons	\$43.75	\$59.65
501-1000 tons	\$43.75	\$59.65
1001-3000 tons	\$43.25	\$59.15
3001 and greater tons	\$43.25	\$59.15

Delivered to Southeast Quad.

		0-500 tons	\$49.75	\$65.65
		501-1000 tons	\$49.75	\$65.65
		1001-3000 tons	\$49.25	\$65.15
		3001 and greater tons	\$49.25	\$65.15
AC-5	403.15	5 Shim (Course)		
		<i>Loaded in truck @ plant</i>		
		0-500 tons	\$56.50	\$87.20
		501-1000 tons	\$56.50	\$87.20
		1001-3000 tons	\$56.00	\$86.70
		3001 and greater tons	\$56.00	\$86.70
		<u>Delivered to Southeast Quad.</u>		
		0-500 tons	\$62.50	\$93.20
		501-1000 tons	\$62.50	\$93.20
		1001-3000 tons	\$62.00	\$92.70
		3001 and greater tons	\$62.00	\$92.70
AC-6	403-16	6 Top (State Top)		
		<i>Loaded in truck @ plant</i>		
		0-500 tons	\$54.00	\$77.60
		501-1000 tons	\$54.00	\$77.60
		1001-3000 tons	\$53.50	\$77.10
		3001 and greater tons	\$53.50	\$77.10
		<u>Delivered to Southeast Quad.</u>		
		1001-3000 tons		\$83.10
AC-7	403-17	6F Top (High Friction)		
		<i>Loaded in truck @ plant</i>		
		0-500 tons	\$54.00	\$77.60
		501-1000 tons	\$54.00	\$77.60
		1001-3000 tons	\$53.50	\$77.10
		3001 and greater tons	\$53.50	\$77.10
		<u>Delivered to Southeast Quad.</u>		
		1001-3000 tons		\$83.10
AC-8	403-18	7 Top (Armor Coat)		
		<i>Loaded in truck @ plant</i>		
		0-500 tons	\$54.50	\$80.85
		501-1000 tons	\$54.50	\$80.85
		1001-3000 tons	\$54.00	\$80.35
		3001 and greater tons	\$54.00	\$80.35
		<u>Delivered to Southeast Quad.</u>		
		0-500 tons		\$86.85
		501-1000 tons		\$86.85
		1001-3000 tons		\$86.35
AC-9	403-19	7F Top (Friction Armor Coat)		
		<i>Loaded in truck @ plant</i>		
		0-500 tons	\$54.50	\$80.85
		501-1000 tons	\$54.50	\$80.85
		1001-3000 tons	\$54.00	\$80.35
		3001 and greater tons	\$54.00	\$80.35
		<u>Delivered to Southeast Quad.</u>		
		0-500 tons		\$86.85
		501-1000 tons		\$86.85
		1001-3000 tons		\$86.35

AC-20 P-401 Airport Top

Loaded in truck @ plant

0-500 tons	\$52.00	\$73.85
501-1000 tons	\$52.00	\$73.85
1001-3000 tons	\$51.50	\$73.35
3001 and greater tons	\$51.50	\$73.35

Delivered to Southeast Quad.

0-500 tons		\$79.85
501-1000 tons		\$79.85
1001-3000 tons		\$79.35
3001 and greater tons		\$79.35

Transportation Rates:**Delivery Charge "Other Than" to Paver**

All orders will be a minimum of 50 ton if delivery is requested.

0 - 5 miles	\$4.00 total cost first 5 miles
6 - 15 miles	above + \$.14/net ton mile
16 - 50 miles	above + \$.14/net ton mile

JAMESTOWN MACADAM, INC.

P.O. Box 158

Walden Avenue

Jamestown, New York 14701

price/ton loaded in truck at Plant**Index No. Description**

2008 Rate 2009 Rate

AC-1 403-11 1 Base (Dense)

Loaded in truck @ plant

0-500 tons	\$49.00	\$67.80
501-1000 tons	\$49.00	\$67.80
1001-3000 tons	\$49.00	\$67.80
3001 and greater tons	\$48.50	\$67.30

AC-2 403-12 2 Base (Open)

Loaded in truck @ plant

0-500 tons	\$43.40	\$60.35
501-1000 tons	\$43.40	\$60.35
1001-3000 tons	\$43.40	\$60.35
3001 and greater tons	\$42.90	\$59.85

Delivered to Southwest Quad.

0-500 tons	\$48.85	\$67.35
501-1000 tons	\$48.85	\$67.35
1001-3000 tons	\$48.85	\$67.35
3001 and greater tons	\$48.85	\$66.85

AC-3 403-13 3 Binder (Dense)

Loaded in truck @ plant

0-500 tons	\$50.00	\$70.90
501-1000 tons	\$50.00	\$70.90
1001-3000 tons	\$50.00	\$70.90
3001 and greater tons	\$49.50	\$70.40

AC-4 403-14 4 Binder (Open)

Loaded in truck @ plant

0-500 tons	\$46.95	\$62.25
501-1000 tons	\$46.95	\$62.25
1001-3000 tons	\$46.95	\$62.25
3001 and greater tons	\$46.45	\$61.75

Delivered to Southwest Quad.

0-500 tons		\$69.25
501-1000 tons		\$69.25
1001-3000 tons		\$69.25
3001 and greater tons		\$68.75

AC-5 403.15 5 Shim (Course)

Loaded in truck @ plant

0-500 tons	\$58.35	\$90.25
501-1000 tons	\$58.35	\$90.25
1001-3000 tons	\$58.35	\$90.25
3001 and greater tons	\$57.85	\$89.75

AC-6 403-16 6 Top (State Top)

Loaded in truck @ plant

0-500 tons	\$53.55	\$77.90
501-1000 tons	\$53.55	\$77.90
1001-3000 tons	\$53.55	\$77.90
3001 and greater tons	\$53.05	\$77.40

AC-7 403-17 6F Top (High Friction)

Loaded in truck @ plant

0-500 tons	\$53.55	\$77.90
501-1000 tons	\$53.55	\$77.90
1001-3000 tons	\$53.55	\$77.90
3001 and greater tons	\$53.05	\$77.40

AC-8 403-18 7 Top (Armor Coat)

Loaded in truck @ plant

0-500 tons	\$56.50	\$81.60
501-1000 tons	\$56.50	\$81.60
1001-3000 tons	\$56.50	\$81.60
3001 and greater tons	\$56.00	\$81.10

AC-9 403-19 7F Top (Friction Armor Coat)

Loaded in truck @ plant

0-500 tons	\$56.50	\$81.60
501-1000 tons	\$56.50	\$81.60
1001-3000 tons	\$56.50	\$81.60
3001 and greater tons	\$56.00	\$81.10

AC-11 403-21 Truing & Leveling Plant Mix Stockpile
Patching Materials (Reg)**Loaded in truck @ plant**

0-500 tons	\$53.55	\$77.90
501-1000 tons	\$53.55	\$77.90
1001-3000 tons	\$53.55	\$77.90
3001 and greater tons	\$53.05	\$77.40

		<u>Delivered to Southwest Quad.</u>	
		0-500 tons	\$59.00 \$84.90
		501-1000 tons	\$59.00 \$84.90
		1001-3000 tons	\$59.00 \$84.90
		3001 and greater tons	\$59.00 \$84.40
AC-12	Plant Mixed Stockpile Patching Materials (Modified)		
		<u>Loaded in truck @ plant</u>	
		0-500 tons	\$92.25 \$105.00
		501-1000 tons	\$92.25 \$105.00
		1001-3000 tons	\$92.25 \$105.00
		3001 and greater tons	\$91.75 \$105.00
AC-20	P-401 Airport Top		
		<u>Loaded in truck @ plant</u>	
		0-500 tons	\$53.25 \$77.50
		501-1000 tons	\$53.25 \$77.50
		1001-3000 tons	\$53.25 \$77.50
		3001 and greater tons	\$52.75 \$77.00
		<u>Delivered to Southwest Quad.</u>	
		0-500 tons	\$58.70 \$84.50
		501-1000 tons	\$58.70 \$84.50
		1001-3000 tons	\$58.70 \$84.50
		3001 and greater tons	\$58.70 \$84.00

Transportation Rates:Delivery Charge "Other Than" to Paver

All orders will be a minimum of 50 ton if delivery is requested.

0 - 5 miles \$3.25 total cost first 5 miles

6 - 15 miles above + \$.16/net ton mile

16 - 50 miles above + \$.16/net ton mile

MIDLAND ASPHALT MATERIALS CORP.

640 Young Street

P.O. Box 388

Tonawanda, New York 14151

price/ton loaded in truck at Plant

<u>Index No.</u>	<u>Description</u>	2008 Rate	2009 Rate
AC-13	Cold Mix Stockpile Patching Materials		
		<u>Loaded in truck @ plant</u>	
		0-500 tons	\$61.32 \$81.30
		501-1000 tons	\$58.32 \$78.21
		1001-3000 tons	\$56.32 \$76.15
		3001 and greater tons	\$56.32 \$76.15
AC-14	Cold Mix Bituminous Pavement (open graded)		
		<u>Loaded in truck @ plant</u>	
		0-500 tons	\$48.60 \$67.27
		501-1000 tons	\$45.60 \$64.18
		1001-3000 tons	\$43.60 \$62.11
		3001 and greater tons	\$43.60 \$62.11

AC-15 Type 1 (Surface Course)

Loaded in truck @ plant

0-500 tons	\$50.75	\$71.37
501-1000 tons	\$47.75	\$68.28
1001-3000 tons	\$45.75	\$66.22
3001 and greater tons	\$45.75	\$66.22

AC-16 Type 2 (Intermediate)

Loaded in truck @ plant

0-500 tons	\$49.25	\$67.52
501-1000 tons	\$46.25	\$64.43
1001-3000 tons	\$44.25	\$62.37
3001 and greater tons	\$44.25	\$62.37

AC-17 Type 3 (Base Course)

Loaded in truck @ plant

0-500 tons	\$46.25	62.42
501-1000 tons	\$43.25	59.34
1001-3000 tons	\$41.25	57.28
3001 and greater tons	\$41.25	57.28

SUIT-KOTE CORPORATION
 1911 Lorings Crossing Road
 Cortland, New York 13045

price/ton loaded in truck at PlantIndex No. Description

2008 Rate 2009 Rate

AC-14 Cold Mix Bituminous Pavement (open graded)

Loaded in truck @ plant

0-500 tons	\$59.37	\$73.29
501-1000 tons	\$46.87	\$60.79
1001-3000 tons	\$44.90	\$61.82
3001 and greater tons	\$42.73	\$59.65

AC-15 Type 1 (Surface Course)

Loaded in truck @ plant

0-500 tons	\$60.93	\$78.33
501-1000 tons	\$50.22	\$67.62
1001-3000 tons	\$47.51	\$67.91
3001 and greater tons	\$45.55	\$65.95

AC-16 Type 2 (Intermediate)

Loaded in truck @ plant

0-500 tons	\$58.41	\$72.33
501-1000 tons	\$48.54	\$62.46
1001-3000 tons	\$44.58	\$61.50
3001 and greater tons	\$41.57	\$58.49

AC-17 Type 3 (Base Course)

Loaded in truck @ plant

0-500 tons	\$57.87	\$71.79
501-1000 tons	\$47.21	\$61.13
1001-3000 tons	\$41.66	\$58.58
3001 and greater tons	\$39.40	\$56.32

I.M.U.S., Inc.
11512 Ramshaw Road
Lyndonville, NY 14098

price/ton loaded in truck at Plant

Index No. Description

2008 Rate 2009 Rate

AC-12 Plant Mixed Stockpile Patching Materials (Modified)

Loaded in truck @ plant

0-500 tons	\$81.95	\$99.95
501-1000 tons	\$81.95	\$99.95
1001-3000 tons	\$81.95	\$99.95
3001 and greater tons	\$81.95	\$99.95

Delivered to Southeast Quad.

0-500 tons	\$84.00	\$109.85
501-1000 tons	\$83.00	\$108.95
1001-3000 tons	\$82.00	\$107.95
3001 and greater tons	\$81.00	\$106.95

AC-13 Cold Mix Stockpile Patching Materials

Loaded in truck @ plant

0-500 tons	\$81.95	\$99.95
501-1000 tons	\$81.95	\$99.95
1001-3000 tons	\$81.95	\$99.95
3001 and greater tons	\$81.95	\$99.95

Delivered to Northeast Quad.

0-500 tons	\$84.00	\$109.85
501-1000 tons	\$83.00	\$108.95
1001-3000 tons	\$82.00	\$107.95
3001 and greater tons	\$81.00	\$106.95

Delivered to Northwest Quad.

0-500 tons	\$84.00	\$109.85
501-1000 tons	\$83.00	\$108.95
1001-3000 tons	\$82.00	\$107.95
3001 and greater tons	\$81.00	\$106.95

Delivered to Southeast Quad.

0-500 tons	\$84.00	\$109.85
501-1000 tons	\$83.00	\$108.95
1001-3000 tons	\$82.00	\$107.95
3001 and greater tons	\$81.00	\$106.95

Delivered to Southwest Quad.

0-500 tons		\$109.85
501-1000 tons		\$108.95
1001-3000 tons		\$107.95
3001 and greater tons		\$106.95

H.H. RAUH PAVING, INC.
 7 West First Street
 P.O. Box 2
 Lakewood, New York 14750

price/ton loaded in truck at Plant

<u>Index No.</u>	<u>Description</u>	2008 Rate	2009 Rate
AC-9	403-19 7F Top (Friction Armor Coat)		

Loaded in truck @ plant

0-500 tons	\$85.00
501-1000 tons	\$85.00

Asphalt Concrete:

State Bid - The County Department of Public Works will compare the aforementioned bids against the State Contract prices and will purchase from the source most advantageous to the County.

Nine sets of specifications were sent out.

Other bids received meeting specifications are on file in the office of the Cattaraugus County Department of Public Works.

• **LIQUID BITUMINOUS MATERIALS**

MIDLAND ASPHALT MATERIALS CORP.
 640 Young Street
 P.O. Box 388
 Tonawanda, New York 14151

<u>Index No.</u>	<u>Description:</u> <u>(Without Guarantee)</u>	<u>2008 Rate</u>	<u>2009 Rate</u>
LBM-1	MC-30	\$ 2.65	\$ 4.26
LBM-3	MC-250	\$ 2.65	\$ 4.26
LBM-4	MC-800		\$ 4.31
LBM-5	MC-3000		\$ 4.31
LBM-6	RS-1		\$ 2.63
LBM-7	CRS-1	\$ 1.59	\$ 2.61
LBM-11	CRS-2		\$ 2.65
LBM-12	CRS-2L	\$1.818	\$ 2.85
LBM-13	CRS-2P		\$ 2.87
LBM-16	HFMS-2H	\$ 1.81	\$ 2.97
LBM-17	CMS-1H	\$ 1.76	\$ 2.93
LBM-18	CMS-2	\$ 1.78	\$ 2.95
LBM-19	CMS-2H	\$ 1.78	\$ 2.95
LBM-20	CSS-1	\$1.606	\$ 2.63
LBM-21	CSS-1H		\$ 2.63
LBM-22	Tackcoat		\$ 3.60
LBM-23	Winter Mix HFMS-2	\$ 1.89	
LBM-24	Summer Stock Pile HFMS-2P		\$ 3.14
LBM-26	35% Calcium Chloride Solution (applied)		\$ 1.15
LBM-27	32% Calcium Chloride Solution to Co. Storage		\$ 1.10
<u>(With Two-Year Guarantee)</u>			
GLBM-1	MC-30		\$ 4.26
GLBM-3	MC-250		\$ 4.26
GLBM-4	MC-800		\$ 4.31
GLBM-5	MC-3000		\$ 4.31
GLBM-6	RS-1		\$ 2.63

GLBM-7	CRS-1	\$ 1.61	\$ 2.61
GLBM-11	CRS-2		\$ 2.65
GLBM-12	CRS-2L	\$1.838	\$ 2.85
GLBM-13	CRS-2P		\$ 2.87
GLBM-16	HFMS-2H	\$ 1.83	\$ 2.97
GLBM-17	CMS-1H	\$ 1.76	\$ 2.93
GLBM-18	CMS-2	\$ 1.78	\$ 2.95
GLBM-19	CMS-2H	\$ 1.78	\$ 2.95
GLBM-20	CSS-1	\$1.626	\$ 2.63
GLBM-21	CSS-1H		\$ 2.63
GLBM-22	Tackcoat		\$ 3.60
GLBM-24	Summer Stock Pile HFMS-2P		\$ 3.14

**Price Per Gallon Applied, including: heat, haul and applied point in Cattaraugus Co.

Price Additions - The following bid prices are for rental of equipment by the gallon or by the hour for various liquid asphalt projects (both with or without guarantee)

<u>Item</u>	<u>2008 Rate</u>	<u>2009 Rate</u>
Pugmill	\$.14/gal. not to exceed \$1400/day	\$.16/gal. not to exceed \$1600/day
Mix Paver	\$.17/gal. not to exceed \$2000/day	\$.18/gal. not to exceed \$2200/day
Automated Paver	No bid	No bid
Self-Propelled Aggregate Spreader	\$.14/gal. not to exceed \$1400/day	\$.18/gal. not to exceed \$1800/day
Or		
Self-Propelled Aggregate Spreader	\$200/hour not to exceed \$1400/day	\$200/hour not to exceed \$1800/day
Variable Width Aggregate Spreader	\$.14/gal. not to exceed \$1400/day	\$.18/gal. not to exceed \$1800/day
Or		
Variable Width Aggregate Spreader	\$200/hour not to exceed \$1400/day	\$200/hour not to exceed \$1800/day
Milling Machine	\$590/hour not to exceed \$5000/day	4 foot width: \$570/hour not to exceed \$4950/day 6 foot width: \$570/hour not to exceed \$4950/day 7 foot width: \$570/hour not to exceed \$4950/day 10 foot width: \$600/hour not to exceed \$5100/day 11 foot width: \$600/hour not to exceed \$5100/day
Pulveration Only	\$525/hour not to exceed \$4650/day	\$550/hour not to exceed \$4950/day
<u>Distributor Rental for Spray Patching or Tack Coat Application with Operator</u>		
	0-1000 gallon/day	\$110/hour
	1001-2000 gallon/day	\$105/hour
	2001-3000 gallon/day	\$100/hour

SUIT-KOTE JAMESTOWN, DIVISION
OF SUIT-KOTE CORPORATION
57 Lister Street
Jamestown, New York 14701

<u>Index No.</u>	<u>Description:</u>	<u>2008 Rate</u>	<u>2009 Rate</u>
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(Without Guarantee)

LBM-6	RS-1	\$1.584	\$ 2.63
LBM-8	RS-2	\$1.610	\$ 2.65
LBM-9	HFRS-2	\$1.610	\$ 2.65
LBM-10	HFRS-2P	\$1.838	\$ 2.87
LBM-14	MS-2	\$ 1.78	\$ 2.95
LBM-15	HFMS-2	\$ 1.78	\$ 2.95
LBM-16A	HFMS-2GH	\$ 1.83	\$ 2.99
LBM-23	Winter Mix HFMS-2	\$ 1.89	\$ 3.06
LBM-25	Recycle HFMS-R	\$1.799	\$2.969
LBM-26	35% Calcium Chloride Solution (applied)		\$ 1.15
LBM-27	32% Calcium Chloride Solution to County Storage		\$ 1.10
LBM-30	Dust Control Emulsion AEDC (applied)	\$1.109	\$ 1.84
LBM-32	Crack Sealing		\$13.667

(With Two-Year Guarantee)

GLBM-6	RS-1	\$1.584	\$ 2.63
GLBM-8	RS-2	\$ 1.61	\$ 2.65
GLBM-9	HFRS-2	\$ 1.61	\$ 2.65
GLBM-10	HFRS-2P	\$1.838	\$ 2.87
GLBM-14	MS-2	\$ 1.78	\$ 2.95
GLBM-15	HFMS-2	\$ 1.78	\$ 2.95
GLBM-16A	HFMS-2GH	\$ 1.83	\$ 2.99
GLBM-23	Winter Mix HFMS-2	\$ 1.89	\$ 3.06
GLBM-25	Recycle HFMS-R	\$1.799	\$2.969
GLBM-32	Crack Sealing		\$13.667

**Price Per Gallon Applied, including: heat, haul and applied point in Cattaraugus Co.

Additional Bids:

HFMS-2MP	High-Float Medium Set Emulsion Specially Formulated for Cold Mix Paving	\$1.759/gal.	\$2.929/gal.
HFMS-2ST	High-float Medium Set Emulsion Specially Formulated for Surface Treating Over Gravel	\$1.582/gal.	\$2.72/gal.
DCA-2000	Dust Control Alternate	\$1.097/gal.	\$1.828/gal.
HFRS-2SE	High-float Rapid Set Emulsion Specially Formulated for Limestone		\$2.517/gal.

Price Additions - The following bid prices are for rental of equipment by the gallon or by the hour for various liquid asphalt projects (both with or without guarantee)

<u>Item</u>	<u>2008 Rate</u>	<u>2009 Rate</u>
Pugmill	\$.13/gal. not to exceed \$1300/day	\$.15/gal. not to exceed \$1500/day
Mix Paver	\$.17/gal. not to exceed \$2000/day	\$.18/gal. not to exceed \$2200/day
Automated Paver	\$.24/gal. not to exceed \$2400/day	\$.25/gal. not to exceed \$2500/day
Self-Propelled Aggregate Spreader	\$.13/gal. not to exceed \$1300/day	\$.14/gal. not to exceed \$1450/day
Or		
Self-Propelled Aggregate Spreader	\$162.50/hour not to exceed \$1300/day	\$181.25/hour not to exceed \$1450/day
Variable Width Aggregate Spreader	\$.14/gal. not to exceed \$1400/day	\$.18/gal. not to exceed \$1800/day
Or		
Variable Width Aggregate Spreader	\$250/hour not to exceed \$1400/day	\$225/hour not to exceed \$1800/day
Milling Machine	\$650/hour not to exceed \$5500/day	7 foot width: \$650/hour not to exceed \$5500/day

Pulveration Only	\$575/hour not to exceed \$4950/day	\$575/hour not to exceed \$4950/day
<u>Distributor Rental for Spray Patching or Tack Coat Application with Operator</u>		
0-1000 gallon/day	\$110/hour	0-1000 gallon/day \$120/hour
1001-2000 gallon/day	\$100/hour	1001-2000 gallon/day \$110/hour
2001-3000 gallon/day	\$90/hour	2001-3000 gallon/day \$100/hour

BOTHAR CONSTRUCTION, LLC
170 East Service Road
Binghamton, New York 13901

<u>Index No.</u>	Description:	<u>2008 Rate</u>	<u>2009 Rate</u>
	<u>(Without Guarantee)</u>		
LBM-31	Crack Filling		\$12.27
**Price Per Gallon Applied, including: heat, haul and applied point in Catt. Co.			

	<u>(With Two-Year Guarantee)</u>		
GLBM-31	Crack Filling		\$12.27
**Price Per Gallon Applied, including: heat, haul and applied point in Catt. Co.			

RUSSELL STANDARD CORP.
P.O. Box 86
Union City, Pennsylvania 14701

<u>Index No.</u>	Description:	<u>2008 Rate</u>	<u>2009 Rate</u>
	<u>(Without Guarantee)</u>		
LBM-2	MC-70	\$2.621	\$3.965
	<u>(With Two-Year Guarantee)</u>		
GLBM-2	MC-70	\$2.621	\$3.975
**Price Per Gallon Applied, including: heat, haul and applied point in Catt. Co.			

Price Additions - The following bid prices are for rental of equipment by the gallon or by the hour for various liquid asphalt projects (both with or without guarantee)

<u>Item</u>	<u>2008 Rate</u>	<u>2009 Rate</u>
Pugmill	\$.15/gal. not to exceed \$1500/day	\$.15/gal. not to exceed \$1500/day
Mix Paver	No bid	No bid
Automated Paver	No bid	No bid
Self-Propelled Aggregate Spreader	\$.13/gal. not to exceed \$1350/day	\$.14/gal. not to exceed \$1400/day
Or		
Self-Propelled Aggregate Spreader	\$165/hour not to exceed \$1350/day	\$200/hour not to exceed \$1400/day
Variable Width Aggregate Spreader	\$.13/gal. not to exceed \$1350/day	\$.14/gal. not to exceed \$1400/day
Or		
Variable Width Aggregate Spreader	\$165/hour not to exceed \$1350/day	\$200/hour not to exceed \$1400/day
Milling Machine	No bid	No bid
Pulveration Only	No bid	No bid
<u>Distributor Rental for Spray Patching or Tack Coat Application with Operator</u>		
0-1000 gallon/day	\$100/hour	0-1000 gallon/day \$110/hour

1001-2000 gallon/day	\$95/hour	1001-2000 gallon/day	\$105/hour
2001-3000 gallon/day	\$90/hour	2001-3000 gallon/day	\$95/hour

I.M.U.S., Inc.
11512 Ramshaw Road
Lyndonville, NY 14098

<u>Index No.</u>	<u>Description:</u> <u>(Without Guarantee)</u>	<u>2008 Rate</u>	<u>2009 Rate</u>
	Liquid Magnesium Chloride (applied)	\$ 0.83	\$1.04
	Liquid Magnesium Chloride, T2T	\$ 0.79	\$0.84

**Price Per Gallon Applied, including: heat, haul and applied point in Catt. Co.

Liquid Bituminous Materials

State Bid - The County Department of Public Works will compare the aforementioned bids against the State Contract prices and will purchase from the source most advantageous to the County.

Seven sets of specifications were sent out.

Other bids received meeting specifications are on file in the office of the Cattaraugus County Department of Public Works.

▪ **MICRO-SURFACING OF EXISTING PAVEMENT**

SUIT-KOTE JAMESTOWN, DIVISION
OF SUIT-KOTE CORPORATION
57 Lister Street
Jamestown, New York 14701

prices per ton

<u>Quantities</u>	<u>2008 Rate</u>	<u>2009 Rate</u>
Quantities to be placed under 100 ton	\$258.00	\$295.00
Quantities to be placed under 101-300 ton	\$173.00	
Quantities to be placed under 301-500 ton	\$159.00	
Quantities to be placed over 500 ton	\$148.00	

VESTAL ASPHALT, INC.
201 Stage Road
Vestal, New York 13850

prices per ton

<u>Quantities</u>	<u>2008 Rate</u>	<u>2009 Rate</u>
Quantities to be placed under 101-300 ton	\$173.00	\$192.00
Quantities to be placed under 301-500 ton	\$159.00	\$168.00
Quantities to be placed over 500 ton	\$148.00	\$157.00

Micro Surfacing:

State Bid - The County Department of Public Works will compare the aforementioned bids against the State Contract prices and will purchase from the source most advantageous to the County.

Three sets of specifications were sent out.

Other bids received meeting specifications are on file in the office of the Cattaraugus County Department of Public Works.

• **COLD IN-PLACE RECYCLING OF BITUMINOUS PAVEMENT**

MIDLAND ASPHALT MATERIALS CORP.

640 Young Street
P.O. Box 388
Tonawanda, New York 14151

Projects 5,000 Up To 9,999 Square Yards

<u>Description</u>	<u>2008 Rate</u>	<u>2009 Rate</u>
<u>IN-PLACE RECYCLING WITH EMULSIFIED ASPHALT:</u>		
<u>TYPE I: (Cutting Depth) Price/Square Yard</u>		
(1a) 1 inch up to but not including 3 inches	\$2.60/sq.yd.	\$2.74/sq.yd.
(1b) 3 inches up to but not including 6 inches	\$2.70/sq.yd.	\$2.79/sq.yd.
(2) Additive: (Type) Price Per Gallon	(HFMS-2)	(HFMS-2)
	\$1.63/gallon	\$2.80/gallon
Total square yard price for Recycling using one gallon additive/square yard:		
(1a + 2) = (3a)	\$4.23	\$5.54
(1b + 2) = (3b)	\$4.33	\$5.59
<u>TYPE II: (Cutting Depth) Price/Square Yard</u>		
(1a) 1 inch up to but not including 3 inches	\$1.90/sq.yd.	\$2.25/sq.yd.
(1b) 3 inches up to but not including 6 inches	\$1.95/sq.yd.	\$2.30/sq.yd.
(2) Additive: (Type) Price Per Gallon	(HFMS-2)	(HFMS-2)
	\$1.63/gallon	\$2.80/gallon
Total square yard price for Recycling using one gallon additive/square yard:		
(1a + 2) = (3a)		\$5.05
(1b + 2) = (3b)		\$5.10
Alternate/square yard - Add for Contractor supplying Aggregate as described in Section 8.a.2, page 12 of bid specifications	\$0.67	\$0.70

Projects 10,000 Square Yards & Greater

<u>Description</u>	<u>2008 Rate</u>	<u>2009 Rate</u>
<u>IN-PLACE RECYCLING WITH EMULSIFIED ASPHALT:</u>		
<u>TYPE I: (Cutting Depth) Price/Square Yard</u>		
(1a) 1 inch up to but not including 3 inches	\$2.34/sq.yd.	\$2.44/sq.yd.
(1b) 3 inches up to but not including 6 inches	\$2.44/sq.yd.	\$2.49/sq.yd.
(2) Additive: (Type) Price Per Gallon	(HFMS-2)	(HFMS-2)
	\$1.63/gallon	\$2.80/gallon
Total square yard price for Recycling using one gallon additive/square yard:		
(1a + 2) = (3a)	\$3.97	\$5.24
(1b + 2) = (3b)	\$4.07	\$5.29
<u>TYPE II: (Cutting Depth) Price/Square Yard</u>		
(1a) 1 inch up to but not including 3 inches	\$1.90/sq.yd.	\$1.95/sq.yd.
(1b) 3 inches up to but not including 6 inches	\$1.95/sq.yd.	\$2.00/sq.yd.
(2) Additive: (Type) Price Per Gallon	(HFMS-2)	(HFMS-2)
	\$1.63/gallon	\$2.80/gallon
Total square yard price for Recycling using one gallon additive/square yard:		
(1a + 2) = (3a)	\$3.53	\$4.75
(1b + 2) = (3b)	\$3.58	\$4.80
Alternate/square yard - Add for Contractor supplying Aggregate as described in Section 8.a.2, page 12 of bid specifications	\$0.67	\$0.70

FULL DEPTH RECLAMATION - TYPE III RECYCLING:

TYPE III: WITH EMULSIFIED ASPHALT (Price/Square Yard)		
(1a) six (6) inches or less		
(1b) over six (6) inches		\$1.42
(2) Additive: Delivered & Added to the Mix per gallon		\$2.80

Total square yard price for Recycling using one gallon additive/square yard:

(1a + 2) = (3a)

(1b + 2) = (3b)

\$4.22

Alternate: To 3a & 3b: a deduction if contractor does not have to supply the aggregate and water. (To be subtracted from 3a and 3b above)

(3a minus alternate deduction)

(3b minus alternate deduction)

\$3.625

TYPE III: WITH 33% CALCIUM CHLORIDE SOLUTION

(Price/Square Yard)

(1a) six (6) inches or less

\$1.225

\$1.37

(1b) over six (6) inches

\$1.275

\$1.42

(2) Additive: Delivered & Added to the Mix per gallon

\$.95

\$1.05

Total square yard price for Recycling using one gallon additive/square yard:

(1a + 2) = (3a)

\$2.175

\$2.42

(1b + 2) = (3b)

\$2.225

\$2.47

Alternate: To 3a & 3b: a deduction if contractor does not have to supply the aggregate and water. (To be subtracted from 3a and 3b above)

(3a minus alternate deduction)

\$2.355

\$1.825

(3b minus alternate deduction)

\$2.405

\$1.875

PULVERIZE ONLY - Depth of Cut: Price per Square Yard

Six (6) inches or less

\$.675

\$.725

Over six (6) inches

\$.725

\$.775

SUIT-KOTE JAMESTOWN, DIVISION

OF SUIT-KOTE CORPORATION

57 Lister Street

Jamestown, New York 14701

Projects 5,000 Up To 9,999 Square Yards

<u>Description</u>	<u>2008 Rate</u>	<u>2009 Rate</u>
<u>IN-PLACE RECYCLING WITH EMULSIFIED ASPHALT:</u>		
<u>TYPE II: (Cutting Depth) Price/Square Yard</u>		
(1a) 1 inch up to but not including 3 inches	\$2.20/sq.yd.	\$2.25/sq.yd.
(1b) 3 inches up to but not including 6 inches	\$2.35/sq.yd.	
(2) Additive: (Type) Price Per Gallon	(HFMS-2)	(HFMS-2)
	\$1.68/gallon	\$2.80/gallon
Total square yard price for Recycling using one gallon additive/square yard:		
(1a + 2) = (3a)	\$3.88	\$5.05
(1b + 2) = (3b)	\$4.03	
Alternate/square yard - Add for Contractor supplying Aggregate as described in Section 8.a.2, page 12 of bid specifications	\$0.70	\$0.70

Projects 10,000 Square Yards & Greater

<u>Description</u>	<u>2008 Rate</u>	<u>2009 Rate</u>
<u>IN-PLACE RECYCLING WITH EMULSIFIED ASPHALT:</u>		
<u>TYPE II: (Cutting Depth) Price/Square Yard</u>		
(1a) 1 inch up to but not including 3 inches	\$2.20/sq.yd.	\$1.95/sq.yd.
(1b) 3 inches up to but not including 6 inches	\$2.35/sq.yd.	\$2.00/sq.yd.
(2) Additive: (Type) Price Per Gallon	(HFMS-2)	(HFMS-2)

	\$1.68/gallon	\$2.80/gallon
Total square yard price for Recycling using one gallon additive/square yard:		
(1a + 2) = (3a)	\$3.88	\$4.75
(1b + 2) = (3b)	\$4.03	\$4.80
Alternate/square yard - Add for Contractor supplying Aggregate as described in Section 8.a.2, page 12 of bid specifications	\$0.70	\$0.70

FULL DEPTH RECLAMATION - TYPE III RECYCLING:

TYPE III: WITH EMULSIFIED ASPHALT (Price/Square Yard)		
(1a) six (6) inches or less	\$ 1.225	\$1.365
(1b) over six (6) inches	\$ 1.275	
(2) Additive: Delivered & Added to the Mix per gallon	\$ 1.68	\$ 2.80
Total square yard price for Recycling using one gallon additive/square yard:		
(1a + 2) = (3a)	\$2.905	\$4.165
(1b + 2) = (3b)	\$2.955	
Alternate: To 3a & 3b: a deduction if contractor does not have to supply the aggregate and water. (To be subtracted from 3a and 3b above)		
(3a minus alternate deduction)		\$3.555
(3b minus alternate deduction)		\$3.625

TYPE III: WITH 33% CALCIUM CHLORIDE SOLUTION
(Price/Square Yard)

Alternate: To 3a & 3b: a deduction if contractor does not have to supply the aggregate and water. (To be subtracted from 3a and 3b above)		
(3a minus alternate deduction)	\$2.355	\$1.825
(3b minus alternate deduction)	\$2.405	\$1.875

PULVERIZE ONLY - Depth of Cut: Price per Square Yard		
Six (6) inches or less	\$.675	\$.725
Over six (6) inches	\$.725	\$.775

Cold In-Place Recycling of Bituminous Pavement:

State Bid - The County Department of Public Works will compare the aforementioned bids against the State Contract prices and will purchase from the source most advantageous to the County.

Three sets of specifications were sent out.

Other bids received meeting specifications are on file in the office of the Cattaraugus County Department of Public Works.

• **SURFACE TREATING**

MIDLAND ASPHALT MATERIALS CORP.
640 Young Street
Box 388
Tonawanda, New York 14151

Bid Item #1 - Travel Way/Pavement

Aggregates: Per Square Yard "Applied"

	<u>Description</u>	<u>2008 Rate</u>	<u>2009 Rate</u>
No. 1ST	Crushed Gravel	\$.363	\$.378
No. 1A	Crushed Gravel	\$.335	\$.347
No. 1ST	Crushed Limestone	\$.514	\$.533
No. 1A	Crushed Limestone	\$.472	\$.487

Bid Item #2 - Stabilized Shoulder (2 coats)

Aggregates: Per Square Yard "Applied"

No. 1	Crushed Gravel	\$.695	\$.722
No. 1ST	Crushed Gravel	\$.695	\$.722
No. 1A	Crushed Gravel	\$.644	\$.668
No. 1	Crushed Limestone	\$.836	\$.868
No. 1ST	Crushed Limestone	\$.836	\$.868
No. 1A	Crushed Limestone	\$.764	\$.788

Bid Item #3 - Stabilized Shoulder (1 coat)

Aggregates: Per Square Yard "Applied"

No. 1A	Crushed Gravel	\$.623	\$.648
No. 1A	Crushed Limestone	\$.839	\$.873

Bituminous Materials: Per Gallon "Applied"

HFMS-2	\$1.732	\$2.80
RS-2	\$1.462	\$2.38
CRS-2	\$1.452	\$2.36
CRS-2P	\$1.738	\$2.55
HFRS-2	\$1.462	\$2.38
HFRS-2P	\$1.748	\$2.57

Surface Treating:

State Bid - The County Department of Public Works will compare the aforementioned bids against the State Contract prices and will purchase from the source most advantageous to the County.

Six sets of specifications were sent out.

Other bids received meeting specifications are on file in the office of the Cattaraugus County Department of Public Works.

• **PAVER PLACED CHIP SEAL**

MIDLAND ASPHALT MATERIALS CORP.

640 Young Street

Tonawanda, New York 14151

price per square yard

<u>Square Yard Range</u>	<u>2008 Rate</u>	<u>2009 Rate</u>
Type A: 1/4 inch		
5,000 - 15,000 square yards	\$4.11	\$5.13
15,001 - 30,000 square yards	\$3.85	\$4.84
30,001 square yards plus	\$3.68	\$4.73
Type C: 1/2 inch		
5,000 - 15,000 square yards	\$4.04	\$5.20
15,001 - 30,000 square yards	\$3.79	\$4.88
30,001 square yards plus	\$3.61	\$4.79

Allowable Deductions per square yard if the County elects to supplement operation with their equipment and labor

If County furnishes and operates compaction equipment,	deduct	\$.08	\$.08
If County furnishes hauling of Hot Mix from Plant to laydown machine,	deduct	\$.19	\$.19

Paver Placed Chip Seal:

State Bid - The County Department of Public Works will compare the aforementioned bids against the State Contract prices and will purchase from the source most advantageous to the County.

Two sets of specifications were sent out.

• **HOT IN-PLACE RECYCLING OF EXISTING ASPHALT PAVEMENT**

HIGHWAY REHABILITATION CORP.
2258 Route 22
Brewster, New York 10509

Price Per Square Yard

<u>Item No.</u>	<u>Size of Product With/Without Roller & Operator</u>	<u>2008 Rate</u>	<u>2009 Rate</u>
#1	Less than 20,000 square yards WITH roller & operator	\$3.59	\$3.79
1A	Less than 20,000 square yards WITHOUT roller & operator	\$3.51	\$3.71
#2	Greater than 20,000 sq.yds. WITH roller & operator	\$3.04	\$3.20
#2A	Greater than 20,000 sq.yds. WITHOUT roller & operator	\$2.96	\$3.12
#3	With traffic control, ADD to all items above	\$0.18	\$0.18

Hot In-Place Recycling of Existing Asphalt Pavement:

State Bid - The County Department of Public Works will compare the aforementioned bids against the State Contract prices and will purchase from the source most advantageous to the County.

Two sets of specifications were sent out.

• **FIBER REINFORCED BITUMINOUS MEMBRANE SURFACE TREATMENT**

MIDLAND ASPHALT MATERIALS CORP.
640 Young Street
Tonawanda, New York 14151

Price Per Square Yard

<u>Item</u>	<u>Description</u>	<u>2008 Rate</u>	<u>2009 Rate</u>
Fibermat Type A	1 - 5,000 sq. yd. per day	\$2.45	\$2.89
	5,001-10,000 sq. yd. per day	\$1.90	\$2.30
	10,001- 20,000 sq. yd. per day	\$1.74	\$2.11
	20,001 & greater sq. yd. per day	\$1.65	\$2.06
Fibermat Type B	1 - 5,000 sq. yd. per day	\$2.41	\$2.83
	5,001-10,000 sq. yd. per day	\$1.86	\$2.23
	10,001- 20,000 sq. yd. per day	\$1.70	\$2.04
	20,001 & greater sq. yd. per day	\$1.61	\$2.00

Options: Per Sq. Yd. Add if contractor furnishes the following: ADD

1. If Contractor furnishes & delivers aggregate to aggregate spreader		
1 - 5,000 sq. yd. per day	\$.22	\$.21
5,001-10,000 sq. yd. per day	\$.20	\$.196
10,001- 20,000 sq. yd. per day	\$.19	\$.179
20,001 & greater sq. yd. per day	\$.18	\$.162

2. If Contractor furnishes & operates self-propelled aggregate spreader		
1 - 5,000 sq. yd. per day	\$.32	\$.31
5,001-10,000 sq. yd. per day	\$.18	\$.172
10,001- 20,000 sq. yd. per day	\$.10	\$.09
20,001 & greater sq. yd. per day	\$.06	\$.068

3. If Contractor furnishes & operates pneumatic tired roller (per roller)		
1 - 5,000 sq. yd. per day	\$.25	\$.25
5,001-10,000 sq. yd. per day	\$.16	\$.153
10,001- 20,000 sq. yd. per day	\$.08	\$.082
20,001 & greater sq. yd. per day	\$.05	\$.056

4. If Contractor furnishes Maintenance & Protection of Traffic as per MUTCD

1 - 5,000 sq. yd. per day	\$.30	\$.31
5,001-10,000 sq. yd. per day	\$.20	\$.166
10,001- 20,000 sq. yd. per day	\$.13	\$.104
20,001 & greater sq. yd. per day	\$.07	\$.083

5. If Contractor furnishes and operates a steel wheeled roller (Per Roller)

1 - 5,000 sq. yd. per day	\$.25	\$.25
5,001-10,000 sq. yd. per day	\$.16	\$.153
10,001- 20,000 sq. yd. per day	\$.08	\$.082
20,001 & greater sq. yd. per day	\$.05	\$.056

6. If Contractor furnishes and operates a self-propelled broom or vacuum sweeper

1 - 5,000 sq. yd. per day	\$.25	\$.25
5,001-10,000 sq. yd. per day	\$.15	\$.146
10,001- 20,000 sq. yd. per day	\$.08	\$.076
20,001 & greater sq. yd. per day	\$.05	\$.052

Fiber Reinforced Bituminous Membrane Surface Treatment

State Bid - The County Department of Public Works will compare the aforementioned bids against the State Contract prices and will purchase from the source most advantageous to the County.

Two sets of specifications were sent out.

• **HOT MIX ASPHALT IN-PLACE PAVING PROJECTS**

LAKE SHORE PAVING, INC.
7 Osmer Street
Jamestown, New York 14701

PRICE IS PER TON IN-PLACE APPLIED IN ONE WORKING DAY

<u>Quantities Applied</u>	<u>NE Quad.</u>	<u>NW Quad.</u>	<u>SE Quad.</u>	<u>SW Quad.</u>
Projects: Less than 50 Tons	\$267.00	\$247.00	\$267.20	\$245.60
Projects: 50-100 Tons	\$177.00	\$175.00	\$177.20	\$173.60
Projects: 101-500 Tons	\$113.00	\$112.00	\$113.20	\$110.60
Projects: 501 and Greater	\$104.00	\$104.00	\$104.20	\$102.60

COST PER TON - IF COUNTY PROVIDES THE TRAFFIC CONTROL

Projects: Less than 50 Tons	\$242.00	\$232.00	\$242.20	\$220.60
Projects: 50-100 Tons	\$167.00	\$165.00	\$167.20	\$163.60
Projects: 101-500 Tons	\$110.00	\$109.00	\$110.20	\$108.60
Projects: 501 and Greater	\$102.00	\$102.00	\$102.20	\$100.60

Hot Mix Asphalt In-Place Paving Projects

No State Bid.

Three sets of specifications were sent out.

Other bids received meeting specifications are on file in the office of the Cattaraugus County Department of Public Works.

Approved by 8 members of the Finance Committee and 9 members of the Public Works Committee.

Adopted March 25, 2009 by voice vote.

ACT NO. 144-2009 by Mr. Giardini
and Mr. Ellis

**ACCEPTING MATERIAL BIDS FOR HIGHWAY SIGNS AND
SANDBLASTING ABRASIVES
(Department of Public Works)**

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

RESOLVED, that the Commissioner of Public Works is authorized to contract for the following materials with the bidders recommended by the Public Works Committee for the season May 1, 2009 through April 30, 2010, and be it further

RESOLVED, that any city, village, town, school or fire district in Cattaraugus County may participate in the bid prices by dealing directly with the bidder, and be it further

RESOLVED, that the County of Cattaraugus reserves the right to make purchases of all materials at any time during the season for which the bids are taken.

HIGHWAY SIGNS

*Osburn Associates
P.O. Box 912
Logan, Ohio 43138*

<u>Description</u>	<u>Price Per Square Foot</u>	<u>2008 Rate</u>	<u>2009 Rate</u>
<u>New Domestic 0.080 inch thick 5052-H38 Alodized Aluminum:</u>			
Blank Aluminum		\$2.25	\$1.85
48" x 96" Sheet, Blank (no holes)		\$2.25	\$1.85
<u>Signs:</u>			
Scotchlite Engineers Grade			
Aluminum 1 side w/Legend 1 color		\$3.25	\$2.90
Aluminum 1 side w/Legend 2 color		\$3.35	\$3.04
Scotchlite High Intensity			
Aluminum 1 side w/Legend 1 color		\$4.05	\$3.62^^
Aluminum 1 side w/Legend 2 color		\$4.15	\$3.80^^
3M Prismatic Grade			
Aluminum 1 side w/Legend 1 color		\$4.05	\$3.62^^
Aluminum 1 side w/Legend 1 color		\$4.15	\$3.80^^
Scotchlite Diamond Grade			
Aluminum 1 side w/Legend 1 color			\$6.52
Scotchlite High Intensity, Pressure Sensitive			
Pre-Screened, Unmounted Faces			\$1.69
w/Legend 1 color			\$1.81
Pre-Screened, Unmounted Faces			
w/Legend 2 color			
<u>Delineators-Reflectorized on Aluminum (Per Sq. In.)</u>			
Engineers Grade		\$.023	\$.02
High Intensity		\$.028	\$.025
^^ - These are high intensity prismatic grade			

*Rocal, Inc.
3186 County Road 550
Frankfort, Ohio 45628*

<u>Description</u>	<u>Price Per Square Foot</u>	<u>2008 Rate</u>	<u>2009 Rate</u>
<u>New Domestic 0.080 inch thick 5052-H38 Alodized Aluminum:</u>			
Scotchlite Diamond Grade			
Aluminum 1 side w/Legend 2 color		\$6.97	\$6.86

No State Bid.
Twelve sets of specifications were set out.

Other bids received meeting specifications are on file at the Cattaraugus County Department of Public Works.

SANDBLASTING ABRASIVE

Gernatt Asphalt Products, Inc.
P.O. Box 400
Taylor Hollow Road
Collins, New York 14043

<u>Description</u>	<u>2008 Rate</u>	<u>2009 Rate</u>
In 100 pound bags per ton delivered to Cattaraugus County Public Works, 8810 Route 242, Little Valley on pallets in 21 ton lots.	\$300.00	\$320.00
Pick-up at warehouse /100 lb. bag	\$ 15.00	\$ 16.00
<u>Black Beauty Grade 1040 Utility</u> - Price Delivered		
Bulk Per Ton	\$280.00	\$300.00
Per Ton Bagged	\$300.00	\$320.00
Per 100 lb. Bag	\$ 15.00	\$ 16.00
<u>Black Beauty Grade 1040 Utility</u> - Price Picked-Up		
Bulk Per Ton		\$300.00
Per Ton Bagged	\$300.00	\$320.00
Per 100 lb. Bag	\$ 15.00	\$ 16.00
<u>Black Beauty Grade Medium 1240</u> - Price Delivered		
Bulk Per Ton	\$220.00	\$300.00
Per Ton Bagged	\$280.00	\$320.00
Per 100 lb. Bag	\$ 14.00	\$ 16.00
<u>Black Beauty Grade Medium 1240</u> - Price Picked-Up		
Bulk Per Ton		\$300.00
Per Ton Bagged	\$280.00	\$320.00
Per 100 lb. Bag	\$ 14.00	\$ 16.00

Warehouse: Broadway Road, Gowanda, New York

Delivery: When delivery is requested, delivery shall be to Cattaraugus County Department of Public Works, Little Valley, NY, on pallets in 21 ton lots unless ordered in bulk.

No State Bid.

Four sets of specifications were sent out.

Approved by 8 members of the Finance Committee and 9 members of the Public Works Committee.

Adopted March 25, 2009 by voice vote.

ACT NO. 145-2009 by Mr. Giardini
and Mr. Ellis
and Mr. Aiello and Mr. Neal¹

**AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACT WITH
WCA HOSPITAL FOR AUDIOMETRIC TESTING**

Pursuant to 29 CFR 1910.95 and Act 432-2002 of the
Cattaraugus County Legislature.

WHEREAS, Act 180-2008 authorized a contract with WCA Hospital, P.O. Box 840, Jamestown, New York 14702-0840, for the provision of audiometric examinations, monitoring and training services, the term of which expired December 31, 2008, and

WHEREAS, pursuant to the provisions of 29 CFR 1910.95, the County must provide audiometric examinations, monitoring and training for those Public Works employees exposed to a noise level at, or above, the action level of 85 decibels for a time-weighted average of eight hours, and

WHEREAS, the County is also desirous of providing the aforementioned services for up to 30 employees of the Cattaraugus County Sheriff's Department, and

WHEREAS, WCA Hospital can provide the aforementioned testing for up to 125 Public Works employees and up to 30 Sheriff's Department employees, for an estimated amount of \$2,300, as follows:

\$14.50/person/test for on-site annual follow-up audiograms,
\$18.50/person/test for pre-employment audiograms to be done
at WCA Hospital, Speech & Hearing Department,

and

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

RESOLVED, that the County Administrator be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with WCA Hospital, for the provision of the above-described services, for a term commencing January 1, 2009 and terminating December 31, 2009, according to the above-described terms.

Approved by 8 members of the Finance Committee, 9 members of the Public Works Committee and 7 members of the Public Safety Committee.

¹ The following Legislators requested their names be listed as additional sponsors: "Mr. Aiello and Mr. Neal".

Adopted March 25, 2009 by voice vote.

ACT NO. 146-2009 by Mr. Ellis, Mr. Marsh, Mr. O'Brien, Mr. Teachman, Mr. Boser, Mr. Giardini, Mr. Hebdon and Mr. McClune

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT
WITH ANDERSON-SHORTELL, INC.
FOR SANITARY SEWER SYSTEM INTERNAL PIPE INSPECTION FOR
PINES HEALTHCARE AND REHABILITATION CENTER - OLEAN CAMPUS**

Pursuant to Sections 215 and 450 of the County Law.

WHEREAS, the County Department of Public Works solicited proposals from three (3) companies for the sanitary sewer inspection of the main line in the Pines Healthcare and Rehabilitation Center - Olean Campus, and

WHEREAS, Anderson-Shortell, Inc., 616 West State Street, Olean, New York 14760, submitted the lowest quote for an amount of \$10,800 plus \$250 per each additional 25 feet of pipe, which includes all material and labor to complete the sanitary sewer system internal pipe inspection, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Anderson-Shortell, Inc., for the provision of the above-described services, for a term commencing March 26, 2009 and terminating December 31, 2009, according to the above-described terms.

Approved by 8 members of the Finance Committee, 9 members of the Public Works Committee and 7 members of the Senior Services Committee.

Adopted March 25, 2009 by voice vote.

ACT NO. 147-2009 by Mr. Ellis, Mr. Marsh, Mr. O'Brien, Mr. Teachman,
Mr. Boser, Mr. Giardini, Mr. Hebdon and Mr. McClune
and Mr. Burrell¹

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT
WITH WASTEWATER TECHNOLOGIES, INC.
FOR ADVANTEX WASTEWATER TREATMENT SYSTEM REPAIR FOR
PINES HEALTHCARE AND REHABILITATION CENTER - MACHIAS CAMPUS**

Pursuant to Sections 215 and 450 of the County Law.

WHEREAS, Act 341-2007 authorized a contract with Wastewater Technologies, Inc., P.O. Box 171, Three Mile Bay, New York 13693, for textile repair and maintenance services for the AdvanTex Wastewater Treatment System at the Pines Healthcare and Rehabilitation Center - Machias Campus, and

WHEREAS, unsuccessful attempts have been made to clean and alter the textile media of the AdvanTex wastewater treatment system, and

WHEREAS, the textile should be replaced, along with new pod lid gaskets, and

WHEREAS, Wastewater Technologies, Inc., can provide and install new textile sheets and new pod lid gaskets on the AdvanTex Wastewater Treatment System for an amount of \$24,482.75, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Wastewater Technologies, Inc., for the provision of the above-described services, for a term commencing March 26, 2009 and terminating December 31, 2009, according to the above-described terms.

Approved by 8 members of the Finance Committee, 9 members of the Public Works Committee and 6 members of the Senior Services Committee.

¹ The following Legislator requested his name be listed as an additional sponsor: "Mr. Burrell".

Adopted March 25, 2009 by voice vote.

ACT NO. 148-2009 by Mr. Snyder

**AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACT
WITH MCBEE ASSOCIATES, INC.
FOR MEDICARE REVENUE RECOVERY SERVICES**

Pursuant to Act 432-2002 of the Cattaraugus County Legislature.

WHEREAS, Act 366-2007, as amended by Act 663-2008, authorized a contract with McBee Associates, Inc., for the provision of Medicare revenue recovery services, the term of which expired December 31, 2008, and

WHEREAS, the County Health Department is desirous of continuing the aforementioned services, and

WHEREAS, McBee Associates, Inc., has agreed to conduct a comprehensive review of all paid Medicare claims for the County Health Department for the period January 1, 2008 through December 31, 2008, for the purpose of correct payment and identifying correction actions that can be implemented by the Department of Health to avoid future lost revenue, and

WHEREAS, McBee Associates, Inc., can provide the aforementioned services on a contingency fee basis of 27.3% of additional cash paid to the agency from claims re-billed as a result of the review of cash recovered, and

WHEREAS, there is no fee if the County does not receive an adjustment, and

WHEREAS, the County should enter into an agreement with McBee Associations, Inc., in order to review the County Health Department's claims for Medicare reimbursement, now, therefore, be it

RESOLVED, that the County Administrator be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with McBee Associates, Inc., for the provision of the above-described services, for a term commencing January 1, 2009 and terminating December 31, 2009, according to the above-described terms.

Approved by 8 members of the Finance Committee and 6 members of the Human Services Committee.

Adopted March 25, 2009 by voice vote.

ACT NO. 149-2009 by Mr. Snyder

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED 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.

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

WHEREAS, Act 258-2008 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 \$59,243 for the term October 1, 2008 and terminating September 30, 2009, and

WHEREAS, the New York State Department of Health, Bureau of Child and Adolescent Health, has reduced the aforementioned funding from \$59,243 to \$55,232 for the period commencing October 1, 2008 and terminating September 30, 2009, and

WHEREAS, a contract amendment is necessary with the New York State Department of Health in order to obtain the aforementioned funding, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute an amended contract, on behalf of Cattaraugus County, with 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, 2008 and terminating September 30, 2009, according to the above-described terms.

Approved by 8 members of the Finance Committee and 6 members of the Human Services Committee.

Adopted March 25, 2009 by voice vote.

ACT NO. 150-2009 by Mr. Snyder
and Mr. Aiello and Mr. Sprague¹

**AUTHORIZING THE CHAIR TO APPLY FOR FUNDING
THROUGH NEW YORK STATE DIVISION OF HOUSING AND COMMUNITY
RENEWAL'S OFFICE OF COMMUNITY RENEWAL FOR
COUNTY-WIDE WELL AND SEPTIC SYSTEM REPLACEMENT**

Pursuant to Section 450 of the County Law.

WHEREAS, funding is available through the New York State Division of Housing and Community Renewal's Office of Community Renewal for a county-wide well and septic system replacement, and

WHEREAS, the Small Cities Community Development Block Grant Program (CDBG) is a federally-funded program that is administered by the NYS Division of Housing and Community Renewal's Office of Community Renewal (OCR), and

WHEREAS, the CDBG program allows small towns, villages and counties to apply for funding for housing rehabilitation, public facilities and economic development, and

WHEREAS, the County Health Department is desirous of working with NeighborWorks Home Resources, Inc., to develop a housing rehabilitation program to replace unsafe and unsanitary wells and septic systems on a county-wide basis, and

WHEREAS, the County should apply for the aforementioned funding, now, therefore, be it

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 Housing and Community Renewal's Office of Community Renewal, in order to apply for the Small Cities Community Development Block Grant Program, according to the above-described terms.

Approved by 8 members of the Finance Committee and 6 members of the Human Services Committee.

¹ The following Legislators requested their names be listed as additional sponsors: "Mr. Aiello and Mr. Sprague".

Adopted March 25, 2009 by voice vote.

ACT NO. 151-2009 by Mr. Snyder

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACTS
WITH VARIOUS INDIVIDUALS FOR HEALTH DEPARTMENT
NURSE PRACTITIONER SERVICES**

Pursuant to 10 NYCRR Section 766.10 and Section 450 of the County Law.

WHEREAS, the County Health Department is desirous of obtaining the services of a Nurse Practitioner for Family Planning and Sexually Transmitted Disease Clinics, and

WHEREAS, the County Health Department is desirous of contracting with various individuals for the provision of the aforementioned services at the rate of \$40 per hour for up to 10 hours per week for each Nurse Practitioner, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute contracts, on behalf of Cattaraugus County, with various individuals, for the provision of the above-described services, for a term commencing April 1, 2009 and terminating December 31, 2009, according to the above-described terms.

Approved by 8 members of the Finance Committee and 6 members of the Human Services Committee.

Adopted March 25, 2009 by voice vote.

ACT NO. 152-2009 by Mr. Snyder

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
OLEAN GENERAL HEALTHCARE SYSTEMS, LLC FOR
HEALTH DEPARTMENT HOME HEALTH CARE
PROGRAM RESPIRATORY THERAPY SERVICES**

Pursuant to 10 NYCRR 763.3, Section 3602 of the Public Health Law and Section 450 of the County Law.

WHEREAS, the County Health Department is in need of respiratory therapy for patients of the County Health Department Home Health Care Program, the term of which expires December 31, 2008, and

WHEREAS, Olean General Healthcare Systems, LLC, 234 Homer Street, Olean, New York 14760, has agreed to provide respiratory therapy visits at a rate of \$70.00 per visit, with the stipulation that it not refuse any respiratory therapy cases referred to it, and

WHEREAS, if Olean General Healthcare Systems refuses any occupational therapy homecare case during the term of the 2009 contract, then the rate for respiratory therapy services shall revert back to the base rate of \$68 per visit, and

WHEREAS, this program is funded through a variety of sources, including, but not limited to, state and federal funding, private pay, private and third-party insurance and the County, now, therefore, be it

RESOLVED, that the Chairman of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Olean General Healthcare Systems, LLC, for the provision of the

above-described services, for a term commencing January 1, 2009 and terminating December 31, 2009, according to the above-described terms, and be it further

RESOLVED, that upon termination or reduction of state or federal funding for this program, then this program shall be automatically abolished.

Approved by 8 members of the Finance Committee and 6 members of the Human Services Committee.

Adopted March 25, 2009 by voice vote.

ACT NO. 153-2009 by Mr. Burrell and Mr. Boser

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT
WITH RANDOLPH AREA COMMUNITY DEVELOPMENT CORPORATION
FOR TOURISM INFORMATION BOOTH STAFFING**

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

WHEREAS, Act 748-2007 authorized a contract with the Randolph Area Community Development Corporation for the provision of staffing for tourism information booths located at area festivals, the term of which expired December 31, 2008, and

WHEREAS, the Department of Economic Development, Planning and Tourism believes that the presence of the tourism information booths is a valuable tourism tool and is desirous of renewing the aforementioned contract, and

WHEREAS, the Randolph Area Community Development Corporation, 72 Main Street, Randolph, New York 14772, can provide staffing of tourism booths at area festivals for an amount of \$12 per hour, for a maximum annual amount not to exceed \$5,000, and

WHEREAS, the Randolph Area Community Development Corporation shall also be paid an amount up to \$1,500 at the IRS rate for mileage associated with the aforementioned items, now, therefore, be it

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 provision of the above-described services, for a term commencing January 1, 2009 and terminating December 31, 2009, according to the above-described terms.

Approved by 8 members of the Finance Committee and 6 members of the Development and Agriculture Committee.

Adopted March 25, 2009 by voice vote.

ACT NO. 154-2009 by Mr. Vecchiarella

**AMENDING ACT 34-2009 REGARDING LIST OF
APPROVED PROFESSIONAL ORGANIZATIONS
(Office of Emergency Services)**

Pursuant to Section 203(1) of the County Law.

WHEREAS, Act 34-2009 established a list of approved professional organizations, and

WHEREAS, Emergency Managers Association of Western New York is a professional organization in which the membership of various employees would be beneficial to the County, and

WHEREAS, the purpose of this organization is to insure and promote active, on-going and adequately-funded emergency management programs for local, state and federal governments, and

WHEREAS, effective January 1, 2009, the following organization should be included in the aforementioned list:

Emergency Services Emergency Managers Association of
Western New York,

and

WHEREAS, payment of dues to this organization is beneficial to the County and serves a public purpose, and

WHEREAS, there is a reasonable connection between the activities of this organization and the official duties of the employees whose membership dues will be paid therein, now, therefore, be it

RESOLVED, that Act 34-2009 is hereby amended as follows: Effective January 1, 2009, add the above-listed organization and authorize payment of yearly dues.

Approved by 7 members of the Finance Committee and 7 members of the Public Safety Committee.

Adopted March 25, 2009 by voice vote.

ACT NO. 155-2009 by Mr. O'Brien

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
DENTRUST DENTAL NEW YORK, P.C. FOR JAIL DENTAL SERVICES**

Pursuant to Sections 217 and 450 of the County Law.

WHEREAS, Act 421-2005 authorized a contract with Dentrust Dental New York, P.C., P.O. Box 458, Warrington, Pennsylvania 18976, for the provision of dental services for inmates in the Cattaraugus County Jail, the term of which expires April 30, 2009, and

WHEREAS, the County Sheriff's Department is desirous of renewing the aforementioned contract, and

WHEREAS, the County shall reimburse Dentrust Dental New York, P.C., in accordance with its standard fee schedule, not to exceed an amount of \$18,000 per year, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Dentrust Dental New York, P.C., for the provision of the above-described services, for a term commencing May 1, 2009 and terminating April 30, 2012, with the option to renew for one (1) additional year, according to the above-described terms.

Approved by 8 members of the Finance Committee and 7 members of the Public Safety Committee.

Adopted March 25, 2009 by voice vote.

ACT NO. 156-2009 by Mr. Snyder

**AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE AMENDED CONTRACT
WITH TLC HEALTH NETWORK FOR RESIDENTIAL DRUG-FREE PROGRAM AND
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
(Community Services)**

Pursuant to Section 41.55 of the Mental Hygiene Law,
Sections 363 and 366 of the County Law and
Act 432-2002 of the Cattaraugus County Legislature.

WHEREAS, Act 76-2009 authorized the Chair to execute a contract with TLC Health Network for the operation of a residential drug-free program in Cattaraugus County, the term of which expires December 31, 2009, and

WHEREAS, the New York State Office of Alcoholism and Substance Abuse Services has increased its award to Cattaraugus County from \$522,103 to \$579,374 for the operation of a Residential Drug-Free Program for the 2009 fiscal year, and

WHEREAS, TLC Health Network, 100 Memorial Drive, Gowanda, New York 14070, shall operate a Residential Drug-Free Program in Cattaraugus County for an amount of \$579,374, and

WHEREAS, a contract amendment is necessary to accommodate the aforementioned increase in state aid, and

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

RESOLVED, that the County Administrator be, and hereby is, authorized and directed to execute an amended contract, on behalf of Cattaraugus County, with TLC Health Network for the operation of the above-described Residential Drug-Free Program, for a term commencing January 1, 2009 and terminating December 31, 2009, according to the above-described terms, and be it further

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

Increase Estimated Revenue Account:

A.3456	OASAS Funding	\$57,271.00
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Increase Appropriation Account:

A.4318.445	OASAS Funding	\$57,271.00.
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Approved by 8 members of the Finance Committee and 6 members of the Human Services Committee.

Adopted March 25, 2009 by voice vote.

ACT NO. 157-2009 by Mr. Snyder

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
UNIVERSITY OF PITTSBURGH AT BRADFORD FOR DEPARTMENT OF
COMMUNITY SERVICES WORK STUDY INTERNSHIP PROGRAM**

Pursuant to Section 450 of the County Law.

WHEREAS, the County Department of Community Services is desirous of participating in a work study internship program with the University of Pittsburgh at Bradford, and

WHEREAS, the University of Pittsburgh at Bradford, 300 Campus Drive, Bradford, Pennsylvania 16701, has agreed to provide interns to the Department of Community Services at no cost to the County, now, therefore, be it

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 University of Pittsburgh at Bradford, for a term commencing March 26, 2009 and terminating December 31, 2010, according to the above-described terms.

Approved by 8 members of the Finance Committee and 6 members of the Human Services Committee.

Adopted March 25, 2009 by voice vote.

ACT NO. 158-2009 by Mr. Snyder

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH
MENTAL HEALTH ASSOCIATION IN CATTARAUGUS COUNTY, INC.
FOR MENTAL HEALTH SERVICES**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 572-2008 authorized a contract with Mental Health Association in Cattaraugus County, Inc., 102 North Clinton Street, Olean, New York 14760, for the provision of skill-building and mentoring services for children and youth, the term of which expires December 31, 2009, and

WHEREAS, the Department of Community Services is desirous of including the provision of skill-building and mentoring services for adults, and

WHEREAS, the Mental Health Association in Cattaraugus County, Inc., 102 North Clinton Street, Olean, New York 14760, can provide the aforementioned skill-building and mentoring services for adults for an amount of \$30 per hour, and a total contract amount not to exceed \$15,000, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute an amended contract, on behalf of Cattaraugus County, with the Mental Health Association in Cattaraugus County, Inc., for the provision of the above-described services, for a term commencing March 1, 2009 and terminating December 31, 2009, according to the above-described terms.

Approved by 8 members of the Finance Committee and 6 members of the Human Services Committee.

Adopted March 25, 2009 by voice vote.

ACT NO. 159-2009 by Human Services Committee:
Mr. Snyder, Mr. Aiello, Mr. Marsh,
Ms. Vickman, Mr. Giardini, Mr. Ward and Mrs. Witte

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT
WITH THE BONADIO GROUP FOR DEPARTMENT OF COMMUNITY SERVICES
MEDICAID RISK ANALYSIS SERVICES AND
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
(Community Services)**

Pursuant to Section 41.07 of the Mental Hygiene Law and
Sections 363, 366 and 450 of the County Law.

WHEREAS, the County Department of Community Services is in need of Medicaid risk analysis and related consultant services for its mental health clinic and continuing day treatment programs, and

WHEREAS, The Bonadio Group, 171 Sully's Trail, Pittsford, New York 14534, can provide the necessary Medicaid risk analysis services for a total amount not to exceed \$8,500, as follows:

Documentation Risk Assessment	\$6,500 (which includes travel time, mileage and tolls)
Consulting Services	\$2,000 (not to exceed),

and

WHEREAS, various appropriation and revenue accounts must be adjusted to cover the cost of the aforementioned services, now, therefore, be it

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 Bonadio Group for the provision of the above-described services, for a term commencing March 26, 2009 and terminating December 31, 2009, according to the above-described terms, and be it further

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

Increase Estimated Revenue Account:		
A.4490	Federal Salary Sharing	\$8,500.00

Increase Appropriation Account:		
A.4342.445	FSS Consultant Services	\$8,500.00.

Approved by 8 members of the Finance Committee.

Adopted March 25, 2009 by voice vote.

ACT NO. 160-2009 by Mr. Snyder

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH
NEW YORK STATE INDUSTRIES FOR THE DISABLED, INC. FOR
JANITORIAL SERVICES FOR DEPARTMENT OF COMMUNITY SERVICES
GUIDEPOST AND CASE MANAGEMENT OFFICES**

Pursuant to Sections 215 and 450 of the County Law.

WHEREAS, Act 740-2007 authorized the Chair to execute a contract with the New York State Industries for the Disabled, Inc., for janitorial services for the Guidepost Facility and Case Management Offices located at 203 Laurens Street, Olean, New York 14760, the term of which expires December 31, 2009, and

WHEREAS, the County Department of Community Services, as a cost-saving measure, has re-negotiated the aforementioned contract and reduced the services provided from three (3) days per week to two (2) days per week, and

WHEREAS, the aforementioned reduction in services shall commence April 1, 2009, and

WHEREAS, the New York State Industries for the Disabled, Inc., through SubCon Industries, Inc., has agreed to provide janitorial services, for the Guidepost Facility and Case Management Offices located at 203 Laurens Street, Olean, New York 14760, for an amount of \$1,480.69 per month, not to exceed \$19,948 per year, and

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

RESOLVED, that the Chair of the Legislature, be and hereby is, authorized and directed to execute an amended contract, on behalf of Cattaraugus County, with the New York State Industries for the Disabled, Inc., for the provision of the above-described services, for a term commencing April 1, 2009 and terminating December 31, 2009, according to the above-described terms.

Approved by 8 members of the Finance Committee and 6 members of the Human Services Committee.

Adopted March 25, 2009 by voice vote.

ACT NO. 161-2009 by Mrs. Abers

**ADOPTING PLAN FOR REPRESENTATION OF THE
INDIGENT AND PERSONS FINANCIALLY UNABLE TO AFFORD COUNSEL
IN CRIMINAL, FAMILY AND SURROGATE'S COURTS
IN CATTARAUGUS COUNTY AND RESCINDING ACTS 272-1965 AND 109-2004**

Pursuant to Section 722 of the County Law.

WHEREAS, Act 109-2004 amended the County's 1965 plan for representation of the indigent in criminal, family and surrogate's courts in Cattaraugus County, and

WHEREAS, the judiciary has requested modification of the plan to clarify certain aspects thereof, now, therefore, be it

RESOLVED, that effective April 1, 2009, Acts 262-1965 and 109-2004 are hereby rescinded, and be it further

RESOLVED, that effective April 1, 2009, the following constitutes the plan for representation of the indigent and persons financially unable to afford counsel in criminal, family and surrogate's courts in Cattaraugus County:

1. Public Defender As Primary Counsel.

1.1 For purposes of providing legal representation to persons who are indigent or financially unable to afford counsel pursuant to New York County Law §§ 717 and 722 in various criminal, local, family and surrogate's courts in Cattaraugus County, the Cattaraugus County Public

Defender, herein referred to as "Public Defender", and the various staff of the Public Defender, shall bear primary responsibility for such representation.

1.2 All referrals made by courts for representation, pursuant to New York County Law §§ 717 and 722 and at Cattaraugus County expense, shall be made to the Public Defender.

1.3 The Public Defender will screen all such referrals for legal services to determine eligibility and determine whether any conflicts of interest or other factors would preclude the Public Defender from representing such person.

1.4 Where no conflict or other reason for not representing such person exists, the Public Defender shall provide any necessary legal services.

1.5 The Public Defender may, where applicable, determine whether the provisions of New York County Law §722-d apply, and if determined to apply, may make application to the referring court for an appropriate order.

1.6 In matters where representation is accepted, the Public Defender shall, from monies appropriated for such services, provide investigative, expert and other services necessary for an adequate defense of such person.

1.7 Such costs shall be a county expense.

2. Non-Criminal Representation - Conflict with Public Defender.

2.1 For purposes of providing legal representation to persons who are financially unable to afford counsel in all matters, other than criminal matters, where there exists a conflict with the Public Defender of Cattaraugus County, as determined by the Public Defender of Cattaraugus County and the court, such matters shall be re-referred to the appropriate private legal aid bureau or society as shall be designated now or later by the Legislature of Cattaraugus County for such purposes pursuant to New York County Law §722.

2.2 The private legal aid bureau or society will screen all such referrals for legal services to determine whether any conflicts of interest or other factors would preclude the private legal aid bureau or society from representing such person.

2.3 Where no conflict or other reason for not representing such person exist, the private legal aid bureau or society shall provide any necessary legal services.

2.4 The appropriate private legal aid bureau or society may, where applicable, determine whether the provisions of New York County Law § 722-d apply, and if determined to apply, may make application to the referring court for an appropriate order.

2.5 In matters where representation is accepted, the private legal aid bureau or society shall, from monies appropriated for such services, provide investigative, expert and other services necessary for an adequate defense of such person.

2.6 Such costs shall be a county expense.

3. Criminal Representation - Conflict with Public Defender.

3.1 In all those criminal matters where a person requiring legal representation is indigent, and where there exists a conflict with the Public Defender of Cattaraugus County, as determined by the Public Defender of Cattaraugus County or the Court, all such criminal matters shall be re-referred to the Administrator of Assigned Counsel.

3.2 For purposes of Section 3, the Administrator of Assigned Counsel shall have the sole authority to assign counsel, except as follows:

- (.1) Where there is a direct presentation to the grand jury, the County Court shall make the assignment.
- (.2) Where there are multiple defendants, the County Court, with cooperation of the Public Defender, shall make all assignments of all defendants not represented by the Public Defender.
- (.3) Where, in County Court, an assigned counsel asks to be relieved, the Court, in granting the relief, may assign other counsel.
- (.4) Where an individual in County Court wishes to represent himself pro-se, the Court may provide assigned counsel of a merely advisory status.
- (.5) Where the Administrator of Assigned Counsel or the Court, whether Justice or County, determines that there exists a conflict with the Administrator of Assigned Counsel, the County Court shall make the assignment.

3.3 To ensure the efficient administration of justice and prevent the appearance of impropriety by the Public Defender, where an indigent person has been referred by the Public Defender to the Administrator of Assigned Counsel, and the Administrator of Assigned Counsel has then assigned an assigned counsel to represent the indigent person, the Public Defender shall not interfere with the appointment by revoking the referral. Where an assignment of counsel has been made by the Administrator of Assigned Counsel, it is the Public Defender's obligation to timely supply the assigned counsel with the necessary information, including, but not limited to, the assignment sheet, to proceed with legal representation of the indigent person.

3.4 In all cases where the County Court has made an assignment of counsel, the Court shall be responsible for advising the Administrator of Assigned Counsel in writing of the appointment.

3.5 Assignments of attorneys by the County Court are to be made from a list provided by the Administrator of Assigned Counsel.

3.6 Preference for attorneys assigned in such criminal matters shall be to those attorneys who are admitted to the New York State Bar, who reside in, own real property in, are a member in good standing of the Cattaraugus County Bar Association, or have their primary place of

business within Cattaraugus County. However, in those circumstances where an attorney fulfilling the above prerequisites is not available, counsel may be assigned by the County Court or by the Administrator of Assigned Counsel, so long as the proposed assigned counsel is a member of the New York State Bar.

4. Non-Criminal Matters - Conflict with Public Defender and Legal Aid Bureau.

4.1 Where there exists a conflict with the Public Defender of Cattaraugus County and a conflict with the Legal Aid Bureau (first level conflicts), as determined by the Public Defender of Cattaraugus County and the Family Court, and a conflict with the legal aid bureau or society, for the purpose of providing legal representation to the persons who are indigent in all non-criminal matters, all such non-criminal matters (second level conflicts) shall be re-referred to the Family Court Judge for the assignment of counsel.

4.2 For purposes of Section 4, the Family Court Judge shall have the sole authority to assign counsel, except as follows:

(.1) Where the Family Court has a conflict, as determined by the Public Defender of Cattaraugus County and the Family Court, the Administrator of Assigned Counsel shall make the assignment.

(.2) Where the Administrator of Assigned Counsel has been referred a non-criminal matter to assign counsel, and the Administrator of Assigned Counsel and the Family Court determines that there exists a conflict with the Administrator of Assigned Counsel, the County Court shall make the assignment.

4.3 In all cases where the Family Court has made an assignment of counsel, the Court shall be responsible for advising the Administrator of Assigned Counsel in writing of the appointment.

4.4 Assignments of attorneys by the Family Court are to be made from a list provided by the Administrator of Assigned Counsel.

4.5 Preference for attorneys assigned in such non-criminal matters shall be to those attorneys who are admitted to the New York State Bar, who reside in, own real property in, are a member in good standing of the Cattaraugus County Bar Association, or have their primary place of business within Cattaraugus County. However, in those circumstances where an attorney fulfilling the above prerequisites is not available, counsel may be assigned by the Family Court or by the Administrator of Assigned Counsel, so long as the proposed assigned counsel is a member in good standing with the New York State Office of Court Administration.

5. Procedure in Conflict Cases.

5.1 In any matter where counsel has been assigned pursuant to Section 3 or 4 above, the assigned counsel may, where applicable, determine whether the provisions of New York County Law § 722-d apply, and if determined to apply, may make application to the referring court for an appropriate order.

5.2 In matters where counsel is assigned, investigative, expert or other services necessary for an adequate defense shall be provided pursuant to the provisions of New York County Law § 722-c.

5.3 Assigned counsel shall make an ex parte application to the court for approval of such services.

5.4 Such costs so fixed by the court shall be a county expense and shall be billed and paid according to law. Mileage reimbursement will be paid according to the rate set by the County Legislature.

5.5 Each claim for compensation shall be supported by a sworn statement specifying the time expended, services rendered, expenses incurred and reimbursement or compensation applied for, or received, in the same case from any other source. It is incumbent upon the assigned counsel, that prior to supplying the claim for compensation to the Administrator of Assigned Counsel, that the assigned counsel have the claim for compensation approved by the appropriate court, as evidenced by the court's signature.

5.6 The assigned counsel is to then forward the claim for compensation to the Administrator of Assigned Counsel. The Administrator of Assigned Counsel shall timely review all claims for compensation and then forward them to the attention of the County Treasurer's Office for his or her timely approval and review. Upon approval by the Treasurer, the Treasurer shall directly pay the assigned counsel.

6. Contracts with Other Counties.

6.1 Cattaraugus County may, pursuant to New York County Law Article 18-A, enter into contracts with another county or counties, subject to approval of the Legislature of Cattaraugus County, for providing legal representation to persons who are indigent or financially unable to afford counsel, where conflicts exist with the Public Defender or with the Public Defender of another county or counties and where such contracts are beneficial to Cattaraugus County.

6.2 In matters where another county's Public Defender will provide the legal representation, the re-referral shall be to such other Public Defender in lieu of referral to the Administrator of Assigned Counsel.

7. Referral Process.

7.1 In order to effectuate the intentions of the legislature that the Public Defender be the primary provider of legal representation to persons who are indigent or financially unable to afford counsel, all referrals for legal services shall be first made to the Public Defender.

7.2 The Public Defender shall cause to be made any necessary forms or documents for such referrals and any necessary re-referrals pursuant to this plan and shall keep any such records as are necessary to carry out this function.

7.3 The Cattaraugus County Treasurer shall cause to be made any forms necessary and any reasonable rules necessary to carry out the

intentions of the legislature that such services provided by counsel pursuant to Sections 3 and 4 above be performed efficiently, and in accordance with this plan including, but not limited to, vouchers, time limits for submission of vouchers, papers necessary to accompany vouchers and the like.

8. Compensation Process.

8.1 It is the intent of the legislature that all vouchers submitted by assigned counsel appointed pursuant to this plan be certified to in accordance with Article 18-B of New York County Law.

8.2 All vouchers submitted for compensation and reimbursement must be submitted within 90 days of the conclusion of the matter.

8.3 All vouchers submitted for compensation and reimbursement shall be supported by a sworn statement specifying the time expended, services rendered, expenses incurred and reimbursement or compensation applied for or received in the same case from any other source.

8.4 Compensation and reimbursement shall be fixed by the trial court judge in all matters other than appeals.

8.5 The voucher and accompanying papers shall be submitted to the trial court judge for so fixing the amounts, as evidenced by the trial court judge's signature.

8.6 Vouchers will then be submitted to the Administrator of Assigned Counsel for clerical review.

8.7 The Administrator of Assigned Counsel will submit the vouchers to the County Treasurer for payment.

9. Advisory Board.

9.1 The Cattaraugus County Legislature shall appoint, upon the recommendation of the Public Defender, an advisory board of seven members, which shall include at least 50% of its membership either clients, former clients, client's family members or client-eligible persons.

9.2 The advisory board shall have no powers or responsibilities but shall meet at least four times a year and advise the Public Defender of issues and/or matters pertinent to the defense and representation of indigent persons in Cattaraugus County.

9.3 The advisory board shall not have access to any confidential information from the Public Defender, nor shall it exist to further any particular matter handled by the Public Defender.

10. Reports.

10.1 Pursuant to New York County Law §722-f, reports shall be filed as required by law.

10.2 The Cattaraugus County Public Defender, pursuant to New York County Law §720 shall annually file a report to the County Legislature covering all cases handled by the office during the preceding year.

10.3 The Cattaraugus County Public Defender, the private legal aid bureau or society as shall be designated now or later by the Legislature of Cattaraugus County for such purposes pursuant to Section 722 of County Law, and the Administrator of Assigned Counsel for the assignment of counsel, pursuant to the existing practice and plan of the Cattaraugus County Bar Association, or any future plan of the Cattaraugus County Bar Association shall file annual reports in accordance with the applicable laws, rules or regulations.

10.4 The Cattaraugus County Administrator shall file an annual report which specifies in detail and certifies to the State Comptroller the total expenditures of Cattaraugus County, identifying "local funds", as defined in New York State Finance Law §98-b(4), state funds, federal funds and funds received from a "private source" as described in New York State Finance Law §98-b(4) for providing legal representation to persons who were financially unable to afford counsel, pursuant to Article 18-B of New York County Law, on such annual report form developed for such purpose by the State Comptroller.

Approved by 8 members of the Finance Committee and 7 members of the Public Safety Committee.

Adopted March 25, 2009 by voice vote.

ACT NO. 162-2009 by Mr. Snyder and Mr. Vecchiarella

**AUTHORIZING THE CHAIR TO EXECUTE LEASE AGREEMENT
WITH PARK CENTRE DEVELOPMENT, INC. FOR
ADDITIONAL OFFICE SPACE FOR PUBLIC DEFENDER AND
TRANSFER OF FUNDS
(Contingent Fund - Public Defender)**

Pursuant to Sections 215, 363, 365 and 450 of the County Law.

WHEREAS, Act 387-2005 authorized a lease agreement with Park Centre Development, Inc., One Blue Bird Square, Olean, New York 14760, for the leasing of approximately 2,400 square feet of office space, for the Public Defender's Office, at a rate of \$2,400 per month, plus utilities, and

WHEREAS, the County Office of the Public Defender is desirous of leasing additional office space, and

WHEREAS, Park Centre Development, Inc., has agreed to lease an additional 1,700 square feet of space, bringing the total square footage of leased space to 4,100 square feet for a total monthly amount of \$4,612.50, plus utilities, and

WHEREAS, a new lease agreement is necessary to include the additional 1,700 square feet of space, and

WHEREAS, a transfer of funds is necessary to cover the cost of the aforementioned additional office space, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a lease agreement, on behalf of Cattaraugus County, with Park Centre Development, Inc., for the Public

Defender's Office, for a term commencing June 1, 2009 and terminating August 31, 2014, with an option to renew for two additional five (5) year periods with a 10% increase in the monthly rate each five (5) year renewal term, according to the above-described terms, and be it further

RESOLVED, that this lease hereby supersedes the lease authorized by Act 387-2005, dated July 20, 2005, and be it further

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

Decrease Appropriation Account:

A.1990.445	Contingent Fund	\$26,550.00
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Increase Appropriation Account:

A.1170.411	Office Rental	\$26,550.00.
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Approved by 6 members of the Finance Committee and 6 members of the Public Safety Committee.

Adopted March 25, 2009 by voice vote. Mr. Burrell and Mr. Ellis voting no.

ACT NO. 163-2009 by Mrs. Abers

**APPOINTMENT OF MEMBER TO THE CHAUTAUQUA, CATTARAUGUS,
ALLEGANY AND STEUBEN SOUTHERN TIER EXTENSION RAILROAD AUTHORITY**

Pursuant to Section 2642-C(4) of the Public Authorities Law.

RESOLVED, that the following individual shall be a Cattaraugus County voting member on the Chautauqua, Cattaraugus, Allegany and Steuben Southern Tier Extension Railroad Authority for a term to expire September 12, 2011:

Michael Brisky
36 South Main Street
P.O. Box 141
Franklinville, New York 14737
(replacing Thomas Livak),

and be it further

RESOLVED, that the Clerk of the Legislature is hereby directed to forward a certified copy of this resolution to the Chautauqua, Cattaraugus, Allegany and Steuben Southern Tier Extension Railroad Authority.

Approved by 8 members of the Finance Committee and 6 members of the Development and Agriculture Committee.

Adopted March 25, 2009 by voice vote. Mrs. Witte voting no.

ACT NO. 164-2009 by Mr. Aiello, Mr. Burrell, Mr. Ellis, Mr. Murphy, Mr. Snyder, Mr. Teachman, Ms. Vickman, Mr. Boser, Mr. Giardini, Mr. Hebdon, Mr. Padlo and Mrs. Witte who ask immediate consideration

**SALE OF TAX TITLE PROPERTY TO FORMER OWNERS
(Towns of Allegany, Ashford, Olean City, and Otto)**

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

WHEREAS, Cattaraugus County has tax title to certain property situate in the Towns of Allegany, Ashford, Olean City, and Otto, as described below, and

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

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

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:

TOWN OF ALLEGANY

#	TAX MAP NO.	FORMER OWNER(S)	ADDRESS	COUNTY INVOLVEMENT
6	94.061-3-6	Gowtham Hospitality, LLC	3139 West State St. Olean, NY 14760	\$144,162.33

TOWN OF ASHFORD

#	TAX MAP NO.	FORMER OWNER(S)	ADDRESS	COUNTY INVOLVEMENT
23	20.004-1-12	Don Bauld Enterprises, Inc.	54 High St. Hamburg, NY 14075	\$11,110.09

CITY OF OLEAN

#	TAX MAP NO.	FORMER OWNER(S)	ADDRESS	COUNTY INVOLVEMENT
216	94.064-6-7	James Gleason	1120 Steam Valley Rd. Olean, NY 14760	\$4,013.64
246	94.064-3-44	Gary Miller c/o Susannah Miller	916 Washington St. Olean, NY 14760	\$5,225.35

TOWN OF OTTO

#	TAX MAP NO.	FORMER OWNER(S)	ADDRESS	COUNTY INVOLVEMENT
272	35.002-1-9.2	Joseph Scharf	8449 Foster Hill Rd. Cattaraugus, NY 14719	\$6,844.85

MR. McLARNEY moved, seconded by Mr. Ward to waive Rule 12. Carried.

Adopted March 25, 2009 by voice vote.

ACT NO. 165-2009 by Mr. Snyder
who asks immediate consideration

**AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACT
WITH HEALTHY COMMUNITY ALLIANCE, INC. FOR
MEDICAID MANAGED CARE RECRUITMENT SPECIALIST**

Pursuant to 42 CFR Section 435, Section 363 of the Social Services
Law and Act 432-2002 of the Cattaraugus County Legislature.

WHEREAS, Act 189-2008 authorized a contract with Healthy Community Alliance, Inc., 26 Jamestown Street, P.O. Box 27, Gowanda, New York 14070, for the provision of education, support and outreach services to clients, agency personnel and providers of the Medicaid Managed Care Program, the term of which expires March 31, 2009, and

WHEREAS, the County Department of Social Services is desirous of continuing the aforementioned services, and

WHEREAS, Healthy Community Alliance, Inc., has agreed to provide the aforementioned services for an amount of \$43,901, which shall be paid in quarterly installments, and

WHEREAS, this program is 50% federally funded and 50% state funded through the New York State Department of Health, now, therefore, be it

RESOLVED, that the County Administrator be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Healthy Community Alliance, Inc., for the provision of the above-described services, for a term commencing April 1, 2009 and terminating March 31, 2010, according to the above-described terms, and be it further

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

MR. BURRELL moved, seconded by Mr. Sprague to waive Rule 12. Carried.

Adopted March 25, 2009 by voice vote.

ACT NO. 166-2009 by Mrs. Abers, Mr. Neal and Mr. McClune
who ask immediate consideration

**AMENDING ACT 138-2009 REGARDING
SALARY FOR DIRECTOR, DEPARTMENT OF AGING**

Pursuant to Section 204 and 205 of the County Law.

WHEREAS, Act 138-2009 established the 2009 annualized salary for the newly appointed Director, Department Of Aging, and

WHEREAS, the correct annualized salary for the position should have been \$59,915.00, not \$58,483.00 as stated in Act 138-2009, now, therefore be it

RESOLVED, that the first Whereas in Act 138-2009 be amended to reflect an annualized salary of \$59,915.

MR. O'BRIEN moved, seconded by Mr. Boser to waive Rule 12. Carried.

Adopted March 25, 2009 by voice vote.

ACT NO. 167-2009 by Ms. Abers, Mr. Neal and Mr. McClune
who ask immediate consideration

**AMENDING ACT NO. 98-2009 REGARDING CONTRACT WITH
CATTARAUGUS COUNTY BUSINESS DEVELOPMENT CORPORATION
FOR EMPIRE STATE DEVELOPMENT CORPORATION COMMUNITY
DEVELOPMENT BLOCK GRANT**

Pursuant to 42 USCS 5301, 24 CFR Part 570 and
Act 432-2002 of the Cattaraugus County Legislature.

WHEREAS, Act 98-2009 authorized a contract with the Cattaraugus County Business Development Corporation for the administration of the Microenterprise Development Revolving Loan Fund, and

WHEREAS, the correct amount for the Cattaraugus County Business Development Corporation should have been \$30,000, not \$3,000 as stated in Act 98-2009, now, therefore be it

RESOLVED, that Act 98-2009 be amended as follows: In the 5th Whereas, delete: "\$3,000" and replace with: "\$30,000".

MR. AIELLO moved, seconded by Mrs. Witte to waive Rule 12. Carried.

Adopted March 25, 2009 by voice vote.

ACT NO. 168-2009 by Mr. Aiello
and Mr. Neal and Mr. McClune¹
who ask immediate consideration

**AUTHORIZING THE CHAIR TO APPLY FOR FUNDING THROUGH
NEW YORK STATE OFFICE OF CHILDREN & FAMILY SERVICES
FOR SOUTHERN TIER AMERICORPS RESOURCE TEAM PROGRAM
(Youth Bureau START Program)**

Pursuant to Section 450 of the County Law and the
American Recovery and Reinvestment Act of 2009 (Recovery Act).

WHEREAS, funding is available through the New York State Office of Children & Family Services for the Southern Tier Americorps Resource Team Program (START), and

WHEREAS, the County Youth Bureau is desirous of applying for the aforementioned funding in an effort to reduce the match requirement that partnering agencies must provide in order to have an Americorps member serve with their agency, and

WHEREAS, these funds are available as a result of the American Recovery and Reinvestment Act of 2009 (Recovery Act) allocated to assist Americorps grantees in accessing funds to engage Americorps members and community volunteers in efforts to stimulate the economy through the expansion of current programming, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute grant documents, on behalf of Cattaraugus County, with the New York State Office of Children & Family Services, in order to apply for the above-described funding, according to the above-described terms.

MR. MURPHY moved, seconded by Mr. Giardini to waive Rule 12. Carried.

¹ The following Legislators requested their names be listed as additional sponsors: "Mr. Neal and Mr. McClune".

Adopted March 25, 2009 by voice vote.

ACT NO. 169-2009 by Mr. Snyder
and Mr. Aiello and Mr. Burrell
who ask immediate consideration

**OPPOSING GOVERNOR'S PROPOSAL TO
ALLOW WINE SALES IN GROCERY STORES**

Pursuant to Section 153 of the County Law.

WHEREAS, Governor Paterson has proposed to allow the sale of wine in grocery stores, and

WHEREAS, for decades, it has been recognized that the best way to limit teenagers' access to alcohol is to group the sale of wine with liquor, since wine sellers and liquor stores have greater control over who enters their stores, and who purchases alcohol, than supermarkets, and

WHEREAS, the Governor's proposal would allow wine sales wherever beer is sold, including every gas station, mini-mart and corner deli, thereby dramatically increasing access by teenagers to alcohol, and

WHEREAS, it is also projected that if wine is sold in grocery stores, over one thousand small businesses will be forced to close in New York State, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature hereby opposes Governor Paterson's proposal to allow the sale of wine in grocery stores for the above-described reasons, and be it further

RESOLVED, that the Clerk of the Legislature is hereby directed to forward a certified copy of this resolution to Governor Paterson, Assembly Speaker Silver, Senate Majority Leader Smith, Senator Young, Assembly Member Giglio, the New York State Association of Counties and the Western New York Inter-County Association.

MR. SNYDER moved, seconded by Mr. Sprague to waive Rule 12. Carried.

MR. BURRELL moved, seconded by Mr. McLarney to refer Act No. 169-2009 to the Development and Agriculture Committee. Carried. Mr. Aiello voting no.

ACT NO. 170-2009 by Mr. Aiello and Mr. Snyder
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE AN AMENDED CONTRACT WITH
CATTARAUGUS COMMUNITY ACTION, INC. FOR HOME ENERGY
ASSISTANCE PROGRAM (HEAP) FUNDS ADMINISTRATION**

Pursuant to 18 NYCRR Part 393, P.L. 97-35, Section 34 of
the Social Services Law and Act 432-2002 of the
Cattaraugus County Legislature.

WHEREAS, Act 518-2008, as amended by Act 545-2008, authorized a contract with Cattaraugus Community Action, Inc., 25 Jefferson Street, Salamanca, New York 14779, for the provision of administrative functions for HEAP in Cattaraugus County, for an amount not to exceed \$31,880, the term of which expires March 31, 2009, and

WHEREAS, the contract authorized by Act 518-2008, as amended, should be extended to May 15, 2009 for an additional amount not to exceed \$8,239, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute an contract, on behalf of Cattaraugus County, with Cattaraugus Community Action, Inc., for the provision of the above-described services, for a term commencing April 1, 2009 and terminating May 15, 2009, according to the above-described terms.

MR. BURRELL moved, seconded by Mr. Sprague to waive Rule 12. Carried.

Adopted March 25, 2009 by voice vote.

ACT NO. 171-2009 by Mrs. Abers, Mr. Aiello, Mr. Burrell, Mr. Ellis, Mr. Marsh, Mr. McLarney, Mr. Murphy, Mr. Neal, Mr. O'Brien, Mr. Snyder, Mr. Teachman, Mr. Vecchiarella, Ms. Vickman, Mr. Boser, Mr. Giardini, Mr. Hebdon, Mr. McClune, Mr. Padlo, Mr. Sprague, Mr. Ward and Mrs. Witte who ask immediate consideration

CONGRATULATING RANDOLPH HIGH SCHOOL LADY CARDINALS BOWLING TEAM ON 2008-2009 SECTION 6 CLASS C CHAMPIONSHIP

Pursuant to Section 153 of the County Law.

WHEREAS, the Randolph Lady Cardinals Bowling Team won the Section 6 Class C title on Tuesday, February 24, 2009, at Thruway Lanes in Cheektowaga, New York, and

WHEREAS, the Lady Cardinals beat Silver Creek for the Class C crown, and

WHEREAS, the Lady Cardinals won the title with an overall pin total of 4,959, and

WHEREAS, the team and coaches should be commended for their hard work and dedication, which led to a successful season, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature hereby congratulates Coaches Geoff Olson and Kathy Bradshaw and the Randolph Central School District Lady Cardinals Bowling Team for their 2008-2009 Section 6 Class C title, and be it further

RESOLVED, that the Clerk of the Legislature is hereby directed to forward certified copies of this resolution to Kimberly Moritz, Superintendent of Schools, and Coaches Geoff Olson and Kathy Bradshaw.

MR. O'BRIEN moved, seconded by Mr. Padlo to waive Rule 12. Carried.

Adopted March 25, 2009 by voice vote.

ACT NO. 172-2009 by Mrs. Abers, Mr. Aiello, Mr. Burrell, Mr. Ellis, Mr. Marsh, Mr. McLarney, Mr. Murphy, Mr. Neal, Mr. O'Brien, Mr. Snyder, Mr. Teachman, Mr. Vecchiarella, Ms. Vickman, Mr. Boser, Mr. Giardini, Mr. Hebdon, Mr. McClune, Mr. Padlo, Mr. Sprague, Mr. Ward and Mrs. Witte who ask immediate consideration

CONGRATULATING SALAMANCA LADY WARRIORS BASKETBALL TEAM ON WINNING 2008-2009 SECTION 6 CLASS C TITLE

Pursuant to Section 153 of the County Law.

WHEREAS, the Salamanca Lady Warriors basketball team won the 2008-2009 Section 6 Class C basketball championship on Saturday, March 7, 2009, at Jamestown High School's McElrath Gymnasium, and

WHEREAS, the top-seeded Lady Warriors won the sectional championship by defeating second-seeded Franklinville Lady Panthers by a score of 39-33, and

WHEREAS, this win is the first Class C title for the Lady Warriors since 1988, and

WHEREAS, the Lady Warriors finished the season with a record of 21-3, and

WHEREAS, the team and coach should be commended for their hard work and dedication, which led to a successful 2008-2009 season, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature hereby congratulates Coach Colleen Wiedman and the Salamanca Lady Warriors basketball team for their 2008-2009 Section 6 Class C title, and be it further

RESOLVED, that the Clerk of the Legislature is hereby directed to forward certified copies of this resolution to Doug Hay, Superintendent of Schools and Coach Colleen Wiedman.

MS. VICKMAN moved, seconded by Mr. Hebdon to waive Rule 12. Carried.

Adopted March 25, 2009 by voice vote.

ACT NO. 173-2009 by Mrs. Abers, Mr. Aiello, Mr. Burrell,
Mr. Ellis, Mr. Marsh, Mr. McLarney, Mr. Murphy,
Mr. Neal, Mr. O'Brien, Mr. Snyder, Mr. Teachman,
Mr. Vecchiarella, Ms. Vickman, Mr. Boser,
Mr. Giardini, Mr. Hebdon, Mr. McClune, Mr. Padlo,
Mr. Sprague, Mr. Ward and Mrs. Witte
who ask immediate consideration

**CONGRATULATING SALAMANCA WARRIORS JOSH BECKER ON
2008-2009 SECTION 6 DIVISION II BOYS WRESTLING CHAMPIONSHIP**

Pursuant to Section 153 of the County Law.

WHEREAS, Salamanca Central School District's Josh Becker won the Section 6 Division II 160-pound wrestling title on Saturday, February 21, 2009 at Niagara County Community College, and

WHEREAS, this is Josh's second sectional championship title, last year winning at a weight of 152 pounds, and also his second trip to the New York State finals, and

WHEREAS, Josh finished the season with a record of 44-3, and

WHEREAS, Josh finished third at the New York State Wrestling Championship in Albany on Sunday, February 28, 2009, and

WHEREAS, Josh Becker should be commended for his hard work and dedication, which led to a successful season, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature hereby congratulates Salamanca Central School District's Josh Becker for his 2008-2009 Section 6 Division II Wrestling Championship, and be it further

RESOLVED, that the Clerk of the Legislature is hereby directed to forward certified copies of this resolution to Superintendent of Schools Doug Hay, Coach Shane Riethmiller and Josh Becker.

MR. VECCHIARELLA moved, seconded by Mr. Boser to waive Rule 12. Carried.

Adopted March 25, 2009 by voice vote.

ACT NO. 174-2009 by Mrs. Abers, Mr. Aiello, Mr. Burrell,
Mr. Ellis, Mr. Marsh, Mr. McLarney, Mr. Murphy,
Mr. Neal, Mr. O'Brien, Mr. Snyder, Mr. Teachman,
Mr. Vecchiarella, Ms. Vickman, Mr. Boser,
Mr. Giardini, Mr. Hebdon, Mr. McClune, Mr. Padlo,
Mr. Sprague, Mr. Ward and Mrs. Witte
who ask immediate consideration

**CONGRATULATING GOWANDA CENTRAL SCHOOL'S AARON KROLL ON
2008-2009 SECTION 6 DIVISION II BOYS WRESTLING CHAMPIONSHIP**

Pursuant to Section 153 of the County Law.

WHEREAS, Gowanda Central School District's Aaron Kroll won the Section 6 Division II 285-pound wrestling title on Saturday, February 21, 2009 at Niagara County Community College, and

WHEREAS, this is Aaron's first sectional championship title, and his first trip to the New York State finals, and

WHEREAS, Aaron finished the season with a record of 34 - 7, and

WHEREAS, Aaron Kroll should be commended for his hard work and dedication, which led to a successful season, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature hereby congratulates Gowanda Central School District's Aaron Kroll for his 2008-2009 Section 6 Division II Wrestling Championship, and be it further

RESOLVED, that the Clerk of the Legislature is hereby directed to forward certified copies of this resolution to Superintendent of Schools Charles Rinaldi, Coach Mark Leous and Aaron Kroll.

MR. ELLIS moved, seconded by Mr. Ward to waive Rule 12. Carried.

Adopted March 25, 2009 by voice vote.

ACT NO. 175-2009 by Mrs. Abers, Mr. Aiello, Mr. Burrell,
Mr. Ellis, Mr. Marsh, Mr. McLarney, Mr. Murphy,
Mr. Neal, Mr. O'Brien, Mr. Snyder, Mr. Teachman,
Mr. Vecchiarella, Ms. Vickman, Mr. Boser,
Mr. Giardini, Mr. Hebdon, Mr. McClune, Mr. Padlo,
Mr. Sprague, Mr. Ward and Mrs. Witte
who ask immediate consideration

**CONGRATULATING ALLEGANY-LIMESTONE LADY GATORS BASKETBALL
TEAM ON 2008-2009 SECTION 6 CLASS B-2 CHAMPIONSHIP**

Pursuant to Section 153 of the County Law.

WHEREAS, the Allegany-Limestone Lady Gators Basketball Team won the 2008-2009 Section 6 Class B-2 title on Wednesday, March 4, 2009, at Erie Community College's Flickinger Center in Buffalo, and

WHEREAS, the No. 3-seeded Lady Gators beat No. 1-seeded City Honors by a 51 - 30 margin, and

WHEREAS, the Allegany-Limestone Lady Gators finished this season with a record of 20-4, and

WHEREAS, the team and coach should be commended for their hard work and dedication, which led to a successful season, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature hereby congratulates Coach Frank Martin and the Allegany-Limestone Central School District Lady Gators Basketball Team for their 2008-2009 Section 6 Class B-2 title, and be it further

RESOLVED, that the Clerk of the Legislature is hereby directed to forward certified copies of this resolution to Diane Munro, Superintendent of Schools, and Coach Frank Martin.

MR. NEAL moved, seconded by Mr. McClune to waive Rule 12. Carried.

Adopted March 25, 2009 by voice vote.

ACT NO. 176-2009 by Mrs. Abers, Mr. Aiello, Mr. Burrell,
Mr. Ellis, Mr. Marsh, Mr. McLarney, Mr. Murphy,
Mr. Neal, Mr. O'Brien, Mr. Snyder, Mr. Teachman,
Mr. Vecchiarella, Ms. Vickman, Mr. Boser, Mr. Giardini,
Mr. Hebdon, Mr. McClune, Mr. Padlo, Mr. Sprague,
Mr. Ward and Mrs. Witte
who ask immediate consideration

**CONGRATULATING OLEAN LADY HUSKIES BASKETBALL
TEAM ON WINNING 2008-2009 FAR WEST REGIONAL
CLASS B CHAMPIONSHIP**

Pursuant to Section 153 of the County Law.

WHEREAS, the Olean City School District Lady Huskies Basketball Team won the 2008-2009 Far West Regional Class B title on Friday March 13, 2009, at the Erie Community College's Burt C. Flickinger Center in Buffalo, New York, and

WHEREAS, the Lady Huskies beat Wayland-Cohocton by a score of 53-44 to win the Far West Regional title, and

WHEREAS, the Olean Lady Huskies also beat the Allegany-Limestone Lady Gators by a 56 - 51 margin, on Saturday, March 7, 2009, to win the overall Section 6 Class B title, and

WHEREAS, the top-seeded Lady Huskies also beat No. 6-seeded East Aurora by a 48 - 30 score, winning their second Section 6 Class B-1 title in three seasons, and

WHEREAS, the Olean Lady Huskies finished this season with a record of 20-5, and

WHEREAS, the team and coach should be commended for their hard work and dedication, which led to a successful season, now, therefore, be it

RESOLVED, that Cattaraugus County Legislature hereby congratulates Coach Don Scholla and the Olean City School District Lady Huskies Basketball Team for their successful 2008-2009 season and their Far West Regional Class B title, and be it further

RESOLVED, that the Clerk of the Legislature is hereby directed to forward certified copies of this resolution to Colleen Taggerty, Superintendent of Schools, and Coach Don Scholla.

MR. MARSH moved, seconded by Mr. Padlo to waive Rule 12. Carried.

Adopted March 25, 2009 by voice vote.

ACT NO. 177-2009 by Mrs. Abers, Mr. Aiello, Mr. Burrell,
Mr. Ellis, Mr. Marsh, Mr. McLarney, Mr. Murphy,
Mr. Neal, Mr. O'Brien, Mr. Snyder, Mr. Teachman,
Mr. Vecchiarella, Ms. Vickman, Mr. Boser, Mr. Giardini,
Mr. Hebdon, Mr. McClune, Mr. Padlo, Mr. Sprague,
Mr. Ward and Mrs. Witte
who ask immediate consideration

**CONGRATULATING OLEAN HUSKIES BASKETBALL TEAM ON
WINNING 2008-2009 SECTION 6 CLASS B SECTIONAL CHAMPIONSHIP**

Pursuant to Section 153 of the County Law.

WHEREAS, the Olean Huskies Basketball Team won the 2008-2009 Section 6 Class B Championship on Tuesday, March 10, 2009 in Buffalo, New York, and

WHEREAS, the Olean Huskies beat the Akron Tigers by a score of 45 - 38, and

WHEREAS, the Olean Huskies beat top-seeded East Aurora by a score of 46-45 on March 7, 2009 capturing the Section 6 Class B-1 title for the third consecutive year, and

WHEREAS, the Olean Huskies finished the season with a record of 20-5, and

WHEREAS, the team and coach should be commended for their hard work, determination and dedication, which led to a successful season, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature hereby congratulates Coach Jeff Anastasia and the Olean Huskies Basketball Team for their successful 2008-2009 season and their Section 6 Class B Championship, and be it further

RESOLVED, that the Clerk of the Legislature is hereby directed to forward certified copies of this resolution to Superintendent of Schools Colleen Taggerty and Coach Jeff Anastasia.

MR. MURPHY moved, seconded by Mr. Giardini to waive Rule 12. Carried.

Adopted March 25, 2009 by voice vote.

ACT NO. 178-2009 by Mrs. Abers, Mr. Aiello, Mr. Burrell,
Mr. Ellis, Mr. Marsh, Mr. McLarney, Mr. Murphy,
Mr. Neal, Mr. O'Brien, Mr. Snyder, Mr. Teachman,
Mr. Vecchiarella, Ms. Vickman, Mr. Boser,
Mr. Giardini, Mr. Hebdon, Mr. McClune, Mr. Padlo,
Mr. Sprague, Mr. Ward and Mrs. Witte
who ask immediate consideration

**CONGRATULATING RANDOLPH CARDINALS BASKETBALL TEAM ON
WINNING 2008-2009 SECTION 6 CLASS C SECTIONAL CHAMPIONSHIP**

Pursuant to Section 153 of the County Law.

WHEREAS, the Randolph Cardinals basketball team won the Class C Sectional championship game on Friday, March 6, 2009, at Jamestown Community College's Physical Education Complex, and

WHEREAS, the top-seeded Randolph Cardinals beat the No. 2-seeded Westfield Wolverines by a 65 - 58 score for the Section 6, Class C championship title, and

WHEREAS, the Randolph Cardinals finished the season with a record of 22 - 3, and

WHEREAS, the team and coach should be commended for their hard work and dedication, which led to a successful season, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature hereby congratulates Coach Kevin Hind and the Randolph Cardinals basketball team for their successful 2008-2009 season and their Section 6 Class C championship, and be it further

RESOLVED, that the Clerk of the Legislature is hereby directed to forward certified copies of this resolution to Kimberly Moritz, Superintendent of Schools and Coach Kevin Hind.

MR. SNYDER moved, seconded by Mrs. Witte to waive Rule 12. Carried.

Adopted March 25, 2009 by voice vote.

**MOTION TO ADJOURN IN MEMORY OF
THERESA KATHLEEN SIMON**

WHEREAS, Theresa Kathleen (TK) Simon, 58, passed away on Thursday, March 12, 2009, in Olean General Hospital, and

WHEREAS, Ms. Simon served on the Cattaraugus County Community Services Board since 1994, and was the Co-chair of the Mental Health Subcommittee for ten years, and

WHEREAS, Ms. Simon had consistently participated in regional and state-wide mental health advocacy seminars and shared this information with mental health providers and consumers in Cattaraugus County, and

WHEREAS, she was a valued member of "Team Cattaraugus" through the Mental Health Association, and

WHEREAS, Ms. Simon was one of the first to participate in Regional Planning Advisory meetings, speaking up for persons with mental illness and urging officials to expand mental health services, and

WHEREAS, Ms. Simon will be remembered for her courage to speak out, and for her willingness to help others, and

WHEREAS, the loss of her presence will be sadly felt by her many friends and colleagues in Cattaraugus County, now, therefore, Legislator Snyder hereby

MOVES, that the Cattaraugus County Legislature hereby adjourns, and stands adjourned, in memory of the Theresa Kathleen Simon and this Motion be seconded by Legislator McClune, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature hereby adjourns, and stands adjourned, until its next meeting, unless specially convened, in memory of Theresa Kathleen Simon.

MR. SNYDER moved, seconded by Mr. Giardini to adjourn until April 8, 2009 at 3:00 p.m. Carried.

Meeting adjourned at 4:28 p.m.

Ann M. Giglio
Journal Clerk