

April 8, 2009

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

The invocation was given by Rev. Piatt.

The Attendance Roll Call disclosed two Legislators absent - Mr. Snyder and Mr. Ward.

MR. O'BRIEN moved, seconded by Mr. Ellis that the minutes of the March 25, 2009 session be approved. Carried.

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COMMUNICATIONS:

Assembly Member Giglio: Letter acknowledging receipt of Act No. 135-2009.

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PROCLAMATIONS:

CHAIRMAN ABERS proclaimed the week of **April 19 - 25, 2009** as **National Volunteer Week** in Cattaraugus County.

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ACT NO. 179-2009 by Mr. Giardini
and Mr. Ellis

BID ACCEPTANCE FOR CONCRETE PIPE (CLASS III & IV)
(Department of Public Works)

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

WHEREAS, the Clerk of the Legislature was authorized to advertise for sealed bids for the provision of round and elliptical concrete pipe (Class III & IV), according to specifications provided by the Public Works Committee, now, therefore, be it

RESOLVED, that the Commissioner of Public Works is authorized to contract for concrete pipe (Class III & IV) with Southern Tier Municipal & Construction Supply Co. and Vellano Brothers, Inc., as recommended by the Public Works Committee for the term May 1, 2009 through April 30, 2010, and be it further

RESOLVED, that any county, 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 the aforementioned items at any time during the term for which the bids are taken and to require suitable bond to guarantee delivery.

*Southern Tier Municipal Construction & Supply Co.
1801 Washington Street
Jamestown, New York 14701*

ROUND CONCRETE PIPE (CLASS III & IV)

<u>Description</u>	<u>2008 Rate</u>	<u>2009 Rate</u>
24 Inch (Class III) per foot	\$ 29.16	\$ 27.77
24 Inch (Class IV) per foot	\$ 30.80	\$ 35.00
24 Inch End Section (each)	\$ 793.50	\$ 870.00
30 Inch (Class III) per foot	\$ 41.10	\$ 42.35
30 Inch (Class IV) per foot	\$ 43.83	\$ 47.82
30 Inch End Section (each)	\$ 985.00	\$1285.00
36 Inch (Class III) per foot	\$ 56.95	\$ 60.50
36 Inch (Class IV) per foot	\$ 58.13	\$ 64.48
36 Inch End Section (each)	\$1408.00	\$1680.00
42 Inch (Class III) per foot	\$ 83.87	\$ 78.38
42 Inch (Class IV) per foot	\$ 86.13	\$ 86.88
42 Inch End Section (each)	\$1650.00	\$2100.00
48 Inch (Class III) per foot	\$ 92.89	\$ 93.15
48 Inch (Class IV) per foot	\$ 98.28	\$ 100.15
48 Inch End Section (each)	\$2079.00	\$2457.00

ELLIPTICAL CONCRETE PIPE (CLASS III & IV)

<u>Description</u>	<u>2008 Rate</u>	<u>2009 Rate</u>
24 Inch (Class III) per foot (19 x 30)	\$ 37.73	\$ 50.75
24 Inch (Class IV) per foot	\$ 39.16	\$ 51.60
24 Inch (Safety Slope Sec. (each)		\$2000.00
24 Inch Flared End (each)	\$1089.00	\$1486.00
30 Inch (Class III) per foot (24 x 38)	\$ 52.19	\$ 66.43
30 Inch (Class IV) per foot	\$ 56.76	\$ 72.24
30 Inch (Safety Slope Sec. (each)		\$2500.00
30 Inch Flared End (each)	\$1760.00	\$2240.00
36 Inch (Class III) per foot (29 x 45)	\$ 78.92	\$ 98.86
36 Inch (Class IV) per foot	\$ 80.74	\$ 99.10
36 Inch Flared End (each)	\$1980.00	\$2620.00
42 Inch (Class III) per foot (34 x 53)	\$ 98.39	\$ 125.43
42 Inch (Class IV) per foot	\$ 102.24	\$ 130.15
42 Inch Flared End (each)	\$2640.00	\$3360.00
48 Inch (Class III) per foot (38 x 60)	\$ 123.06	\$ 159.55
48 Inch (Class IV) per foot	\$ 129.60	\$ 168.00
48 Inch Flared End (each)	\$3300.00	\$4200.00
54 Inch (Class III) per foot (43 x 68)	\$ 151.57	\$ 196.48
54 Inch (Class IV) per foot	\$ 159.84	\$ 207.90
54 Inch Flared End (each)	\$5390.00	\$6370.00
60 Inch (Class III) per foot (48 x 76)	\$ 173.88	\$ 233.45
60 Inch (Class IV) per foot	\$ 183.54	\$ 246.45
60 Inch Flared End (each)	\$6490.00	\$7080.00

66 Inch (Class III) per foot (53 x 83)	\$ 215.35	\$ 279.15
66 Inch (Class IV) per foot	\$ 237.60	\$ 320.00
66 Inch Flared End (each)	\$7768.20	\$8474.00
72 Inch (Class III) per foot (58 x 91)	\$ 242.78	\$ 314.75
72 Inch (Class IV) per foot	268.64	\$ 360.70
72 Inch Flared End (each)	\$8541.50	\$9706.00

Vellano Brothers, Inc.
10 Lancaster Parkway
Lancaster, New York 14086

ROUND CONCRETE PIPE (CLASS III & IV)

<u>Description</u>	<u>2008 Rate</u>	<u>2009 Rate</u>
54 Inch (Class III) per foot	\$ 113.40	\$ 179.21
54 Inch (Class IV) per foot	\$ 128.52	\$ 202.64
54 Inch End Section (each)	\$2695.00	\$1994.00
60 Inch (Class III) per foot	\$ 137.75	\$ 215.42
60 Inch (Class IV) per foot	\$ 157.68	\$ 243.92
60 Inch End Section (each)	\$3520.00	\$2334.00
66 Inch (Class III) per foot	\$ 163.67	\$ 254.96
66 Inch (Class IV) per foot	\$ 185.76	\$ 289.04
66 Inch End Section (each)	\$4180.00	\$2695.00
72 Inch (Class III) per foot	\$ 188.69	\$ 304.81
72 Inch (Class IV) per foot	\$ 212.65	\$ 345.61
72 Inch End Section (each)	\$4620.00	\$4147.00

ELLIPTICAL CONCRETE PIPE (CLASS III & IV)

<u>Description</u>	<u>2008 Rate</u>	<u>2009 Rate</u>
36 Inch (Class III) per foot (29 x 45)	\$ 136.56	\$ 132.41
36 Inch (Class IV) per foot	\$ 154.56	\$ 149.46
36 Inch Safety Slope Sec. (each)	\$1456.00	\$1528.00
42 Inch (Class III) per foot (34 x 53)	\$ 164.73	\$ 159.21
42 Inch (Class IV) per foot	\$ 186.67	\$ 180.07
42 Inch Safety Slope Sec. (each)	\$1713.00	\$1773.00
48 Inch (Class III) per foot (38 x 60)	\$ 198.28	\$ 191.14
48 Inch (Class IV) per foot	\$ 226.36	\$ 217.94
48 Inch Safety Slope Sec. (each)	\$2032.00	\$2076.00
54 Inch (Class III) per foot (43 x 68)	\$ 246.10	\$ 236.68
54 Inch (Class IV) per foot	\$ 281.00	\$ 269.90
54 Inch Safety Slope Sec. (each)	\$2470.00	\$2492.00
60 Inch (Class III) per foot (48 x 76)	\$ 291.30	\$ 279.66
60 Inch (Class IV) per foot	\$ 332.40	\$ 318.80
60 Inch Safety Slope Sec. (each)	\$2879.00	\$2883.00

66 Inch (Class III) per foot (53 x 83)	\$ 341.30	\$ 327.34
66 Inch (Class IV) per foot	\$ 390.90	\$ 374.55
66 Inch Safety Slope Sec. (each)	\$3348.00	\$3328.00
72 Inch (Class III) per foot (58 x 91)	\$ 407.05	\$ 389.84
72 Inch (Class IV) per foot	\$ 466.59	\$ 446.17
72 Inch Safety Slope Sec. (each)	\$3953.00	\$3904.00

No State Bid.

Four sets of specifications were sent out.

Two bids were received.

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

Adopted April 8, 2009 by voice vote.

ACT NO. 180-2009 by Mr. Giardini
and Mr. Ellis

**BID ACCEPTANCE FOR PURCHASE OF ONE FOUR WHEEL DRIVE
MULTI-PURPOSE MATERIAL HANDLER
(Department of Public Works)**

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

WHEREAS, the Clerk of the Legislature was authorized to advertise for sealed bids for the purchase of one (1) four wheel drive multi-purpose material handler, according to bid specifications and general information provided by the Public Works Committee, and

WHEREAS, the lowest bid received meeting specifications, for the purchase of one (1) four wheel drive multi-purpose material handler, was the bid of Liftech Equipment Companies, Inc., 6847 Ellicott Drive, East Syracuse, New York 13057, for an amount as follows:

JCB Material Handler Model #541-70T	\$73,564.00
Less Trade-in Allowance	<u>\$-9,500.00</u>
New Cost with trade-in	\$64,064.00,

now, therefore, be it

RESOLVED, that the bid of Liftech Equipment Companies, Inc., be, and the same hereby is, accepted, and be it further

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

No State Bid.

Twelve sets of specifications were sent out.

Three bids were received.

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

Adopted April 8, 2009 by voice vote.

ACT NO. 181-2009 by Mr. Giardini
and Mr. Ellis

**BID ACCEPTANCE FOR MOWING OF CONEWANGO WATERSHED
(Department of Public Works)**

Pursuant to Section 103 of the General Municipal Law.

WHEREAS, the Clerk of the Legislature was authorized to advertise for sealed bids for the mowing of eight (8) sites on the Conewango Watershed, according to specifications provided by the Public Works Committee, and

WHEREAS, the lowest bid received meeting specifications was the bid of William P. Bognar d/b/a Bill Bognar Excavating, 5888 Dublin Road, Salamanca, New York 14779, in the amount of \$2,489 per year, for mowing each site once during the period August 1st to September 30th in 2009 and once in 2010, now, therefore, be it

RESOLVED, that the bid of William P. Bognar d/b/a Bognar Excavating, be, and the same hereby is, accepted, for a term commencing August 1, 2009 and terminating September 15, 2010, and be it further

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

No State Bid.

Four sets of specifications were sent out.

Two bids were received.

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

Adopted April 8, 2009 by voice vote.

ACT NO. 182-2009 by Mr. Giardini
and Mr. Ellis

**BID ACCEPTANCE FOR PURCHASE OF ONE OUTSIDE
RAIL, EXTENDABLE TAIL ROLL-OFF TRAILER
(Department of Public Works)**

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

WHEREAS, the Clerk of the Legislature was authorized to advertise for sealed bids for the purchase of one (1) outside rail, extendable tail roll-off trailer, according to bid specifications and general information provided by the Public Works Committee, and

WHEREAS, the lowest bid received meeting specifications, for the purchase of one (1) outside rail, extendable tail roll-off trailer, was the bid of CEJJ, Inc., Routes 9 & 90, B-1 Exit, Schodack Landing, New York 12156, for an amount as follows:

Galbreath/A5-EX-250	\$50,259.00
Less Trade-in Allowance for two roll-off trailers	<u>\$-5,000.00</u>
Net Cost with trade-in	\$45,259.00,

now, therefore, be it

RESOLVED, that the bid of CEJJ, Inc., be, and the same hereby is, accepted, and be it further

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

No State Bid.

Ten sets of specifications were sent out.

Two bids were received.

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

Adopted April 8, 2009 by voice vote.

ACT NO. 183-2009 by Mr. Giardini
and Mr. Ellis

**ACCEPTING MATERIAL BIDS FOR PLASTIC CORRUGATED DRAINAGE PIPE,
STEEL CORRUGATED PIPE AND PIPE ARCHES AND BRIDGE STRUCTURAL STEEL
(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 plastic corrugated drainage pipe, steel corrugated pipe and pipe arches and bridge structural steel, with the following bidders recommended by the Public Works Committee for the term 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 the aforementioned items at any time during the term for which the bids are taken and to require suitable bond to guarantee delivery.

Expanded Supply Products, Inc.
3330 Route 9
Cold Spring, New York 10516

**Plastic & Polyethylene Corrugated Drainage Pipe
Or Tubing**

<u>Index No.</u>	<u>Diameter</u>	<u>Description</u>	<u>2008 Rate</u>	<u>2009 Rate</u>
CPDP4	4	Per foot	\$ 0.38	\$ 0.29
CPC4	4	Per coupler	\$ 0.38	\$ 0.36
CPDP6	6	Per foot	\$ 1.08	\$ 0.79
CPC6	6	Per coupler	\$ 1.08	\$ 0.98
CPDP8	8	Per foot	\$ 1.95	\$ 1.55
CPC8	8	Per coupler	\$ 1.95	\$ 1.93
CPDP15	15	Per foot	\$ 7.00	\$ 5.08
CPC15	15	Per coupler	\$ 7.00	\$ 6.35
CPFE15	15	Flared End	\$ 76.56	\$ 77.50
CPDP18	18	Per foot	\$ 10.50	\$ 8.05
CPC18	18	Per coupler	\$ 10.50	\$ 10.06
CPFE18	18	Flared End	\$102.85	\$104.00
CPDP24	24	Per foot	\$ 16.25	\$ 12.35
CPC24	24	Per coupler	\$ 16.25	\$ 15.43

CPFE24	24	Flared End	\$132.00	\$134.00
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Category II Integral Bell Joint

CPDPSL18	18	Per foot	\$ 9.95	8.34
CPSCP18	18	Split coupler	\$ 9.95	8.34
CPBCP18	18	Bell coupler		\$8.34
CPDPSL24	24	Per foot	\$ 16.90	12.98
CPSCP24	24	Split coupler	\$ 16.90	12.98
CPBCP24	24	Bell coupler		\$12.98
CPDPSL30	30	Per foot	\$ 26.15	19.97
CPSCP30	30	Split coupler	\$ 26.15	19.97
CPBCP30	30	Bell coupler		\$19.97
CPDPSL36	36	Per foot	\$ 33.55	25.60
CPSCP36	36	Split coupler	\$ 33.55	25.60
CPBCP36	36	Bell coupler		\$25.60
CPDPSL42	42	Per foot	\$ 46.26	35.65
CPSCP42	42	Split coupler	\$ 46.26	35.65
CPBCP42	42	Bell coupler		\$35.65

Southern Tier Municipal & Construction Supply Co.
 1801 Washington Street
 P.O. Box 0892
 Jamestown, New York 14701

**Plastic & Polyethylene Corrugated Drainage Pipe
Or Tubing**

<u>Index No.</u>	<u>Diameter</u>	<u>Description</u>	<u>2008 Rate</u>	<u>2009 Rate</u>
CPDP10	10	Per foot	\$ 3.80	\$ 2.73
CPC10	10	Per coupler	\$ 3.80	\$ 3.41
CPDP12	12	Per foot	\$ 5.10	\$ 3.83
CPC12	12	Per coupler	\$ 5.10	\$ 5.13
CPFE12	12	Flared End	\$ 76.56	\$ 85.00

**Polyethylene Corrugated High Capacity Smooth
Interior Pipe**

CPDP12SI	12	Per foot	\$ 4.89	\$ 4.11
CPC12SI	12	Per coupler	\$ 4.89	\$ 5.13
CPFE12SI	12	Flared End	\$ 76.56	\$ 85.00
CPDP15SI	15	Per foot	\$ 6.95	\$ 5.32
CPC15SI	15	Per coupler	\$ 6.95	\$ 6.71
CPFE15SI	15	Flared End	\$ 76.56	\$ 85.00
CPDP30SI	30	Per foot	\$ 26.15	\$ 18.90
CPC30SI	30	Per coupler	\$ 26.15	\$ 37.89
CPFE30SI	30	Flared End	\$272.00	\$462.00

Category II Integral Bell Joint

CPDPSL12	12	Per foot	\$ 4.89	\$ 4.30
CPSCP12	12	Split coupler	\$ 4.89	\$ 5.15
CPDPSL15	15	Per foot	\$ 6.95	\$ 5.60
CPSCP15	15	Split coupler	\$ 6.95	\$ 6.71

Chemung Supply Corp.
 P.O. Box 527
 Elmira, New York 14902

**Polyethylene Corrugated High Capacity Smooth
Interior Pipe**

CPDP18SI	18	Per foot	\$ 4.11	\$ 7.94
CPC18SI	18	Per coupler	\$ 5.13	\$ 9.92
CPFE18SI	18	Flared End	\$ 85.00	\$104.00

CPDP24SI	24	Per foot	\$ 5.32	\$ 12.37
CPC24SI	24	Per coupler	\$ 6.71	\$ 15.46
CPFE24SI	24	Flared End	\$ 85.00	\$134.00
CPDP36SI	36	Per foot	\$ 18.90	\$ 24.38
CPC36SI	36	Per coupler	\$ 37.89	\$ 48.76
CPFE36SI	36	Flared End	\$462.00	\$291.00
CPDP42SI	42	Per foot	\$ 5.32	\$ 33.95
CPC42SI	42	Per coupler	\$ 6.71	\$ 67.90
CPDP48SI	48	Per foot	\$ 18.90	\$ 41.44
CPC48SI	48	Per coupler	\$ 37.89	\$ 82.88

Vellano Brothers, Inc.
10 Lancaster Parkway
Lancaster, New York 14086-9713

Category II Integral Bell Joint

CPDPSL48	48	Per foot	\$ 54.95	\$ 42.27
CPSCP48	48	Split coupler	\$ 54.95	\$ 90.11

State Bid. Prices will be compared with the prices on State Contract and be purchased from the source most beneficial to the County.

Nine sets of specifications were sent out.

Six bids were received.

• **ROUND CORRUGATED STEEL PIPE AND PIPE ARCHES**

Expanded Supply Products, Inc.
3330 Route 9
Cold Spring, New York 10516

<u>Index No.</u>	<u>Diameter</u>	<u>Description</u>	<u>2008 Rate</u>	<u>2009 Rate</u>
<u>Perforated Plain Galvanized Corrugated Steel Pipe Underdrain</u>				

CMDP6	6	(18 ga.) per linear foot	\$ 4.33	\$ 4.87
CMDP8	8	(16 ga.) per linear foot	\$ 5.55	\$ 6.42

Plain Galvanized Helically Corrugated Pipe with Rerolled Ends

CMDP10	10	(16 ga.) per linear foot	\$ 6.79	\$ 8.03
CMC1012	10	12" connect. Band	\$ 6.79	\$ 8.03
CMC1024	10	24" connect. Band	\$ 13.58	\$ 16.06
CMFE10	10	Flared end	\$ 93.50	\$ 144.10

CMDP12	12	(16 ga.) per linear foot	\$ 7.13	\$ 8.37
CMC1212	12	12" connect. band	\$ 7.13	\$ 8.37
CMC1224	12	24" connect. band	\$ 14.26	\$ 16.74
CMFE12	12	Flared End	\$ 48.00	\$ 57.50

CMDP15	15	(16 ga.) per linear foot	\$ 8.95	\$ 10.47
CMC1512	15	12" connect. band	\$ 8.95	\$ 10.47
CMC1524	15	24" connect. band	\$ 17.90	\$ 20.94
CMFE15	15	Flared End	\$ 60.50	\$ 72.63

CMDP18	18	(16 ga.) per linear foot	\$ 11.02	\$ 12.60
CMC1812	18	12" connect. band	\$ 11.02	\$ 12.60
CMC1824	18	24" connect. band	\$ 22.04	\$ 25.20
CMFE18	18	Flared End	\$ 79.50	\$ 94.39

Round Corrugated Steel Pipe & Pipe Arches Class II

CMDP24	21	(16 ga.) /linear foot		\$ 14.96
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CMC2412	21	12" connect. band		\$ 14.96
CMC2424	21	24" connect. band		\$ 29.92
CMFE24	21	Flared End	\$ 106.00	\$ 130.90
CMDP24	24	(14 ga.) /linear foot	\$ 17.38	\$ 19.90
CMC2412	24	12" connect. band	\$ 17.38	\$ 19.90
CMC2424	24	24" connect. band	\$ 34.76	\$ 39.80
CMFE24	24	Flared End	\$ 119.00	\$ 147.00
CMDP30	30	(14 ga.) /linear foot	\$ 18.89	\$ 25.45
CMC3012	30	12" connect. band	\$ 18.89	\$ 25.45
CMC3024	30	24" connect. band	\$ 37.78	\$ 50.90
CMFE30	30	Flared End	\$ 272.00	\$ 338.00
CMDP42	42	(12 ga.) /linear foot	\$ 45.17	\$ 48.50
CMC4212	42	12" connect. band	\$ 45.17	\$ 48.50
CMC4224	42	24" connect. band	\$ 90.34	\$ 97.00
CMFE42	42	Flared End	\$ 619.00	\$ 857.00
CMDP48	48	(12 ga.) /linear foot	\$ 50.60	\$ 58.35
CMC4812	48	12" connect. band	\$ 50.60	\$ 58.35
CMC4824	48	24" connect. band	\$ 101.20	\$ 116.70
CMFE48	48	Flared End	\$ 899.00	\$1034.29
CMDP60	60	(10 ga.) /linear foot	\$ 84.35	\$ 90.50
CMC6012	60	12" connect. band	\$ 126.52	\$ 135.75
CMC6024	60	24" connect. band	\$ 168.70	\$ 181.00
CMFE60	60	Flared End	\$1,470.17	\$1677.00
CMDP72	72	(10 ga.) /linear foot	\$ 101.00	\$ 115.99
CMC7212	72	12" connect. band	\$ 202.00	\$ 173.98
CMC7224	72	24" connect. band	\$ 303.00	\$ 231.98
CMFE72	72	Flared End	\$1,711.00	\$2257.00

Southern Tier Municipal & Construction Supply Co.
 1801 Washington Street
 P.O. Box 0892
 Jamestown, New York 14701

Round Corrugated Steel Pipe & Pipe Arches Class II

2009 Rate

CMDP36	36	(12 ga.) /linear foot		\$ 40.69
CMC3612	36	12" connect. band		\$ 40.69
CMC3624	36	24" connect. band		\$ 81.38
CMFE36	36	Flared End		\$ 518.65
CMDP84	84	(8 ga.) /linear foot		\$ 226.28
CMC8412	84	12" connect. band		\$ 339.42
CMC8424	84	24" connect. band		\$ 452.56
CMFE84	84	Flared End		\$2700.50

**Fully Bituminous Coated w/o Pavement Helically
 Corrugated Pipe Arch w/Rerolled Ends**

CMDP3524	35" x 24"	Per linear foot	\$ 26.04	\$ 40.02
CMSC3524		24" connect. Band	\$ 52.08	\$ 80.04
CMDP4229	42" x 29"	Per linear foot	\$ 34.00	\$ 48.82
CMSC4229		24" connect. Band	\$ 68.00	\$ 97.64
CMDP4933	49" x 33"	Per linear foot	\$ 45.35	\$ 64.37
CMSC4933		24" connect. Band	\$ 90.70	\$ 128.74
CMDP5738	57" x 38"	Per linear foot	\$ 59.25	\$ 91.45
CMSC5738		24" connect. band	\$ 118.50	\$ 182.90
CMDP6443	64" x 43"	Per linear foot	\$ 72.40	\$ 106.05

CMSC6443		24" connect. band	\$ 144.80	\$ 212.10
CMDP7147	71" x 47"	Per linear foot	\$ 90.45	\$ 139.76
CMSC7147		24" connect. band	\$ 271.35	\$ 279.52
CMDP7752	77" x 52"	Per linear foot	\$ 120.00	\$ 155.50
CMSC7752		24" connect. band	\$ 360.00	\$ 311.00

State Bid. Prices will be compared with the prices on State Contract and be purchased from the source most beneficial to the County.
Seven sets of specifications were sent out.
Three bids were received.

• **BRIDGE STRUCTURAL STEEL**

Chemung Supply Corp.
P.O. Box 527
Elmira, New York 14902

<u>Index No.</u>	<u>Description</u>	<u>2008 Rate</u>	<u>2009 Rate</u>
SS-A	Structural Angles, Channels, all sizes up to and including 15"	\$.85/lb.	\$.75/lb.
SS-B	Ship and Car Channel (MC section), 6" to 18"	\$.95/lb.	\$.80/lb.
SS-C1a	I-Beams Standard [up to and inc. 12"] (up to 60' long)	\$.89/lb.	\$.75/lb.
SS-C1b	I-Beams Standard [up to and inc. 12"] (60' and greater)	\$.89/lb.	\$.80/lb.
SS-C2a	I-Beams Standard [14" to 36"] (up to 60' long)	\$.92/lb.	\$.75/lb.
SS-C2b	I-Beams Standard [14" to 36"] (60' and greater)	\$.92/lb.	\$.80/lb.
SS-D1a	Wide Flange [up to and inc. 12"] (up to 60' long)	\$.92/lb.	\$.81/lb.
SS-D1b	Wide Flange [up to and inc. 12"] (60' and greater)	\$.92/lb.	\$.86/lb.
SS-D2a	Wide Flange [14" to 36"] (up to 60' long)	\$.92/lb.	\$.88/lb.
SS-D2b	Wide Flange [14" to 36"] (60' and greater)	\$.92/lb.	\$.88/lb.
SS-D2c	Wide Flange [14" to 36"] (up to 60' long - precambered)	\$.99/lb.	\$.92/lb.
SS-D2d	Wide Flange [14" to 36"] (60' and greater - precambered)	\$.99/lb.	\$.92/lb.
SS-E	H-Piles - all sized up to, and including, 14"	\$.87/lb.	\$.89/lb.
SS-F	Flat Steel Plates, 6' wide x 20' long x 5/16"	\$.91/lb.	\$.81/lb.
SS-G	Flat Steel Plates, 4' wide x 8' long, all thicknesses from 1/4" to 1"	\$.91/lb.	\$.81/lb.
SS-H	Steel Sheet Piling - Trade Arbed AZ-13	\$.85/lb.	\$1.05/lb.
SS-I	Concrete Re-Enforcing Bar, Grade 60, sizes no. 3 through no. 8, 20' lengths	\$.51/lb.	\$.38/lb.

No State Bid.
Eight sets of specifications were sent out.
One bid was received.

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

Adopted April 8, 2009 by voice vote.

ACT NO. 184-2009 by Labor Relations Committee:

Mr. McLarney, Mr. Ward, Mr. Aiello,
Mr. Vecchiarella and Mr. Boser
and Mrs. Abers, Mr. Burrell, Mr. Ellis,
Mr. O'Brien, Ms. Vickman and Mr. Giardini
and Mr. Aiello, Mr. Ellis, Mr. Murphy, Mr. Teachman,
Mr. Padlo and Mrs. Witte¹

**ESTABLISHING POSITION VALUE SYSTEM FOR
ASSOCIATING DEPARTMENT HEAD AND LEGISLATIVE
APPOINTMENT SALARY INCREASES TO
PERFORMANCE BASED SYSTEM**

Pursuant to Section 205 of the County Law.

WHEREAS, the County Administrator has developed a performance evaluation system for Department Heads as directed by Local Law Number 5-2008, and

WHEREAS, the results of these Department Head evaluations should influence annual raises and associated salaries assigned to Department Heads, and

WHEREAS, annual raises and salaries for Department Heads are set by the County Legislature and should reflect both external equity and a performance based system, and

WHEREAS, a "Position Value" system has been developed, which accounts for both external equity considerations and performance-based criteria, now, therefore, be it

RESOLVED, that a matrix system which accommodates both an external equity and performance-based analysis be established, maintained and adjusted annually as needed by the Human Resources Director for purposes of determining raises and/or salary adjustments for current Department Heads, and be it further

RESOLVED, that the parameters for setting total annual amounts for Department Head raises be determined annually by the Labor Relations and Finance Committees, and be it further

RESOLVED, that the matrix system be used as a recruitment tool to determine the "Position Value" for future appointments to Department Head positions, and be it further

RESOLVED, that "Position Values" should be re-calculated annually by the Human Resources Director as a result of the annual Salary Survey and Employee Benefits Report as published by the New York State Association of Counties for counties deemed to be comparable in demographics, and other criteria as deemed appropriate, to Cattaraugus County.

Approved by 9 members of the Finance Committee.

¹ The following Legislators requested their names be listed as additional sponsors: "Mr. Aiello, Mr. Ellis, Mr. Murphy, Mr. Teachman, Mr. Padlo and Mrs. Witte".

Adopted April 8, 2009 by voice vote.

ACT NO. 185-2009 by Mr. McLarney and Mr. Ward
and Mr. Aiello and Ms. Vickman¹

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
GILROY, KERNAN & GILROY, INC. FOR BENEFITS PLAN MANAGEMENT SERVICES**

Pursuant to Section 92-a of the General Municipal
Law and Section 450 of the County Law.

WHEREAS, Act 191-2008 authorized a contract with Gilroy, Kernan & Gilroy, 210 Clinton Road, New Hartford, New York 13413, for the provision of benefits plan management services, the term of which expires April 30, 2009, and

WHEREAS, the County is desirous of obtaining ongoing benefits plan management services to analyze the County's current benefits plans, and to recommend cost-saving changes to the County's benefits plans, and

WHEREAS, the firm of Gilroy, Kernan & Gilroy, Inc. can provide the following ongoing advisory services to assist the County in managing benefit plans contracts and costs, and monitoring plan performance and claims experience, for an amount of \$40,000, to be paid in quarterly installments of \$10,000:

- Analyzing continuing plan experience and utilization data, provide customized reports, and make recommendations to the County regarding the most effective plan management;
- Provide customized monthly plan financial summary reports designed to assist the County in concisely monitoring plan costs and claims activity;
- Unlimited attendance at all plan management meetings;
- Development, communication coordination, and installation of new plan options or plan design changes;
- Assist with and provide advisory services with collective bargaining issues related to the health benefits plan;
- Monitoring performance of insurance carriers and service providers to ensure smooth delivery of benefits and services and assist County staff with benefits administration issues;
- Ongoing evaluation of plan designs, plan alternatives, perform "what if" scenarios and cost management options;
- Act on behalf of the County in analyzing and negotiating renewal rates to obtain the most competitive pricing;
- Provide actuarial services, including, but not limited to:
 - calculating "conventional" premium rates
 - plan financing
 - reserve setting
 - trend forecasting
 - preparation of Budget and supporting documentation;
- Examining the appropriateness of alternative health care strategies and programs such as Preferred Provider Organizations, Point-of-Service plans, etc.;
- Provide reports on benefit utilization, inflation trends, evaluate and interpret this data to suggest benefit design and cost control initiatives;
- Development, communication coordination, and installation of new plan options or plan design changes, conduct group meetings with participants to explain specific benefit provisions, introduce and communicate coverage changes;

- Update Plan Documents and Summary Plan Description booklets (SPD's) in accordance with new or changing regulations or benefit provisions;
- Serving as a resource to Cattaraugus County by providing objective information and advising the County on legislative and regulatory developments such as COBRA, HIPAA, etc. and recommending courses of action;
- Strategizing long-term employee benefit objectives;
- Providing plan updates, experience, analysis and other timely information as requested;
- Act as a resource for any employee benefits/human resource issues the County may have.,

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 Gilroy, Kernan & Gilroy, Inc. for the provision of the above-described services, for a term commencing May 1, 2009 and terminating April 30, 2010, according to the above-described terms.

Approved by 9 members of the Finance Committee and 5 members of the Labor Relations Committee.

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

Adopted April 8, 2009 by voice vote.

ACT NO. 186-2009 Mr. Aiello and Mr. Snyder
and Mr. Marsh¹

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH NEW YORK STATE
DEPARTMENT OF HEALTH FOR IMMUNIZATION CONSORTIUM REIMBURSEMENT**

Pursuant to 10 NYCRR Section 40-1.52 and
Section 450 of the County Law.

WHEREAS, Act 304-2008, amended by Act 428-2008, authorized a contract with the New York State Department of Health for the administration of the Western Region Immunization Consortium, the term of which expired March 31, 2009, and

WHEREAS, the Western Region Immunization Consortium will receive \$41,007 from the New York State Department of Health in order to enhance immunization rates and increase the distribution of vaccines to families who might otherwise not obtain vaccination, and

WHEREAS, the New York State Department of Health has been designated as Lead Agency for the Western Region Immunization Consortium for the administration of the above-referenced program, and

WHEREAS, the Cattaraugus County Health Department is desirous of participating in the above-referenced program in order to expand the vaccine distribution in Cattaraugus County and ensure that children who are uninsured, underinsured and Medicaid-eligible have access to immunization clinics, and

WHEREAS, the County must enter into a contract with the New York State Department of Health in order to obtain reimbursement through the above-referenced program, 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 New York State Department of Health in order to obtain reimbursement through the above-referenced program, 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 be automatically abolished.

Approved by 9 members of the Finance Committee and 7 members of the Human Services Committee.

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

Adopted April 8, 2009 by voice vote.

ACT NO. 187-2009 by Mr. Vecchiarella
and Mr. Aiello, Mr. Ellis, Mr. Neal, Mr. McClune and Mr. Padlo¹

**AUTHORIZING THE CHAIR TO APPLY FOR FUNDING THROUGH
NEW YORK STATE GOVERNOR'S TRAFFIC SAFETY COMMITTEE
FOR SHERIFF'S DEPARTMENT TRAFFIC SAFETY ENFORCEMENT PROGRAM**

Pursuant to Section 1229-c of the Vehicle and
Traffic Law and Section 450 of the County Law.

WHEREAS, Act 201-2008 authorized the Chairman to apply for funding through the New York State Governor's Traffic Safety Committee for a Traffic Safety Enforcement Program for the 2009 program year, and

WHEREAS, funding is again available through the New York State Governor's Traffic Safety Committee for a Traffic Safety Enforcement Program, which shall include, but not be limited to, components such as: the Child Passenger Safety Program, the Selective Traffic Enforcement Program (STEP) and the Local Highway Safety Programs, and

WHEREAS, the County Sheriff's Office is desirous of applying for the aforementioned funding, and

WHEREAS, this program is 100% funded through the New York State Governor's Traffic Safety Committee, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a grant application, on behalf of Cattaraugus County, with the New York State Governor's Traffic Safety Committee, in order to apply for the aforementioned funding, 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.

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

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

Adopted April 8, 2009 by voice vote.

ACT NO. 188-2009 by Mr. Vecchiarella
and Mr. Aiello, Mr. Burrell, Mr. Ellis, Mr. Neal,
Mr. McClune and Mr. Padlo¹

**AUTHORIZING THE CHAIR TO APPLY FOR FUNDING THROUGH
U.S. DEPARTMENT OF JUSTICE, OFFICE OF JUSTICE PROGRAMS
FOR EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE (JAG)**

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

WHEREAS, funding is available through the U.S. Department of Justice, Office of Justice Programs for the Edward Byrne Memorial Justice Assistance Grant (JAG), and

WHEREAS, JAG funds support all components of the criminal justice system, from multijurisdictional drug and gang task forces to crime prevention and domestic violence programs, courts, corrections, treatment, and justice information sharing initiatives, and

WHEREAS, the County Sheriff's Office is desirous of applying for the aforementioned JAG funding, and

WHEREAS, this program is 100% funded through the American Recovery and Reinvestment Act of 2009, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a grant application, on behalf of Cattaraugus County, with the U.S. Department of Justice, Office of Justice Programs, in order to apply for the aforementioned funding, 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.

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

¹ The following Legislators requested their names be listed as additional sponsors: "Mr. Aiello, Mr. Burrell, Mr. Ellis, Mr. Neal, Mr. McClune and Mr. Padlo".

Adopted April 8, 2009 by voice vote.

ACT NO. 189-2009 by Mr. Vecchiarella
and Mr. Aiello, Mr. Ellis, Mr. Neal, Mr. McClune and Mr. Padlo¹

**AUTHORIZING THE CHAIR TO APPLY FOR FUNDING THROUGH
U.S. DEPARTMENT OF JUSTICE, OFFICE OF JUSTICE PROGRAMS
FOR ASSISTANCE TO RURAL LAW ENFORCEMENT TO COMBAT CRIME AND DRUGS**

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

WHEREAS, funding is available through the U.S. Department of Justice, Office of Justice Programs for the Assistance to Rural Law Enforcement to Combat Crime and Drugs Program, and

WHEREAS, the Assistance to Rural Law Enforcement to Combat Crime and Drugs Program helps rural areas prevent and combat crime, especially drug-related crime, and provides for national support efforts, including training and technical assistance programs strategically targeted to address rural needs, and

WHEREAS, the County Sheriff's Office is desirous of applying for the aforementioned funding, and

WHEREAS, this program is 100% funded through the American Recovery and Reinvestment Act of 2009, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a grant application, on behalf of Cattaraugus County, with the U.S. Department of Justice, Office of Justice Programs, in order to apply for the aforementioned funding, 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.

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

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

Adopted April 8, 2009 by voice vote.

ACT NO. 190-2009 by Mr. Vecchiarella
and Mr. Aiello, Mr. Ellis, Mr. Neal, Mr. McClune and Mr. Padlo¹

**AUTHORIZING THE CHAIR TO APPLY FOR FUNDING THROUGH
U.S. DEPARTMENT OF JUSTICE, OFFICE OF JUSTICE PROGRAMS
FOR COMMUNITY ORIENTED POLICING SERVICES HIRING RECOVERY PROGRAM**

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

WHEREAS, funding is available through the U.S. Department of Justice, Office of Justice Programs for the Community Oriented Policing Services (COPS) Hiring Recovery Program, and

WHEREAS, the COPS Hiring Recovery Program provides funding directly to law enforcement agencies having primary law enforcement authority

to create and preserve jobs and to increase their community policing capability and crime-prevention efforts, and

WHEREAS, the County Sheriff's Office is desirous of applying for the aforementioned funding, and

WHEREAS, this program is 100% funded through the American Recovery and Reinvestment Act of 2009, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a grant application, on behalf of Cattaraugus County, with the U.S. Department of Justice, Office of Justice Programs, in order to apply for the aforementioned funding, 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.

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

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

Adopted April 8, 2009 by voice vote.

ACT NO. 191-2009 by Mr. Vecchiarella
and Mr. Aiello¹

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
GLOBAL TEL*LINK CORPORATION FOR INMATE CALLING PROGRAM**

Pursuant to Sections 217 and 450 of the County Law.

WHEREAS, Act 93-2004 authorized a contract with AT&T Corporation for participation in the AT&T inmate telephone service program, the term of which expires May 15, 2009, and

WHEREAS, AT&T was acquired by Global Tel*Link Corporation in 2005, and

WHEREAS, the County Sheriff's Office is desirous of continuing participation in the Inmate Telephone Service Program, and

WHEREAS, Global Tel*Link Corporation, 12021 Sunset Hills Road, Suite 100, Reston, Virginia 20190, can provide inmate telephone stations and be the primary carrier for operator assisted (0+) local, and IntraLATA and InterLATA, Interstate and International calls placed from inmate telephones at the County Jail, and

WHEREAS, Global Tel*Link Corporation shall pay to the County a monthly commission at the rate of 44% of the gross revenue from AT&T Undesignated Non-Sent Paid calls placed from the Inmate Telephones at the County Jail, 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 Global Tel*Link Corporation, for the provision of the above-described services, for a term commencing May 16, 2009 and terminating May 15, 2014, according to the above-described terms.

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

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

Adopted April 8, 2009 by voice vote.

ACT NO. 192-2009 by Mr. Vecchiarella
and Mr. Aiello¹

**AUTHORIZING THE CHAIR TO APPROVE SUBMISSION OF SERVICE
PLAN UPDATE AND EXECUTE CONTRACT WITH NEW YORK STATE DIVISION OF
PROBATION AND CORRECTIONAL ALTERNATIVES FOR ALTERNATIVES
TO INCARCERATION PROGRAM**

Pursuant to Article 13-A of the Executive Law and
Section 450 of the County Law.

WHEREAS, Act 98-2008, as amended by Act 576-2008, authorized a contract with the New York State Division of Probation and Correctional Alternatives for an Alternatives to Incarceration Program for the 2008 program year, the term of which expired December 31, 2008, and

WHEREAS, the County is desirous of submitting the Service Plan Update for renewal for the 2009 program year, and

WHEREAS, the Alternatives to Incarceration Program consists of both a pre-trial release and a community service component with a total 2009 program cost of \$13,600, to be allocated as follows:

- | | | |
|----|-------------------|-------------|
| a) | Pre-Trial Release | \$7,900.00 |
| b) | Community Service | \$5,700.00, |

and

WHEREAS, the Pre-Trial Release Program provides for the screening and, for eligible cases, background evaluation on all individuals admitted to the county jail, provides the courts with sufficient information and recommendations for possible release on recognizance pending resolution of the case in court, helps relieve overcrowding in the jail, and allows the jail to operate with a simplified classification system, and

WHEREAS, the Community Service Program offers the courts an opportunity to impose an intermediate sanction on eligible non-violent offenders in lieu of jail and requires them, as a condition of probation or conditional release, to perform a specified number of hours of community service, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to approve the submission of the Service Plan Update and execute a contract, on behalf of Cattaraugus County, with New York State Division of Probation and Correctional Alternatives, for the provision of the above-described program, for a term commencing January 1, 2009 and terminating December 31, 2009, according to the above-described terms.

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

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

Adopted April 8, 2009 by voice vote.

ACT NO. 193-2009 by Mr. Vecchiarella
and Mr. Ellis and Mr. Padlo¹

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
GOVERNMENT PAYMENT SERVICE, INC. FOR CREDIT CARD
COLLECTION OF PROBATION DEPARTMENT FINES AND FEES**

Pursuant to Section 520.10 of the Criminal Procedure Law,
Section 5 of the General Municipal Law and
Section 450 of the County Law.

WHEREAS, Act 176-2004 authorized a contract with Government Payment Service, Inc., 7920 Georgetown Road, Suite 900, Indianapolis, Indiana 46268, for the provision of credit card services for the purpose of collecting funds including restitution, fines and other fees for the Cattaraugus County Probation Department, the term of which expired March 31, 2009, and

WHEREAS, the Cattaraugus County Probation Department is desirous of continuing the aforementioned services and entering into a contract for the above-described credit card services at no cost to the County, and

WHEREAS, Government Payment Services, Inc., shall charge the following fees on each transaction:

<u>Payments Made via the Internet</u>	
<u>Transaction Amount</u>	<u>Service Fee</u>
ALL	5%
Minimum Fee Internet	\$3.50
<u>Payments Made via Phone</u>	
ALL	5%
Minimum Fee Phone	\$5.00

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 Government Payment Service, Inc., for the provision of the above-described services, for a term commencing April 1, 2009 and terminating March 31, 2010, with an option for automatic renewal for five (5) additional one-year periods, according to the above-described terms.

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

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

Adopted April 8, 2009 by voice vote.

ACT NO. 194-2009 by Mr. Neal and Mr. McClune

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
NEW YORK ASSOCIATION OF HOMES AND SERVICES FOR THE AGING
PROCARE CONSULTANTS FOR CONSULTING SERVICES**

Pursuant to Article 28 of the Public Health Law and

Section 450 of the County Law.

WHEREAS, the County Department of Nursing Homes is desirous of obtaining consulting services regarding the Medicaid, Resource Utilization Groupings Version III (RUGS III), and Minimum Data Set form (MDS) changes that will affect reimbursement, and

WHEREAS, all levels of County nursing staff and the Comprehensive Care Plan Team will need to be trained on this new process, and

WHEREAS, New York Association of Homes and Services for the Aging (NYAHSA) ProCare Consultants, 150 State Street, Suite 301, Albany, New York 12207, can provide the aforementioned training and consulting services through a series of workshops, and

WHEREAS, NYAHSA ProCare Consultants can provide the aforementioned services for an amount of \$185 per hour for an estimated 52 hours of service, for a total cost not to exceed \$9,620, as follows:

▪ MDS/Chart Audit	\$2,960.00
▪ Medicaid, RUG-III, MDS Training, CNA MDS Connection	\$4,440.00
▪ Culture Change & Reimbursement, New Role of CNA	\$2,220.00

* Plus all reasonable out-of-pocket expenses incurred by the consultants, including, but not limited to, all transportation, food, lodging, parking, tolls, gratuities, facsimile, telephone and other related expenses,

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 New York Association of Homes and Services for the Aging (NYAHSA) ProCare Consultants, for the provision of the above-described services, for a term commencing April 9¹, 2009 and terminating June 30, 2009, according to the above-described terms.

Approved by 9 members of the Finance Committee and 8 members of the Senior Services Committee.

¹ MR. NEAL moved, seconded by Mr. Burrell to amend Act No. 194-2009 as follows: In the first Resolved, delete: "15" and replace with: "9". Carried.

Adopted, as amended, April 8, 2009 by voice vote.

ACT NO. 195-2009 by Mr. Neal and Mr. McClune

**AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACT WITH
DAMYANT PURI FOR CONSULTING DIETITIAN SERVICES FOR
DEPARTMENT OF AGING**

Pursuant to Section 95-a of the General Municipal Law and
Act 432-2002 of the Cattaraugus County Legislature.

WHEREAS, Act 661-2008 authorized a contract with Damyant Puri for the provision of consulting dietitian services for the Department of Aging, at a rate of \$40 per hour for an average of 12 hours per week, plus training costs of \$525, the term of which expired March 31, 2009, and

WHEREAS, the Department of Aging is desirous of continuing the aforementioned services, and

WHEREAS, Damyant Puri, 9 Barley Sheaf Road, Flemington, New Jersey 08822, has agreed to continue providing the aforementioned consulting dietitian services at a rate of \$40 per hour for an average of 12 hours per week, plus training costs of \$525, and

WHEREAS, this program is funded through federal, state and county funds, 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 Damyant Puri for the provision of the above-described consulting dietitian services, for a term commencing April 1, 2009 and terminating December 31, 2009, according to the above-described terms, and be it further

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

Approved by 9 members of the Finance Committee and 7 members of the Senior Services Committee.

Adopted April 8, 2009 by voice vote.

ACT NO. 196-2009 by Mr. Neal and Mr. McClune
and Mr. Aiello, Mr. Teachman, Ms. Vickman and Mr. Padlo¹

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
PAUL MARRA, D/B/A PREMIER BANQUET CENTER, FOR RETIRED & SENIOR
VOLUNTEER PROGRAM (RSVP) TRIBUTE DAY**

Pursuant to Section 95-a of the General Municipal Law,
Title III-C of the Older Americans Act of 1965,
as amended, and Section 215 and Section 450 of the County Law.

WHEREAS, Act 152-2008 authorized a contract with Paul Marra, d/b/a Premier Banquet Center, 2000 Constitution Avenue, Olean, New York 14760, for the use of his facility for the Retired & Senior Volunteer Program (RSVP) Tribute Day, which was held on May 16, 2008, and

WHEREAS, the County Department of Aging is desirous of hosting a Tribute Day dinner for the Retired & Senior Volunteer Program (RSVP) on May 12, 2009 at the Premier Banquet Center, and

WHEREAS, Paul Marra, d/b/a Premier Banquet Center, has agreed to provide the facility and the meals for the aforementioned Tribute Day dinner for an amount of \$14.00 per person for approximately 400 people, plus \$400 for a cookie/punch station, and

WHEREAS, the aforementioned Tribute Day dinner is primarily funded through private donations and the federal RSVP grant, 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 Paul Marra, d/b/a Premier Banquet Center, for the use of the above-described facility and the provision of meals, for a term commencing May 12, 2009 and terminating May 12, 2009, according to the above-described terms.

Approved by 9 members of the Finance Committee and 7 members of the Senior Services Committee.

¹ The following Legislators requested their names be listed as additional sponsors: "Mr. Aiello, Mr. Teachman, Ms. Vickman and Mr. Padlo".

Adopted April 8, 2009 by voice vote.

ACT NO. 197-2009 by Mr. Neal and Mr. McClune

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT
WITH HEALTHY COMMUNITY ALLIANCE FOR
LONG TERM CARE INSURANCE EDUCATION & OUTREACH PROGRAM**

Pursuant to Article 2, Title 3 of the Elder Law and
Section 450 of the County Law.

WHEREAS, Act 340-2008 authorized a contract with Healthy Community Alliance, 26 Jamestown Street, Gowanda, New York 14070, for the provision of information, counseling and workshops to Cattaraugus County residents in order to help them better understand health insurance and long term care insurance, the term of which expired March 31, 2009, and

WHEREAS, the Department of the Aging is desirous of continuing the aforementioned program, and

WHEREAS, Healthy Community Alliance can provide a staff person, to the Department of Aging, who will provide information, counseling and workshops to Cattaraugus County residents in order to help them better understand long term care insurance, for an amount of \$61,000 staffing, training and travel-related expenses, 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 Healthy Community Alliance, 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.

Approved by 9 members of the Finance Committee and 7 members of the Senior Services Committee.

Adopted April 8, 2009 by voice vote.

ACT NO. 198-2009 by Mr. Neal and Mr. McClune

**AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACT WITH
LEGAL SERVICES FOR THE ELDERLY, DISABLED OR
DISADVANTAGED OF WESTERN NEW YORK, INC. FOR LEGAL
SERVICES FOR ELDERLY RESIDENTS OF CATTARAUGUS COUNTY**

Pursuant to 45 CFR 1321 and Act 432-2002 of the
Cattaraugus County Legislature.

WHEREAS, Act 153-2008 authorized a contract with Legal Services for the Elderly, Disabled or Disadvantaged of Western New York, Inc., 230

Main Street, Suite 105, Buffalo, New York 14203, for the provision of legal services for elderly residents of Cattaraugus County in accordance with Title III of the Older Americans Act of 1965, as amended, the term of which expired March 31, 2009, and

WHEREAS, Legal Services for the Elderly, Disabled or Disadvantaged of Western New York, Inc. is desirous of renewing the aforementioned contract at a rate of \$55 per hour for approximately 400 hours of service, not to exceed \$22,000, and

WHEREAS, these services are 75% state funded and 25% County funded, and

WHEREAS, sufficient funds are included in the 2009 budget to cover 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 Legal Services for the Elderly, Disabled or Disadvantaged of Western New York, 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 be automatically abolished.

Approved by 9 members of the Finance Committee and 7 members of the Senior Services Committee.

Adopted April 8, 2009 by voice vote.

ACT NO. 199-2009 by Mr. Neal and Mr. McClune

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT
WITH GREATER BUFFALO CHAPTER OF THE AMERICAN RED CROSS
FOR DEPARTMENT OF AGING LONG TERM CARE OMBUDSMAN PROGRAM**

Pursuant to 42 USCS Section 3001, Section 541 of the Executive Law and Section 95-a of the General Municipal Law.

WHEREAS, Act 154-2008 authorized a contract with the Greater Buffalo Chapter of the American Red Cross, 786 Delaware Avenue, Buffalo, New York 14209, for the implementation of a Long Term Care Ombudsman Program, the term of which expired March 31, 2009, and

WHEREAS, the County Department of Aging is desirous of preventing elder abuse, neglect, and exploitation for residents of adult care facilities, and

WHEREAS, the Greater Buffalo Chapter of the American Red Cross can provide staff and resources to implement the Long Term Care Ombudsman Program, for an amount of \$12,800, and

WHEREAS, this program is 100% federal and state funded, 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 Greater Buffalo Chapter of the American Red Cross, 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.

Approved by 9 members of the Finance Committee and 7 members of the Senior Services Committee.

Adopted April 8, 2009 by voice vote.

ACT NO. 200-2009 by Mr. Neal and Mr. McClune

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT
WITH PLANNING COMMITTEE ON THE PROBLEMS OF THE AGING FOR
MANAGEMENT OF OLEAN SENIOR WELLNESS AND NUTRITION PROGRAM SITE**

Pursuant to Title III-C of the Older Americans Act and
Section 450 of the County Law.

WHEREAS, the Planning Committee on the Problems of the Aging, Olean Senior Center, 112 North Barry Street, Olean, New York 14760, is desirous of providing the management services for a senior wellness and nutrition (SWAN) program site in the City of Olean, and

WHEREAS, the County Department for the Aging has agreed to provide the following for the continuation of the aforementioned SWAN site:

Meals for the program in bulk	Support food service staff person
Delivery of meals to the site	Monitor for compliance with senior
In-service training	nutrition guidelines
Nutrition education & counseling	Ongoing activity support, etc.
Printed menus,	

and

WHEREAS, the Planning Committee on the Problems of the Aging, shall provide management services for a SWAN program site in Olean for an amount of \$17,000, 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 the Planning Committee on the Problems of the Aging, 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.

Approved by 9 members of the Finance Committee and 7 members of the Senior Services Committee.

Adopted April 8, 2009 by voice vote.

ACT NO. 201-2009 by Mr. Aiello and Mr. Snyder
and Mr. Murphy and Ms. Vickman¹

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH
BERKSHIRE FARMS CENTER AND SERVICE FOR YOUTH FOR
DEPARTMENT OF SOCIAL SERVICES TRUANCY PREVENTION PROGRAM
AND ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
(Department of Social Services)**

Pursuant to Sections 363, 366 and 450 of the County Law.

WHEREAS, Act 42-2009 authorized a contract with Berkshire Farms Center and Service for Youth, for the provision of a home-based truancy prevention program, the term of which expires December 31, 2009, and

WHEREAS, the County Department of Social Services is desirous of expanding the services provided under the aforementioned contract, and

WHEREAS, the County Department of Social Services is desirous of amending the aforementioned contract by paying an additional \$48,441 to Berkshire Farms Center and Service for Youth, and

WHEREAS, Berkshire Farms Center and Service for Youth has agreed to expand the services provided for an additional amount of \$48,711, for a total contract amount not to exceed \$181,743, and

WHEREAS, this program is 100% federally funded, and

WHEREAS, various appropriation and revenue accounts must be adjusted, 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 Berkshire Farms Center and Service for Youth, 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 reduction or termination of either state or federal funding for this program, then this program shall be automatically abolished, and be it further

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

Increase Estimated Revenue Account:

A.4618	FFFS	\$48,711.00
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Increase Appropriation Account:

A.6018.516	Berkshire Farms	\$48,711.00.
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Approved by 7 members of the Finance Committee and 7 members of the Human Services Committee.

¹ The following Legislators requested their names be listed as additional sponsors: "Mr. Murphy and Ms. Vickman".

Adopted April 8, 2009 by voice vote.

ACT NO. 202-2009 by Mr. Aiello and Mr. Snyder

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH
CATHOLIC CHARITIES OF WESTERN NEW YORK FOR DEPARTMENT OF
SOCIAL SERVICES TANF FUNDING FOR PINS DIVERSION AND
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
(Department of Social Services)**

Pursuant to Public Law 104-193 and
Sections 363, 366 and 450 of the County Law.

WHEREAS, Act 44-2009 authorized a contract with Catholic Charities of Western New York, 520 State Street, P.O. Box 554, Olean, New York 14760, for 1 1/2 therapists for the Multi-Systemic Therapy (MST) program, for the provision of preventive and other supportive services to persons in need of supervision (PINS), ages 16 and 17, for an amount of \$160,617, the term of which expires December 31, 2009, and

WHEREAS, the County Department of Social Services is desirous of expanding the services provided under the aforementioned contract, and

WHEREAS, the County Department of Social Services is desirous of amending the aforementioned contract by paying an additional \$59,695 to Catholic Charities of Western New York, and

WHEREAS, Catholic Charities of Western New York has agreed to expand the services provided for an additional amount of \$59,695, for a total contract amount not to exceed \$220,312, and

WHEREAS, this program is 100% federally funded, and

WHEREAS, various appropriation and revenue accounts must be adjusted, 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 Catholic Charities of Western New York 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 reduction or termination of either state or federal funding for this program, then this program shall be automatically abolished, and be it further

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

Increase Estimated Revenue Account:

A.4618	FFFS	\$59,695.00
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Increase Appropriation Account:

A.6018.514	Catholic Charities MST	\$59,695.00.
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Approved by 9 members of the Finance Committee and 7 members of the Human Services Committee.

Adopted April 8, 2009 by voice vote.

ACT NO. 203-2009 by Mr. Aiello and Mr. Snyder
and Mr. Murphy and Mr. McClune¹

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH
CATTARAUGUS COMMUNITY ACTION, INC. FOR
DEPARTMENT OF SOCIAL SERVICES TRUANCY PREVENTION PROGRAM AND
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
(Department of Social Services)**

Pursuant to Public Law 104-193 and
Sections 363, 366 and 450 of the County Law.

WHEREAS, Act 290-2008 authorized a contract with Cattaraugus Community Action, Inc., 25 Jefferson Street, P.O. Box 308, Salamanca, New York 14779, for the implementation of a truancy prevention program in Cattaraugus County, in an attempt to reduce the percentage of poor attendance and chronic absenteeism in area school districts, the term of which expires June 30, 2009, and

WHEREAS, the County Department of Social Services is desirous of expanding the services provided under the aforementioned contract, and

WHEREAS, the County Department of Social Services is desirous of amending the aforementioned contract by paying an additional \$14,925, and

WHEREAS, Cattaraugus Community Action, Inc., 25 Jefferson Street, P.O. Box 308, Salamanca, New York 14779, has agreed to expand the services

provided for an additional amount of \$14,925, for a total contract amount not to exceed \$118,879, and

WHEREAS, this program is 100% federally funded, and

WHEREAS, various appropriation and revenue accounts must be adjusted, 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 Cattaraugus Community Action, Inc., for the provision of the above-described services, for a term commencing July 1, 2008 and terminating June 30, 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.4618	FFFS	\$14,925.00
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Increase Appropriation Account:

A.6018.505	Community Action Truancy	\$14,925.00.
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Approved by 9 members of the Finance Committee and 7 members of the Human Services Committee.

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

Adopted April 8, 2009 by voice vote.

ACT NO. 204-2009 by Mr. Ellis and Mr. Boser

**LOCAL LAW NUMBER 2-2009
COUNTY OF CATTARAUGUS, NEW YORK**

Pursuant to Sections 10(1)(ii)(a)(1) and 23 of the Municipal Home Rule Law.

**A LOCAL LAW ESTABLISHING TERMS OF OFFICE FOR THE OFFICE OF
COUNTY LEGISLATOR, AMENDING LOCAL LAW NUMBER 6-1968 (INTRO NUMBER 11-1968)
AND REPEALING LOCAL LAW NUMBER 8-1994 (INTRO NUMBER 9-1994)**

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

SECTION 1. Legislative Intent. It is the intent of this Local Law to allow the voters of Cattaraugus County to decide when a County Legislator should be voted out of office, rather than having an artificial barrier to public service by the elimination of the term limit for Cattaraugus County Legislators.

SECTION 2. Amendment of Local Law Number 6-1968. Local Law Number 6-1968 (Intro Number 11-1968) entitled "A Local Law Establishing a County Legislature for Cattaraugus County as Required by Order of the New York State Supreme Court" is hereby amended as follows: Delete Section 4 thereof, and replace with: "Section 4. At the general election in November, 2011, each legislator shall be elected for a term of four (4) years, with the first term commencing on January 1, 2012, and every four (4) years thereafter".

SECTION 3. Repeal of Local Law Number 8-1994 (Intro Number 9-1994). Local Law Number 8-1994 (Intro Number 9-1994) entitled "A Local Law Establishing Terms of Office and Term Limits for the Office of County Legislator and Amending Local Law Number 6-1968 (Intro Number 11-1968)" is hereby repealed._

SECTION 4. Severability. If any provision of this Local Law shall be adjudged by any court of competent jurisdiction to be invalid, then such adjudication, shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the particular provision directly involved in the controversy in which such judgment shall have been rendered.

SECTION 5. Supercession. All local laws and resolutions of the Cattaraugus County Legislature, to the extent that the same are inconsistent with this local law, are hereby superceded.

SECTION 6. Mandatory Referendum. This local law shall take effect only after it has been approved by the affirmative vote of the majority of the qualified electors of Cattaraugus County voting on a proposition for its approval submitted at the general election to be held in November, 2009 in the County of Cattaraugus.

Referred to the Finance Committee and the Labor Relations Committee.

ACT NO. 205-2009 by Mr. Ellis and Mr. Boser

AUTHORIZING PUBLIC HEARING ON LOCAL LAW NUMBER 2 - 2009

Pursuant to Sections 10(1)(ii)(a)(1) and 23 of the Municipal Home Rule Law.

WHEREAS, there has been duly presented and introduced at a meeting of this Legislature held on April 8, 2009, a proposed Local Law entitled "A Local Law Establishing Terms of Office for the Office of County Legislator, Amending Local Law Number 6-1968 (Intro Number 11-1968) and Repealing Local Law Number 8-1994 (Intro Number 9-1994)", and

WHEREAS, no local law shall be adopted until a public hearing thereon has been had by the Cattaraugus County Legislature upon at least five days notice, now, therefore, be it

RESOLVED, that a public hearing shall be held on the proposed Local Law by this County Legislature on the 22nd day of April, 2009, at 3:01 p.m. at the Legislature's Chambers, Cattaraugus County Center, 303 Court Street, Little Valley, New York, and that at least five days notice of such hearing shall be given by the Clerk by the due posting thereof upon the bulletin board of each County Court House within the County and by publishing such notice at least once in the official newspapers of the County.

Referred to the Finance Committee and the Labor Relations Committee.

ACT NO. 206-2009 by Mr. Vecchiarella
and Mr. Aiello¹

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT
WITH NYS DEFENDERS ASSOCIATION, INC.
FOR PUBLIC DEFENDER CASE MANAGEMENT SYSTEM
MAINTENANCE AND SOFTWARE SUPPORT**

Pursuant to Article 18-A and Section 450 of the County Law.

WHEREAS, Act 203-2008 authorized a contract with the NYS Defenders Association, Inc., for annual maintenance and software support for the Public Defender's Office Public Defense Case Management System, the term of which expired March 27, 2009, and

WHEREAS, the Public Defender's Office is desirous of continuing the aforementioned maintenance and software support, and

WHEREAS, the NYS Defenders Association, Inc., 194 Washington Avenue, Suite 500, Albany, New York 12210-2314, can provide the necessary maintenance and support for the Public Defense Case Management System for an amount of \$2,500, 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 the NYS Defenders Association, Inc., for the provision of the above-described maintenance and support services, for a term commencing March 28, 2009 and terminating March 27, 2010, according to the above-described terms.

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

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

Adopted April 8, 2009 by voice vote.

ACT NO. 207-2009 by Mr. Aiello and Mr. Snyder
and Mr. McLarney¹

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
CATHOLIC CHARITIES OF BUFFALO, INC. FOR
SOCIAL WORKER/MENTAL HEALTH THERAPIST FOR DEPARTMENT OF
COMMUNITY SERVICES ADULT MENTAL HEALTH CLINIC AND
ADJUSTING VARIOUS APPROPRIATION ACCOUNTS
(Department of 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 social worker/mental health therapist services for the Adult Mental Health Clinic, and

WHEREAS, Catholic Charities of Buffalo, Inc., 525 Washington Street, Buffalo, New York 14203, can provide a social worker/mental health therapist for the Adult Mental Health Clinic for an amount of \$44,250, and

WHEREAS, various appropriation accounts must be adjusted in order 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 Catholic Charities of Buffalo, 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, and be it further

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

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

Decrease Appropriation Accounts:

A.4330.101	Full-Time Wages	\$22,597.61
A.4330.828	Retirement	\$ 4,321.15
A.4330.833	FICA	\$ 3,714.24
A.4330.836	Health Insurance	\$13,560.00
A.4330.837	Dental Insurance	\$ 57.00

Increase Appropriation Account:

A.4330.455	Professional Services	\$44,250.00.
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Approved by 9 members of the Finance Committee and 5 members of the Human Services Committee.

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

Adopted April 8, 2009 by voice vote.

ACT NO. 208-2009 by Mr. Snyder
and Mr. Aiello, Mr. Marsh, Mr. McLarney and Ms. Vickman¹

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH
NEW YORK STATE DEPARTMENT OF HEALTH FOR
HEALTH DEPARTMENT CHILDHOOD LEAD POISONING PREVENTION PROGRAM**

Pursuant to 10 NYCRR Parts 22 and 67, Sections 1370-1376 of the
Public Health Law and Section 450 of the County Law.

WHEREAS, Act 445-2008 authorized the Chair to execute a contract with the New York State Department of Health for the County Health Department's Childhood Lead Poisoning Prevention Program, the term of which expired March 31, 2009, and

WHEREAS, the County Health Department has been awarded a cost-of-living adjustment in the amount of \$3,208 for the period April 1, 2008 to March 31, 2009, and

WHEREAS, a contract amendment is needed in order to receive the aforementioned cost-of-living adjustment, 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 for the

provision of funding for the Childhood Lead Poisoning Prevention Program, for a term commencing April 1, 2008 and terminating March 31, 2009, according to the above-described terms, and be it further

RESOLVED, that upon termination of either state or federal funding for this program, then this program shall be terminated immediately.

Approved by 9 members of the Finance Committee and 7 members of the Human Services Committee.

¹ The following Legislators requested their names be listed as additional sponsors: "Mr. Aiello, Mr. Marsh, Mr. McLarney and Ms. Vickman".

Adopted April 8, 2009 by voice vote.

ACT NO. 209-2009 by Labor Relations Committee:

Mr. McLarney, Mr. Ward, Mr. Aiello,
Mr. Vecchiarella and Mr. Boser
and Mrs. Abers and Ms. Vickman
who ask immediate consideration

**AUTHORIZING THE CHAIR TO ENTER INTO AN AGREEMENT
REGARDING TERMS AND CONDITIONS OF PUBLIC EMPLOYMENT
BETWEEN THE COUNTY OF CATTARAUGUS AND THE
CATTARAUGUS COUNTY SHERIFF'S DEPARTMENT EMPLOYEES UNIT OF THE
CIVIL SERVICE EMPLOYEES ASSOCIATION, INC. LOCAL 1000,
AFSCME AFL-CIO FOR THE PERIOD
JANUARY 1, 2008 TO DECEMBER 31, 2011**

Pursuant to Article 14 of the Civil Service Law.

WHEREAS, the Cattaraugus County Sheriff's Department Employees Unit is the bargaining agent for certain employees of the Cattaraugus County Sheriff's Department, and

WHEREAS, an agreement has been reached on terms and conditions of employment, which include a 3.00% retroactive wage increase for employees effective January 1, 2008, a 3.00% wage increase for employees effective January 1, 2009, a 3.00% wage increase effective January 1, 2010, and a 3.00% wage increase effective January 1, 2011, and

WHEREAS, these wage increases represent the total wage package settled upon by the parties, and

WHEREAS, the parties have also settled upon health insurance costs for the duration of the Agreement, which provides for additional employee contributions in both premium costs and provider services, and

WHEREAS, the items agreed upon for the Tentative Articles of Agreement have heretofore been disclosed to the County Legislature for information, and

WHEREAS, the Cattaraugus County Sheriff's Department Employees Unit of Civil Service Employees Association, Inc. Local 1000, AFSCME AFL-CIO has heretofore ratified such agreement, now, therefore, be it

RESOLVED, that the Chair of the Cattaraugus County Legislature be, and hereby is, authorized and directed, on behalf of the County of Cattaraugus, to execute the Tentative Articles of Agreement with the Cattaraugus County Sheriff's Department Employees Unit.

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

Adopted April 8, 2009 by voice vote.

ACT NO. 210-2009 by Mr. Vecchiarella
and Mr. McClune¹
who ask immediate consideration

**AUTHORIZING MEMORANDUM OF UNDERSTANDING
BETWEEN CATTARAUGUS COMMUNITY ACTION, INC.,
SOUTHERN TIER LEGAL SERVICES AND
CATTARAUGUS COUNTY SHERIFF'S OFFICE
FOR TRANSITIONAL HOUSING ASSISTANCE GRANT**

Pursuant to Section 450 of the County Law.

WHEREAS, Cattaraugus Community Action, Inc., 25 Jefferson Street, Salamanca, New York 14779, Southern Tier Legal Services, 103 South Barry Street, Olean, New York 14760, and the Cattaraugus County Sheriff's Office are desirous of collaborating together to apply for a Transitional Housing Assistance Grant for Victims of Domestic Violence, Dating Violence, Stalking or Sexual Assault, and

WHEREAS, Cattaraugus Community Action, Inc. shall act as lead agency for the aforementioned collaboration, and

WHEREAS, the partners herein are desirous of entering into a Memorandum of Understanding setting forth the services to be provided, and

WHEREAS, the Cattaraugus County Sheriff's Office shall provide enrollment in the 911 center computer-aided dispatch (CAD) system, at no cost to the County, now, therefore, be it

RESOLVED, that Cattaraugus County Sheriff hereby is authorized and directed to execute a memorandum of understanding with Cattaraugus Community Action, Inc. and Southern Tier Legal Services, for the provision of the above-described services, for a term commencing June 1, 2009 and terminating May 31, 2012, according to the above-described terms.

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

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

Adopted April 8, 2009 by voice vote.

ACT NO. 211-2009 by Mr. Aiello and Mr. Snyder
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH
NEW YORK STATE DEPARTMENT OF HEALTH FOR
FAMILY PLANNING PROGRAMS**

Pursuant to 10 NYCRR Part 40-1 and
Section 450 of the County Law.

WHEREAS, Act 44-2008 authorized a contract with the New York State Department of Health, Division of Family & Local Health, Corning Tower, Empire State Plaza, Room 878, Albany, New York 12237-0675, for the provision of a Family Planning Program in the County's Health Department, with annual budgetary adjustments, and

WHEREAS, the County Health Department has been awarded a cost-of-living adjustment in the amount of \$22,668 for the period April 1, 2008 to March 31, 2009, and

WHEREAS, a contract amendment is needed in order to receive the aforementioned cost-of-living adjustment, 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 for the provision of funding for the Family Planning Program, for a term commencing April 1, 2008 and terminating March 31, 2009, according to the above-described terms, and be it further

RESOLVED, that upon termination of either state or federal funding for this program, then this program shall be terminated immediately.

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

Adopted April 8, 2009 by voice vote.

ACT NO. 212-2009 by Mr. Aiello and Mr. Snyder
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH
NEW YORK STATE DEPARTMENT OF HEALTH FOR CHILDREN WITH
SPECIAL HEALTH SERVICES NEEDS (CSHSN)**

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

WHEREAS, Act 256-2008, as amended by Act 426-2008, authorized the Chair to execute a contract with the New York State Department of Health and various entities for the Children with Special Health Services Needs Program (CSHSN), the term of which expires September 30, 2009, and

WHEREAS, the Cattaraugus County Health Department has been awarded a cost-of-living adjustment in the amount of \$1,650 for the period April 1, 2008 to March 31, 2009, and

WHEREAS, an amended contract is necessary with the New York State Department of Health in order to obtain reimbursement through the above-referenced program, and

WHEREAS, this program is 53% federally and 47% state funded, 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 reimbursement through the above-referenced program, for a term commencing April 1, 2008 and terminating March 31, 2009, according to the above-described terms.

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

Adopted April 8, 2009 by voice vote.

ACT NO. 213-2009 by Mr. Aiello and Mr. Snyder
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH NEW YORK STATE
DEPARTMENT OF HEALTH FOR IMMUNIZATION CONSORTIUM REIMBURSEMENT**

Pursuant to 10 NYCRR Section 40-1.52 and
Section 450 of the County Law.

WHEREAS, Act 304-2008, as amended by Act 428-2008, authorized a contract with the New York State Department of Health for the administration of the Western Region Immunization Consortium for an amount of \$40,187 from the New York State Department of Health, the term of which expired March 31, 2009, and

WHEREAS, the Cattaraugus County Health Department has been awarded a cost-of-living adjustment in the amount of \$2,291 for the period April 1, 2008 to March 31, 2009, and

WHEREAS, an amended contract is necessary with the New York State Department of Health in order to obtain reimbursement through the above-referenced program, 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 reimbursement through the above-referenced program, for a term commencing April 1, 2008 and terminating March 31, 2009, according to the above-described terms.

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

Adopted April 8, 2009 by voice vote.

ACT NO. 214-2009 by Mr. Aiello and Mr. Snyder
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH
NEW YORK STATE DEPARTMENT OF HEALTH FOR
HEALTH DEPARTMENT WIC PROGRAM**

Pursuant to 42 USCS Section 1786 and
Section 450 of the County Law.

WHEREAS, Act 427-2008, as amended by Act 469-2008, authorized a contract with the New York State Department of Health for WIC Program funding, in the amount of \$489,804, for a term commencing April 1, 2008 and terminating March 31, 2009, and

WHEREAS, the Cattaraugus County Health Department has been awarded a cost-of-living adjustment in the amount of \$34,004 for the period April 1, 2008 to March 31, 2009, and

WHEREAS, an amended contract is necessary with the New York State Department of Health in order to obtain the aforementioned cost-of-living adjustment, and

WHEREAS, this program is 100% state funded, 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 cost-of-living adjustment, for a term commencing April 1, 2008 and terminating March 31, 2009, according to the above-described terms.

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

Adopted April 8, 2009 by voice vote.

ACT NO. 215-2009 by Mr. Aiello and Mr. Snyder
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH
NEW YORK STATE DEPARTMENT OF HEALTH FOR ADOLESCENT TOBACCO
USE PREVENTION ACT ENFORCEMENT PROGRAM**

Pursuant to Article 13-F of the Public Health Law and
Section 450 of the County Law.

WHEREAS, Act 425-2008, as amended by Act 46-2009, authorized a contract with New York State Department of Health for a youth tobacco enforcement and preventive work plan to reduce the use and accessibility of tobacco to youths under 18 years of age, in the amount of \$31,864, the term of which expires September 30, 2009, and

WHEREAS, the Cattaraugus County Health Department has been awarded a cost-of-living adjustment in the amount of \$2,869 for the period April 1, 2008 to March 31, 2009, and

WHEREAS, an amended contract is necessary with the New York State Department of Health in order to obtain the aforementioned cost-of-living adjustment, and

WHEREAS, this program is 100% state funded, 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 cost-of-living adjustment, for a term commencing April 1, 2008 and terminating March 31, 2009, according to the above-described terms.

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

Adopted April 8, 2009 by voice vote.

ACT NO. 216-2009 by Mr. Aiello and Mr. Snyder
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT
WITH NEW YORK STATE DEPARTMENT OF HEALTH
FOR RABIES PROGRAM REIMBURSEMENT**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 373-2008 authorized a contract with the New York State Department of Health, through the Zoonoses Program, GNARESP Corning

Tower - Room 621, Albany, New York 12237, for the rabies program reimbursement in an amount of \$37,934 for the period January 1, 2008 through March 31, 2009, and

WHEREAS, the Cattaraugus County Health Department has been awarded a cost-of-living adjustment in the amount of \$2,727 for the period April 1, 2008 to March 31, 2009, and

WHEREAS, an amended contract is necessary with the New York State Department of Health in order to obtain reimbursement through the above-referenced program, and

WHEREAS, this program is 100% state funded, 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 reimbursement through the above-referenced program, for a term commencing April 1, 2008 and terminating March 31, 2009, according to the above-described terms.

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

Adopted April 8, 2009 by voice vote.

ACT NO. 217-2009 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 CENTRAL SCHOOL'S KYLE ROOSA ON
2008-2009 SECTION 6 DIVISION II BOYS WRESTLING CHAMPIONSHIP**

Pursuant to Section 153 of the County Law.

WHEREAS, Allegany-Limestone Central School District's Kyle Roosa won the Section 6 Division II 171-pound wrestling title on Saturday, February 21, 2009 at Niagara County Community College, and

WHEREAS, this is Kyle's first sectional championship title, his second time as a Big 30 All-Star, and his second trip to the New York State finals, and

WHEREAS, Kyle finished the season with a record of 31-6, and

WHEREAS, Kyle Roosa should be commended for his hard work and dedication, which led to a successful 2008-2009 season, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature hereby congratulates Allegany-Limestone Central School District's Kyle Roosa 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 Diane Munro, Coach Tony Margeson and Kyle Roosa.

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

Adopted April 8, 2009 by voice vote.

MR. VECCHIARELLA moved, seconded by Mr. Neal to adjourn until April 22, 2009 at 3:00 p.m. Carried.

Meeting adjourned at 3:46 p.m.

Ann M. Giglio
Journal Clerk