

November 10, 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. Marsh and Mr. McLarney.

MR. SNYDER moved, seconded by Mr. Murphy that the minutes of the October 28, 2009 session be approved. Carried.

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COMMUNICATIONS:

New York State Association of Counties: Letter acknowledging receipt of Act No. 532-2009.

Michael T. O'Brien, Chairman, Finance Committee: Report on Apportionment of Mortgage Taxes, April 1, 2009 through September 30, 2009. (See Apportionment of Mortgage Tax Report on page 609).

John Sayegh, Director of Economic Development, Planning and Tourism: Letter of resignation.

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CHAIRMAN ABERS announced this is the time and place called for public hearings on the following Local Laws and that anyone wishing to speak for or against these local laws, may now do so:

Local Law Number 19 - 2009, Act No. 570-2009:

--A Local Law Establishing Fees for Department of Nursing Homes
Resident Private Pay Rates and Repealing Act 488-2008

Local Law Number 20 - 2009, Act No. 572-2009:

--A Local Law Continuing the Cattaraugus County Hotel and Motel Tax

Local Law Number 21 - 2009, Act No. 574-2009:

--Amending Local Law Number 18-1991 (Intro Number 24-1991), As Amended,
to Modify Disposal Fees for Bulky Materials

There being no one wishing to speak, CHAIRMAN ABERS declared the hearings closed.

CHAIRMAN ABERS called up **Act No. 570-2009**, Local Law Number 19-2009, A Local Law Establishing Fees for Department of Nursing Homes Resident Private Pay Rates and Repealing Act 488-2008, and asked that it be read.

CHAIRMAN ABERS requested a Roll Call Vote on Act No. 570-2009, which disclosed as follows:

Ayes: Aiello 0.8772, Boser 1.0094, Burrell 1.0915, Ellis 1.0875, Giardini 1.0094, Hebdon 1.0915, McClune 0.8834, Murphy 1.0875, Neal 1.0843, O'Brien 1.0632, Padlo 0.8772, Snyder 0.8772, Sprague 1.0530, Teachman 0.8772, Vecchiarella 0.8834, Vickman 1.0915, Ward 1.0043, Witte 0.8772, Abers 1.0265 - 18.8524.

Nays: - none.

Act No. 570-2009, having received the majority vote of the Legislature, was declared Adopted.

CHAIRMAN ABERS called up **Act No. 572-2009**, Local Law Number 20-2009, A Local Law Continuing the Cattaraugus County Hotel and Motel Tax, and asked that it be read.

CHAIRMAN ABERS requested a Roll Call Vote on Act No. 572-2009, which disclosed as follows:

Ayes: Aiello 0.8772, Boser 1.0094, Burrell 1.0915, Ellis 1.0875, Giardini 1.0094, Hebdon 1.0915, McClune 0.8834, Murphy 1.0875, Neal 1.0843, O'Brien 1.0632, Padlo 0.8772, Snyder 0.8772, Sprague 1.0530, Teachman 0.8772, Vecchiarella 0.8834, Vickman 1.0915, Ward 1.0043, Witte 0.8772, Abers 1.0265 - 18.8524.

Nays: - none.

Act No. 572-2009, having received the majority vote of the Legislature, was declared Adopted.

CHAIRMAN ABERS called up **Act No. 574-2009**, Local Law Number 21-2009, Amending Local Law Number 18-1991 (Intro Number 24-1991), As Amended, to Modify Disposal Fees for Bulky Materials, and asked that it be read.

CHAIRMAN ABERS requested a Roll Call Vote on Act No. 574-2009, which disclosed as follows:

Ayes: Aiello 0.8772, Boser 1.0094, Burrell 1.0915, Ellis 1.0875, Giardini 1.0094, Hebdon 1.0915, McClune 0.8834, Murphy 1.0875, Neal 1.0843, O'Brien 1.0632, Padlo 0.8772, Snyder 0.8772, Sprague 1.0530, Teachman 0.8772, Vecchiarella 0.8834, Vickman 1.0915, Ward 1.0043, Witte 0.8772, Abers 1.0265 - 18.8524.


Nays: - none.

Act No. 574-2009, having received the majority vote of the Legislature, was declared Adopted.

To: The Chairman and Legislature of Cattaraugus County:

I, the Chairman of the Finance Committee, which committee has charge of Apportionment of Mortgage Taxes, respectfully report that the amount to be apportioned for the six-month period from April 1, 2009 through September 30, 2009 is \$391,238.51 and recommend that the amounts opposite the names of the cities/towns be paid to the fiscal officers of that city/town, and amounts in the column headed villages, be paid to the treasurers of the respective villages.

Respectfully Submitted,



Michael T. O'Brien, Chairman
Finance Committee

APPORTIONMENT OF MORTGAGE TAXES

	ROW 1 City/Town Assessed Valuation	ROW 2 Double City/Town Valuation	ROW 3 Village Assessed Valuation	ROW 4 Village Percentage Share	ROW 5 Total Amount Mortgage Tax Distributed	ROW 6 Village Share	ROW 7 City/ Town Share
ALLEGANY	312,338,139	624,676,278	68,732,636	0.11002921	44,879.36	4,938.04	39,941.32
ASHFORD	76,381,841	152,763,682		0.00000000	13,122.29	0.00	13,122.29
CARROLLTON	65,426,500	130,853,000	9,138,819	0.06984035	6,228.84	435.02	5,793.82
COLD SPRING	47,038,800	94,077,600		0.00000000	1,764.51	0.00	1,764.51
CONEWANGO	32,637,392	65,274,784	3,397,766	0.05205327	3,816.36	198.65	3,617.71
DAYTON	48,201,062	96,402,124	12,482,180	0.12948034	4,783.58	619.38	4,164.20
EAST OTTO	45,680,684	91,361,368		0.00000000	6,191.79	0.00	6,191.79
ELLICOTTVILLE	553,233,052	1,106,466,104	119,031,141	0.10757776	50,001.43	5,379.04	44,622.39
FARMERSVILLE	52,475,976	104,951,952		0.00000000	5,744.11	0.00	5,744.11
FRANKLINVILLE	86,358,814	172,717,628	33,914,732	0.19635941	8,678.93	1,704.19	6,974.74
FREEDOM	5,118,377	10,236,754		0.00000000	13,585.94	0.00	13,585.94
GREAT VALLEY	3,220,082	6,440,164		0.00000000	11,328.43	0.00	11,328.43
HINSDALE	69,306,937	138,613,874		0.00000000	7,282.41	0.00	7,282.41
HUMPHREY	23,114,999	46,229,998		0.00000000	3,875.39	0.00	3,875.39
ISCHUA	3,540,221	7,080,442		0.00000000	3,564.08	0.00	3,564.08
LEON	26,436,151	52,872,302		0.00000000	2,729.97	0.00	2,729.97
LITTLE VALLEY	47,446,679	94,893,358	20,497,197	0.21600244	5,161.52	1,114.90	4,046.62
LYNDON	27,469,053	54,938,106		0.00000000	2,399.74	0.00	2,399.74
MACHIAS	85,651,618	171,303,236		0.00000000	13,313.61	0.00	13,313.61
MANSFIELD	98,495,678	196,991,356		0.00000000	11,913.61	0.00	11,913.61
NAPOLI	32,070,031	64,140,062		0.00000000	2,948.49	0.00	2,948.49
NEW ALBION	55,404,094	110,808,188	21,067,776	0.19012833	10,210.09	1,941.23	8,268.86
OLEAN, TOWN	82,337,407	164,674,814		0.00000000	12,383.01	0.00	12,383.01
OLEAN, CITY	38,755,600	77,511,200		0.00000000	63,920.38	0.00	63,920.38
OTTO	30,536,709	61,073,418		0.00000000	4,651.43	0.00	4,651.43
PERRYSBURG	55,837,687	111,675,374	7,970,318	0.07137042	8,762.73	625.40	8,137.33
PERSIA	59,044,980	118,089,960	41,903,367	0.35484276	8,976.24	3,185.15	5,791.09
PORTVILLE	137,749,690	275,499,380	29,222,716	0.10607180	19,879.88	2,108.69	17,771.19
E. RANDOLPH	0	0	7,595,884	0.04732307		558.13	0.00
RANDOLPH	80,255,606	160,511,212	36,577,781	0.22788303	11,794.08	2,687.67	8,548.28
RED HOUSE	88,107,791	176,215,582		0.00000000	116.86	0.00	116.86
SALAMANCA, TOWN	27,675,052	55,350,104		0.00000000	4,766.51	0.00	4,766.51
SALAMANCA, CITY	19,394,160	38,788,320		0.00000000	5,820.78	0.00	5,820.78
SOUTH VALLEY	29,479,418	58,958,836		0.00000000	2,696.55	0.00	2,696.55
YORKSHIRE	30,225,809	60,451,618	6,374,253	0.10544388	13,945.58	1,470.48	12,475.10
TOTALS	2,476,446,089		417,906,566		391,238.51	26,965.98	364,272.53

ACT NO. 589-2009 by Mr. Giardini
and Mr. Ellis

BID ACCEPTANCE FOR PAPER PRODUCTS
(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 paper products, according to specifications provided by
the Public Works Committee, and

WHEREAS, the lowest responsible bid received meeting
specifications for paper products was XPEDX, 75 Allied Drive, Cheektowaga,
New York 14227, for the term January 1, 2010 through December 31, 2010, as
follows:

<u>Price per case of Recycled paper (greater than 40%)</u>	
Bleached Roll Toilet Tissue (Scott 04460):	\$38.90 per case
Size 4.1" x 4" (48400 sheets per case)	

<u>Price per case of Recycled paper (greater than 40%)</u>	
Bleached Roll Towels (Scott 41482):	\$26.50 per case
Size 11" x 8.78" (2560 sheets per case)	

<u>Price per case of Recycled paper (greater than 40%)</u>	\$29.75 per case
Bleached Folded Hand Towels (Scottfold 01980):	
Size - 9.4" x 12.4" (4375 sheets per case)	

now, therefore, be it

RESOLVED, that the aforementioned bids be, and the same hereby
are, accepted, and be it further

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

State Bid does not meet County Specifications.
Five sets of specifications were sent out.
One bid was received meeting specifications.

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

Adopted November 10, 2009 by voice vote.

ACT NO. 590-2009 by Mr. Giardini
and Mr. Ellis

BID ACCEPTANCE FOR TREE REMOVAL & STUMP GRINDING
(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 tree removal & stump grinding for the Department of

Public Works, according to specifications provided by the Public Works Committee, and

WHEREAS, the lowest acceptable bids for the tree removal, stump grinding and limbing in the four quadrants of the County is split between the following three (3) bidders:

Covey Tree, Inc.
P.O. Box 551
1 Railroad Avenue
Frewsburg, New York 14738

Terry Tree Service, LLC
225 Ballantyne Road
Rochester, New York 14623

Taylor Tree Service
9353 Route 20
Ripley, New York 14775,

and

WHEREAS, the lowest responsible bids received meeting specifications are as follows:

TAYLOR TREE SERVICE
9353 Route 20
Ripley, New York 14775

TREE REMOVAL (Per Diameter Inch)

Schedule A

Provide ALL equipment and personnel necessary to complete contract specifications. Minimum requirements for equipment shall include a stump grinder, tractor loader, large dump truck for hauling wood, utility truck, chipper, truck with enclosed chipper box, a 50' high platform hydraulic aerial device, saws, adequate ropes and pulleys, and other related equipment, as well as traffic control.

Quadrant Rate

NW	\$32.00
SE	\$32.00

STUMP GRINDING (Per Diameter Inch)

Schedule A

Same as Schedule A above

NE	\$ 5.00
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COVEY TREE, INC.
P.O. Box 551
1 Railroad Avenue
Frewsburg, New York 14738

TREE REMOVAL (Per Diameter Inch)

Schedule A

Provide ALL equipment and personnel necessary to complete contract specifications. Minimum requirements for equipment shall include a stump grinder, tractor loader, large dump truck for hauling wood, utility truck, chipper, truck with enclosed chipper box, a 50' high platform hydraulic aerial device, saws, adequate ropes and pulleys, and other related equipment, as well as traffic control.

Quadrant Rate

NW	\$32.00
SE	\$32.00
SW	\$31.00

Schedule B

The same as Schedule A except the County will provide traffic control.

SE	\$27.00
SW	\$26.00

Schedule C

The same as Schedule A except all wood greater than four (4) inches in diameter will be left on site, in a safe area off the

NE	\$28.00
NW	\$27.00

shoulder of the road for the County to dispose. The successful bidder shall remove all wood and debris smaller than 4 inches in diameter. Required equipment will not be as extensive as listed in Schedule A above.

Schedule D

The same as Schedule C except the County will provide traffic control.

STUMP GRINDING (Per Diameter Inch)**Schedule A**

Same As Schedule "A" Above

Schedule B

Same As Schedule "B" Above

LIMBING- per Hour FIRST HOUR

To include mobilization, a 50' bucket truck, operator/sawyer, and one groundsperson. County will provide cleanup, disposal of wood & debris, and traffic control.

LIMBING- AFTER FIRST HOUR

This is a "Per Half Hour" rate

TERRY TREE SERVICE, LLC
225 Ballantyne Road
Rochester, New York 14623

TREE REMOVAL (Per Diameter Inch)**Schedule A**

Provide ALL equipment and personnel necessary to complete contract specifications. Minimum requirements for equipment shall include a stump grinder, tractor loader, large dump truck for hauling wood, utility truck, chipper, truck with enclosed chipper box, a 50' high platform hydraulic aerial device, saws, adequate ropes and pulleys, and other related equipment, as well as traffic control.

Schedule B

The same as Schedule A except the County will provide traffic control.

STUMP GRINDING (Per Diameter Inch)**Schedule A**

Same As Schedule "A" Above

LIMBING- per Hour FIRST HOUR

To include mobilization, a 50' bucket truck, operator/sawyer, and one groundpersons. County will provide cleanup, disposal of wood & debris, and traffic control.

LIMBING- AFTER FIRST HOUR

This is a "Per Half Hour" rate

now, therefore, be it

RESOLVED, that the bid of Covey Tree, Inc., be, and the same hereby is, accepted, for a term commencing January 1, 2010 and terminating December 31, 2010, and be it further

RESOLVED, that the bid of Taylor Tree Service be, and the same hereby is, accepted, for a term commencing January 1, 2010 and terminating December 31, 2010, and be it further

RESOLVED, that the bid of Terry Tree Service, LLC be, and the same hereby is, accepted, for a term commencing January 1, 2010 and terminating December 31, 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.

12 sets of specifications were sent out.

Three bids were received.

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

Adopted November 10, 2009 by voice vote.

ACT NO. 591-2009 by Mr. Giardini
and Mr. Ellis

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
SIMPLEXGRINNELL, LP FOR MAINTENANCE SERVICES FOR CCTV AND PA SYSTEMS
AND MASTER CLOCKS FOR THE COUNTY JAIL AND FIRE AND
SMOKE ALARM TESTING AND INSPECTION AT THE STONE HOUSE**

Pursuant to Sections 215 and 450 of the County Law.

WHEREAS, Act 34-2005, as amended, authorized a contract with SimplexGrinnell, LP, 6850 Main Street, Suite 3, Williamsville, New York 14221, for the provision of maintenance services for the closed circuit TV (CCTV) and public address (PA) systems and master clocks at the County Jail in Little Valley and fire and smoke alarm testing and inspection at the Stone House in Machias, the term of which expires December 31, 2009, and

WHEREAS, the County Department of Public Works and the Sheriff's Department are desirous of renewing the aforementioned contract, and

WHEREAS, SimplexGrinnell, LP, 6850 Main Street, Suite 3, Williamsville, New York 14221, can perform preventive maintenance services for the PA system, time equipment and CCTV (surveillance) system located at the County Jail and fire and smoke alarm testing and inspection at the Stone House in Machias for an amount of \$6,055.50, as follows:

County Jail:	
CCTV	\$2,002.50
PA System Maintenance	\$ 137.50
Master Clock Maintenance	\$ 415.50
CCTV Full System parts replacement/24 hr coverage	\$3,320.00
Stone House	\$ 180.50,

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 SimplexGrinnell, LP, for the provision of the above-described services, for a term commencing January 1, 2010 and terminating June 30, 2010, according to the above-described terms.

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

Adopted November 10, 2009 by voice vote.

ACT NO. 592-2009 by Mr. Giardini
and Mr. Ellis

**AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACT EXTENSION
WITH U & S SERVICES, INC. FOR OLEAN COUNTY CENTER
ANDOVER CONTROL BUILDING MANAGEMENT SYSTEM**

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

WHEREAS, Act 419-2008 authorized a contract with U & S Services, Inc., 233 Fillmore Avenue, Suite 11, Tonawanda, New York 14150, for the provision of an Andover Control Building Management System for the Olean County Center for an amount of \$131,400, the term of which expired December 31, 2008, and

WHEREAS, the County Department of Public Works is desirous of extending the term of the aforementioned contract at no additional cost to the County, now, therefore, be it

RESOLVED, that the County Administrator be, and hereby is, authorized and directed to execute a contract extension, on behalf of Cattaraugus County, with U & S Services, 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 9 members of the Public Works Committee.

Adopted November 10, 2009 by voice vote.

ACT NO. 593-2009 by Mr. Giardini
and Mr. Ellis

**AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACT
WITH U & S SERVICES, INC. FOR HVAC CONTROL SYSTEM MAINTENANCE
AND FIRE ALARM INSPECTION**

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

WHEREAS, Act 735-2007 authorized a contract for inspection, testing and maintenance of HVAC controls for the following County Buildings:

Public Works Facility, Little Valley County Center, Pines Healthcare & Rehabilitation Center - Olean and Machias Campuses and the Stone House, the term of which expires December 31, 2009, and

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

WHEREAS, the County is also in need of fire alarm inspection and testing services at the Pines Healthcare and Rehabilitation Center - Olean Campus, and

WHEREAS, U & S Services, Inc., 233 Fillmore Avenue, Suite 11, Tonawanda, New York 14150, can provide maintenance services for the HVAC control system at the Public Works Facility, the Little Valley County Center, the Olean Office Facility, the Pines Healthcare & Rehabilitation Center - Olean and Machias Campuses, and the Stone House, and fire alarm inspection and testing services for the Pines Healthcare and Rehabilitation Center - Olean Campus, for an amount as follows:

<u>Facility</u>	<u>2010</u>	<u>2011</u>
Public Works Facility	\$ 4,554.00	\$ 4,645.00
Pines - Machias	\$ 4,880.00	\$ 4,978.00
Pines - Olean	\$ 3,251.00	\$ 3,316.00
LV County Center	\$ 7,940.00	\$ 8,099.00
Stone House	\$ 4,004.00	\$ 4,085.00
Olean Office Building	\$ 3,984.00	\$ 8,125.00
Total	\$28,613.00	\$33,248.00

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 U & S Services, Inc., for the provision of the above-described services, for a term commencing January 1, 2010 and terminating December 31, 2011, according to the above-described terms.

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

Adopted November 10, 2009 by voice vote.

ACT NO. 594-2009 by Mr. Burrell and Mr. Boser
and Mrs. Abers, Mr. Aiello, Mr. Ellis, Mr. Murphy, Mr. Neal, Mr. O'Brien, Mr. Snyder, Mr. Teachman, Mr. Vecchiarella, Ms. Vickman, Mr. Giardini, Mr. Hebdon, Mr. McClune, Mr. Padlo, Mr. Sprague, Mr. Ward and Mrs. Witte¹

DESIGNATION OF CATTARAUGUS COUNTY AS LEAD AGENCY FOR SEQR REVIEW AND DETERMINATION OF NO SIGNIFICANT ENVIRONMENTAL IMPACT FOR MAINTENANCE OF SNOWMOBILE TRAILS FOR THE CATTARAUGUS COUNTY SNOWMOBILE FEDERATION UNDER CATTARAUGUS COUNTY LEGISLATURE SPONSORED NEW YORK STATE GRANT

Pursuant to 6 NYCRR Section 617.

WHEREAS, the Cattaraugus County Legislature, as Local Sponsor, initiated the environmental review process under SEQR for the 2009-2010 snowmobile trail maintenance grant, determined that the proposed action is an Unlisted Action as described in 6 NYCRR 617, and requested Lead Agency status for this proposed action in Act No. 506-2009, and

WHEREAS, the County has determined that the Cattaraugus County Snowmobile Federation trail maintenance activities will not have a significant environmental impact, and

WHEREAS, proper notification of the Lead Agency request and Part I of an Environmental Assessment Form (EAF) was mailed to other Involved Agencies and concerned parties on September 25, 2009, and

WHEREAS, the response deadline of October 25, 2009 has passed and the County has received no objection to being Lead Agency, or to making a determination of no significant environmental impact for the proposed action, and

WHEREAS, Cattaraugus County as Lead Agency will issue and file a Negative Declaration for the proposed action, which would make the preparation of an Environmental Impact Statement (EIS) not necessary, based on currently available information, now, therefore be it

RESOLVED, that the Cattaraugus County Legislature is the Lead Agency for the purpose of conducting the SEQR environmental review process for the 2009-2010 snowmobile trail maintenance grant, pursuant to 6 NYCRR Part 617, and be it further

RESOLVED, that as a lead agency, the Cattaraugus County Legislature hereby determines that this Unlisted Action will not have a significant environmental impact, and issues a Negative Declaration - Notice of Determination of Non-Significance, to be filed in the office of John J. Sayegh, Director, Cattaraugus County Department of Economic Development, Planning and Tourism, 303 Court Street, Little Valley, New York 14755.

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

¹ The following Legislators requested their names be listed as additional sponsors: "Mrs. Abers, Mr. Aiello, Mr. Ellis, Mr. Murphy, Mr. Neal, Mr. O'Brien, Mr. Snyder, Mr. Teachman, Mr. Vecchiarella, Ms. Vickman, Mr. Giardini, Mr. Hebdon, Mr. McClune, Mr. Padlo, Mr. Sprague, Mr. Ward and Mrs. Witte".

Adopted November 10, 2009 by voice vote.

ACT NO. 595-2009 by Mr. Burrell and Mr. Boser

**BID ACCEPTANCE FOR 2010 CATTARAUGUS COUNTY ACTIVITIES GUIDE
(Department of Economic Development, Planning & Tourism)**

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 printing of the 2010 Cattaraugus County Activities Guide, according to specifications provided by the Development and Agriculture Committee, and

WHEREAS, the lowest bid received meeting specifications for 170,000 copies of the 2010 Cattaraugus County Activities Guide was the bid of Kenyon Press, Inc., 1 Kenyon Press Drive, Sherburne, New York 13460-8086, for a total print cost of \$48,692, based on each of the following categories:

Printing of 2010 Cattaraugus County Activities Guide

170,000 copies	48 pages	\$41,812.00
8-3/8" x 10-7/8", four color, 70# Gloss Text #3 Coated		

for outer 16 pages; 40# Gloss Text #3 Coated
for remainder of guide; folded, gathered, saddle stitched
and trimmed to size

Option #1 - 170,000 copies Fold-Out Map Insert \$ 6,800.00
40# White offset, #3 Coated for map
Map will be 20" x 32" flat, folded down,
trimmed and stitched into center of guide

Option #2 - 2,000 additional copies Fold-Out Map Insert \$ 80.00
40# White offset, #3 Coated for map
Map will be 20" x 32" flat, folded down,
trimmed and stitched into center of guide

and

WHEREAS, the aforementioned cost is 50% reimbursable through New York State matching funds, now, therefore, be it

RESOLVED, that the bid of Kenyon Press, Inc., be, and the same hereby is, accepted, for a term commencing November 30, 2009 and terminating May 31, 2010, and be it further

RESOLVED, that the vouchers accordingly certified by the Director of the Department of Economic Development, Planning & Tourism be audited by the Auditor and paid by the County Treasurer.

No State Bid.

68 sets of specifications were sent out.

Eight bids received meeting specifications are on file at the Cattaraugus County Department of Economic Development, Planning and Tourism.

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

Adopted November 10, 2009 by voice vote.

ACT NO. 596-2009 by Mr. Vecchiarella
and Mr. Aiello, Mr. Ellis, Mr. Neal, Mr. Teachman,
Ms. Vickman, Mr. Padlo and Mrs. Witte¹

**AUTHORIZING THE CHAIR TO EXECUTE GRANT DOCUMENTS WITH
U.S. DEPARTMENT OF JUSTICE PROGRAMS FOR
COPS SECURE OUR SCHOOLS PROGRAM**

Pursuant to Omnibus Crime Control and Safe Streets Act of 1968,
42 U.S.C. 3796, as amended, Violent Crime Control and Law
Enforcement Act of 1994, Title I, Part Q, Public Law 103-322 and
Section 450 of the County Law.

WHEREAS, Act 224-2009 authorized the Chairman to apply for funding through the U.S. Department of Justice Office of Community Oriented Policing Services for the Secure Our Schools Program, and

WHEREAS, the Sheriff's Department has been awarded funding in the amount of \$31,545 through the U.S. Department of Justice Office of Community Oriented Policing Services for the Secure Our Schools Program, and

WHEREAS, the aforementioned funding will be used to reimburse applicant schools fifty percent (50%) of the cost for security equipment purchases, and

WHEREAS, a contract is necessary in order to accept the aforementioned grant from the U.S. Department of Justice Community Oriented Policing Services Office, 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 U.S. Department of Justice Office of Community Oriented Policing Services, in order to accept and receive the aforementioned funding, for a term commencing September 1, 2009 and terminating August 31, 2011, according to the above-described terms.

Approved by 8 members of the Finance Committee and 6 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. Teachman, Ms. Vickman, Mr. Padlo and Mrs. Witte".

Adopted November 10, 2009 by voice vote.

ACT NO. 597-2009 by Mr. Aiello and Mr. Snyder

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH TELEVOX FOR
AUTOMATED APPOINTMENT REMINDER PHONE SERVICE FOR
DEPARTMENT OF COMMUNITY SERVICES**

Pursuant to Sections 215 and 450 of the County Law.

WHEREAS, Act 460-2006 authorized the Department of Community Services to enter into a contract with TeleVox, 1110 Montimar Drive, Mobile, Alabama 36609, for the purchase of an automated appointment reminder phone service which interfaces with the current Accumedic billing system, the term of which expired October 15, 2009, and

WHEREAS, the County Department of Community Services is desirous of renewing the aforementioned contract, and

WHEREAS, TeleVox has agreed to continue the aforementioned HouseCalls ASP automated system for an amount, as follows:

monthly rate of \$.20 per call for 1,400 downloaded calls
monthly rate of \$.18 per call for 1,400+ downloaded calls
\$280 per month minimum,

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 TeleVox, for the provision of the above-described services, for a term commencing October 16, 2009 and terminating October 15, 2012, according to the above-described terms.

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

Adopted November 10, 2009 by voice vote.

ACT NO. 598-2009 by Mr. Aiello and Mr. Snyder

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT
WITH ACCUMEDIC COMPUTER SYSTEMS, INC. FOR
DEPARTMENT OF COMMUNITY SERVICES ACCUMED SOFTWARE SYSTEM**

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

WHEREAS, Act 438-2007 authorized a contract with Accumedic Computer Systems, Inc., for the provision of the AccuMed Software System, including licenses for the AccuMed System, the QuicDoc System, and the Scheduler and Patient Accounts modules, the term of which expired December 31, 2008, and

WHEREAS, the Department of Community Services is desirous of renewing the aforementioned contract, and

WHEREAS, Accumedic Computer Systems, Inc., 11 Grace Avenue, Suite 401, Great Neck, New York 11021, can provide a total of 21 AccuMed software licenses and maintenance services for an amount of \$12,821.40 per year, and

WHEREAS, sufficient funds are included in the budget to cover the above-described costs, 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 Accumedic Computer Systems, Inc., for the provision of the above-described software and services, for a term commencing January 1, 2009 and terminating December 31, 2011, according to the above-described terms.

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

Adopted November 10, 2009 by voice vote.

ACT NO. 599-2009 by Mr. Aiello and Mr. Snyder

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT
WITH PRIME SERVICES, INC. FOR DEPARTMENT OF
COMMUNITY SERVICES GROUP PURCHASING PROGRAM**

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

WHEREAS, the County Department of Community Services is desirous of purchasing goods and services at a greatly reduced cost, and

WHEREAS, Prime Services, Inc., 6400 Sheridan Drive, Suite 112, Williamsville, New York 14221, has agreed to act as a purchasing agent for 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 Prime Services, Inc., for the provision of the above-described services, for a term commencing November 1, 2009 to continue in full force and effect until terminated by either party hereto, according to the above-described terms.

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

Adopted November 10, 2009 by voice vote.

ACT NO. 600-2009 by Mr. Neal

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT
WITH CHE SENIOR PSYCHOLOGICAL SERVICES, P.C.
FOR DEPARTMENT OF NURSING HOMES COUNSELING SERVICES**

Pursuant to Section 450 of the County Law.

WHEREAS, the County Department of Nursing Homes is desirous of providing psychological counseling to its residents, and

WHEREAS, CHE Senior Psychological Services, P.C., 5110 12th Avenue, Brooklyn, New York 11219, can provide the aforementioned psychological counseling services to the residents of the Pines Healthcare and Rehabilitation Centers at no cost to the County, and

WHEREAS, CHE Senior Psychological Services, P.C. shall bill the residents' insurance carriers directly, 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 CHE Senior Psychological Services, P.C., for the provision of the above-described services, for a term commencing November 1, 2009 and terminating October 31, 2010, according to the above-described terms.

Approved by 8 members of the Finance Committee and 7 members of the Senior Services Committee.

Adopted November 10, 2009 by voice vote.

ACT NO. 601-2009 by Mr. Aiello and Mr. Snyder

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT
WITH INTEGRATED COMMERCIALIZATION SOLUTIONS (ICS)
FOR CLINICAL HEALTHCARE SERVICES**

Pursuant to Section 450 of the County Law.

WHEREAS, the County Health Department provides homecare services to residents of Cattaraugus County on an as-needed basis, and

WHEREAS, Integrated Commercialization Solutions (ICS), a division of AmeriSource Bergen Specialty Group, is desirous of contracting with the County Health Department to assist with the administration of the drug Humira® for the treatment of Psoriatic and Rheumatoid Arthritis, and

WHEREAS, ICS shall train the County's registered nurses in the preparation and administration of the drug Humira® for an amount of \$135 per training session, 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 Integrated Commercialization Solutions (ICS) for the provision

of the above-described services, for a term commencing October 16, 2009 and terminating October 15, 2011, according to the above-described terms.

Referred to the Finance Committee and the Human Services Committee.

ACT NO. 602-2009 by Mr. Marsh
and Mr. Ellis, Mr. Neal and Ms. Vickman¹

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT
WITH JAMES B. SCHWAB CO., INC.
FOR COUNTY OFFICE PHOTOCOPIERS**

Pursuant to Sections 208 and 450 of the County Law.

WHEREAS, Act 448-2005, as amended by Act 487-2008, authorized a contract with James B. Schwab Co., Inc., 223 West Main Street, P.O. Box 6, Falconer, New York 14733-0006, for the provision of photocopiers for Cattaraugus County at a rate of \$0.0165 per copy, the term of which expired September 30, 2009, and

WHEREAS, the Department of Information Services is desirous of extending the term of the aforementioned contract for a one-year period to terminate September 30, 2010, and

WHEREAS, James B. Schwab Co., Inc., has agreed to continue providing office photocopiers to the County, according to specifications provided by the Department of Information Services, at a rate of \$0.0165 per copy, 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 James B. Schwab Co., Inc., for the provision of the above-described equipment, for a term commencing October 1, 2009 and terminating September 30, 2010, according to the above-described terms.

Approved by 8 members of the Finance Committee and 6 members of the County Operations Committee.

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

Adopted November 10, 2009 by voice vote.

ACT NO. 603-2009 by Mr. Boser, Mr. Giardini, Mr. Hebdon,
Mr. McClune, Mr. Padlo, Mr. Sprague, Mr. Ward and Mrs. Witte
and Mrs. Abers, Mr. Aiello, Mr. Burrell, Mr. Ellis, Mr. Marsh, Mr. Neal,
Mr. O'Brien, Mr. Teachman and Ms. Vickman¹

OPPOSING NEW STATE FEE FOR ISSUING LICENSE PLATES

Pursuant to Section 153 of the County Law.

WHEREAS, effective April, 2010, New York State is requiring the purchase of new state-issued license plates at a cost of \$25 each, with an additional cost of \$20 for motorists who wish to keep the same license plate number, and

WHEREAS, the aforementioned new fee will cause a hardship on the residents of Cattaraugus County, and

WHEREAS, if the aforementioned fee is implemented, the estimated monetary impact throughout Cattaraugus County would be as follows, *based on 2008 statistics supplied by the Cattaraugus County Clerk*²:

Passenger Vehicles	-	\$1,143,775
Commercial Trucks/Large SUVs	-	\$ 273,150
Trailers	-	\$ 65,800,

and

WHEREAS, the Cattaraugus County Legislature is opposed to the new fee which has been approved by New York State lawmakers and Governor Paterson, and is included in the 2009-2010 state budget, and

WHEREAS, the aforementioned fee is being implemented during a prolonged recession, which will make it even harder for the residents of Cattaraugus County, and

WHEREAS, the Cattaraugus County Legislature is opposed to the high number of taxes and fees being imposed by New York State during a recession, and

WHEREAS, the Cattaraugus County Legislature urges Governor Paterson to cancel implementation of the license plate exchange fee, scheduled to go into effect in April, 2010, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature hereby opposes the license plate exchange fee, and urges that the implementation of the exchange program be cancelled, and be it further

RESOLVED, that the Clerk of the Legislature is hereby directed to forward a copy of this resolution to Governor David A. Paterson, State Senator Cathy Young, Assembly Member Giglio, New York State Association of Counties and the Western New York Inter-County Association.

Approved by 8 members of the Finance Committee and 6 members of the County Operations Committee.

¹ The following Legislators requested their names be listed as additional sponsors: "Mrs. Abers, Mr. Aiello, Mr. Burrell, Mr. Ellis, Mr. Marsh, Mr. Neal, Mr. O'Brien, Mr. Teachman and Ms. Vickman".

² MR. PADLO moved, seconded by Mr. Neal to amend Act No. 603-2009 as follows: In the third Whereas, add: ", based on 2008 statistics supplied by the Cattaraugus County Clerk,". Carried.

Adopted, as amended, November 10, 2009 by voice vote.

ACT NO. 604-2009 by Mr. O'Brien

AUTHORIZING PUBLIC HEARING ON 2010 TENTATIVE BUDGET

Pursuant to Section 359 of the County Law.

WHEREAS, Section 359 of the County Law requires that a public hearing shall be held by the Legislature on the tentative budget before final adoption of the budget, and

WHEREAS, any individual or group concerned with the budget should have a reasonable opportunity to be heard, now, therefore, be it

RESOLVED, that the public hearing on the 2010 Cattaraugus County Budget will be held by the County Legislature at the Legislature's Chambers, 303 Court Street, Little Valley, New York, on Tuesday, November 24, 2009, at 3:01 p.m., and be it further

RESOLVED, that the Clerk of the Legislature be, and hereby is, authorized and directed to cause a notice to be published stating the time, place, and purpose of the public hearing and that copies of the tentative budget on which the public hearing will be held are available at his office and may be inspected or procured there by any interested person during business hours.

Approved by 8 members of the Finance Committee.

Adopted November 10, 2009 by voice vote.

ACT NO. 605-2009 by Mrs. Abers and Mr. O'Brien

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT
WITH THE BONADIO GROUP FOR
CORPORATE COMPLIANCE CONSULTANT SERVICES
AND TRANSFER OF FUNDS
(Contingent Fund - Corporate Compliance)**

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

WHEREAS, the County's Corporate Compliance policy should be revised to reflect regulatory changes since its development in 2001, and

WHEREAS, The Bonadio Group, 171 Sully's Trail, Pittsford, New York 14534, can provide compliance consulting services, as follows:

- Assist with the revision of the current County Corporate Compliance Plan incorporating compliance toolkit previously provided,
- Address applicable regulatory environment to include, but not limited to, HIPAA, ARRA, Red Flags Rule and HITECH,
- Assist with development of the structure of the compliance program to include resource allocations (staff, budget) for size of the County,
- Assist in the development of 2010 compliance work plan, which includes timeline for implementation, and
- Report on status and obtain feedback and guidance on future priorities,

and

WHEREAS, The Bonadio Group shall provide the aforementioned services for an amount as follows:

- \$19,650, which includes out-of-pocket expenses for all travel to Little Valley,
- \$200 per hour for on-going consulting services,

and

WHEREAS, a transfer of funds is necessary 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 November 12, 2009 and terminating December 31, 2010, according to the above-described terms, and be it further

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

Decrease Appropriation Accounts:

A.1232.455	Strategic Planning Study	\$10,000.00
A.1910.469	Management Training	\$ 1,650.00
A.1990.445	Contingent Fund	\$13,000.00

Increase Appropriation Account:

A.1910.455	Corporate Compliance	\$24,650.00.
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Approved by 8 members of the Finance Committee.

Adopted November 10, 2009 by voice vote.

ACT NO. 606-2009 by Mr. Aiello and Mr. Snyder
who ask immediate consideration

**AUTHORIZING COUNTY ATTORNEY TO RETAIN
ISEMAN, CUNNINGHAM, RIESTER & HYDE, LLP FOR
DEPARTMENT OF COMMUNITY SERVICES
MEDICAID COMPLIANCE REVIEW LEGAL SERVICES AND
ADJUSTING VARIOUS APPROPRIATION ACCOUNTS
(Department of Community Services)**

Pursuant to Section 41.07 of the Mental Hygiene Law and
Sections 363, 366 and 501 of the County Law.

WHEREAS, the County Department of Community Services entered into a contract with The Bonadio Group for the provision of Medicaid risk analysis services, documentation assessment and related consultant services for its mental health clinic and continuing day treatment programs, and

WHEREAS, legal services are necessary in connection with Medicaid compliance reviews of County outpatient mental health services, including medical record documentation and Medicaid billing, and

WHEREAS, the law firm of Iseman, Cunningham, Riester & Hyde, LLP, 9 Thurlow Terrace, Albany, New York 12203, can provide the aforementioned services for a total amount, including disbursements, not to exceed \$15,000, and

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

RESOLVED, that the Cattaraugus County Legislature hereby authorizes the County Attorney to retain the firm of Iseman, Cunningham, Riester & Hyde, LLP, for the provision of the above-described services, for a term commencing November 1, 2009 and terminating December 31, 2010, according to the above-described terms, and be it further

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

Decrease Appropriation Account:

A.4310.441	Commitments	\$15,000.00
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Increase Appropriation Account:
A.4338.455 Legal Services \$15,000.00.

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

Adopted November 10, 2009 by voice vote.

ACT NO. 607-2009 by Mr. Giardini
 and Mr. Ellis
 who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT EXTENSION WITH
MUNICIPAL ELECTRIC AND GAS ALLIANCE (MEGA) FOR
PARTICIPATION IN ENERGY PURCHASE PROGRAM**

Pursuant to Sections 215 and 450 of the County Law.

WHEREAS, Act 476-2006 authorized the County to serve as a member of the Municipal Electric and Gas Alliance (MEGA) for participation in an energy purchase program, and

WHEREAS, MEGA has extended its agreement with Integrys Energy, which allows the County to take advantage of the low market rates that are currently available, and

WHEREAS, a contract extension with Municipal Electric and Gas Alliance (MEGA), P.O. Box 88, Ithaca, New York 14851-0088, is necessary in order to lock in the lower rates, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract extension, on behalf of Cattaraugus County, with Municipal Electric and Gas Alliance (MEGA), for participation in the above-described program, for a term commencing December 1, 2009 to continue in full force and effect until terminated by either party hereto, according to the above-described terms.

MR. O'BRIEN moved, seconded by Mrs. Witte to waive Rule 12. Carried.

Adopted November 10, 2009 by voice vote.

ACT NO. 608-2009 by Mr. Aiello and Mr. Snyder
 who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACTS WITH
VARIOUS INDIVIDUALS AND ENTITIES FOR
H1N1 FLU SERVICES**

Pursuant to Section 450 of the County Law.

WHEREAS, the County Health Department is in need of various services for H1N1 flu vaccine clinics, and

WHEREAS, various individuals and entities, on an as-needed basis, can provide the services necessary for the H1N1 clinics in accordance with the following fee schedule:

H1N1 Vaccine Coordinator	\$14.00/hour*
H1N1 Clerical Services	\$10.50/hour*
Registered Nurse for H1N1 Clinic Services	\$25.00/hour*

Licensed Practical Nurse for H1N1 Clinic Services \$20.00/hour*

* Authorized work-related mileage will be paid at the IRS
rate in effect at the time services are rendered,

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 contracts, on behalf of Cattaraugus County, with various individuals and entities, for the provision of the above-described services, for a term commencing November 1, 2009 and terminating December 31, 2010, according to the above-described terms.

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

Adopted November 10, 2009 by voice vote.

ACT NO. 609-2009 by Mr. Burrell and Mr. Boser
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT EXTENSION WITH
TOWN OF ALLEGANY FOR WATER AND SEWER LINE EXTENSION**

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

WHEREAS, Act 375-2009 authorized a contract with the Town of Allegany for extensions of the water and sewer lines from the Village of Allegany, along Route 417 to the West Five Mile Road at the Interstate 86 exit in the Town of Allegany, the term of which expires December 31, 2009, and

WHEREAS, the Town of Allegany has requested a six-month extension, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract extension, on behalf of Cattaraugus County, with the Town of Allegany, according to the above-described terms, for a term commencing January 1, 2010 and terminating June 30, 2010.

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

Adopted November 10, 2009 by voice vote.

ACT NO. 610-2009 by Development & Agriculture Committee:

Mr. Burrell, Mr. Boser, Mr. Ellis, Mr. McLarney,
Mr. Snyder, Mr. Padlo and Mr. McClune
and Mrs. Abers, Mr. Aiello, Mr. Murphy, Mr. Neal, Mr. O'Brien, Mr. Teachman,
Mr. Vecchiarella, Ms. Vickman, Mr. Giardini,
Mr. Hebdon, Mr. Sprague, Mr. Ward and Mrs. Witte
who ask immediate consideration

**SUPPORTING NEW YORK STATE SENATE BILL S.6140
REGARDING DAIRY ASSISTANCE PROGRAM**

Pursuant to Section 153 of the County Law.

WHEREAS, the dairy industry is the backbone of New York State's economy, and

WHEREAS, New York State is the nation's third largest dairy state, generating \$2.3 billion in sales, with nearly 6,000 dairy farms and 626,000 dairy cows that produce over 12 billion pounds of milk, and

WHEREAS, New York State dairy farmers received an average of \$12.50 per hundredweight of milk sold during September, 2009, which is \$6.50 less than September, 2008, and

WHEREAS, in 2008-2009, New York's dairy farmers faced unprecedented losses due to extremely low milk prices well below those of 25 years ago, along with very high fuel, feed, energy, fertilizer and other operating costs, and

WHEREAS, Senate Bill S.6140 establishes a dairy assistance program which would provide a one-time direct support payment, in the amount of \$60 million, to New York's dairy producers to help them remain viable in such dire economic conditions, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature hereby supports Senate Bill S.6140 and further urges the adoption thereof, and be it further

RESOLVED, that the Clerk of the Legislature is hereby directed to forward a copy of this resolution to Governor David A. Paterson, Senator Young, Assembly Member Giglio, New York State Association of Counties and the Western New York Inter-County Association.

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

¹ The following Legislators requested their names be listed as additional sponsors: "Mrs. Abers, Mr. Aiello, Mr. Murphy, Mr. Neal, Mr. O'Brien, Mr. Teachman, Mr. Vecchiarella, Ms. Vickman, Mr. Giardini, Mr. Hebdon, Mr. Sprague, Mr. Ward and Mrs. Witte".

Adopted November 10, 2009 by voice vote.

ACT NO. 611-2009 by Development & Agriculture Committee:

Mr. Burrell, Mr. Boser, Mr. Ellis, Mr. McLarney,
Mr. Snyder, Mr. Padlo and Mr. McClune
and Mrs. Abers, Mr. Aiello, Mr. Murphy, Mr. Neal, Mr. O'Brien, Mr. Teachman,
Mr. Vecchiarella, Ms. Vickman, Mr. Giardini,
Mr. Hebdon, Mr. Sprague, Mr. Ward and Mrs. Witte
who ask immediate consideration

OPPOSING BUDGET CUTS TO NEW YORK STATE PARK SYSTEM

Pursuant to Section 153 of the County Law.

WHEREAS, New York State budget cuts are negatively impacting the Allegany State Park, which is located in Cattaraugus County, and

WHEREAS, the budget for the New York State Office of Parks, Recreation and Historic Preservation has been cut by 20%, and

WHEREAS, the Office has lost more than 850 permanent and seasonal staff, and

WHEREAS, the budget cuts that the Allegany State Park faced in 2009 have already resulted in reduced sales tax revenue for the County of Cattaraugus, and

WHEREAS, Governor Paterson has ordered more budget cuts, without taking into account the economic benefits some agencies bring to the state and local economies, and

WHEREAS, additional cuts will only contribute to a dangerous spiral of economic downturn, and

WHEREAS, due to the vast majority of the Office of Parks, Recreation and Historic Preservation's operations occurring during the peak summer tourist season, the majority of its operating budget has already been spent, and

WHEREAS, with only a portion of its operating budget remaining, the Office of Parks, Recreation and Historic Preservation may have to close state parks and historic sites, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature hereby opposes budget cuts to the NYS Office of Parks, Recreation and Historic Preservation, and urges Governor Paterson to restore funding, and be it further

RESOLVED, that the Clerk of the Legislature is hereby directed to forward a copy of this resolution to Governor David A. Paterson, Senator Young, Assembly Member Giglio, New York State Association of Counties and the Western New York Inter-County Association.

MR. VECCHIARELLA moved, seconded by Ms. Vickman to waive Rule 12. Carried.

¹ The following Legislators requested their names be listed as additional sponsors: "Mrs. Abers, Mr. Aiello, Mr. Murphy, Mr. Neal, Mr. O'Brien, Mr. Teachman, Mr. Vecchiarella, Ms. Vickman, Mr. Giardini, Mr. Hebdon, Mr. Sprague, Mr. Ward and Mrs. Witte".

Adopted November 10, 2009 by voice vote.

MR. SNYDER moved, seconded by Mr. Vecchiarella to adjourn until November 24, 2009 at 3:00 p.m. Carried.

Meeting adjourned at 3:32 p.m.

Ann M. Giglio
Journal Clerk