

December 8, 2010

The meeting was called to order by Chairman Michael T. O'Brien.

The invocation was given by Rev. Lefebvre.

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

MR. MARSH moved, seconded by Mr. Ellis that the minutes of the November 23, 2010 session be approved. Carried.

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COMMUNICATIONS:

Dennis V. Tobolski, Esq., County Attorney: Retirement letter effective January 5, 2011.

David J. Rivet, Commissioner of Public Works: Retirement letter effective January 7, 2011.

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CHAIRMAN O'BRIEN announced this is the time and place called for a public hearing on Act No. 593-2010, Local Law Number 17-2010, A Local Law Establishing Fees for Cattaraugus County Real Property Tax Service Agency Services and Repealing Act 605-1999, and that anyone wishing to speak for or against this local law may now do so.

There being no one wishing to speak, CHAIRMAN O'BRIEN declared the public hearing closed.

CHAIRMAN O'BRIEN called up **Act No. 593-2010**, Local Law Number 17-2010, Act No. 593-2010, A Local Law Establishing Fees for Cattaraugus County Real Property Tax Service Agency Services and Repealing Act 605-1999, and asked that it be read.

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

CHAIRMAN O'BRIEN requested a Roll Call Vote on Act No. 593-2010, which disclosed as follows:

Ayes: Aiello 0.8772, Boser 1.0094, Burrell 1.0915, Ellis 1.0875, Giardini 1.0094, Hebdon 1.0915, Marsh 1.0843, McClune 0.8834, Murphy 1.0875, Neal 1.0843, Nenno 0.8772, Padlo 0.8772, Snyder 0.8772, Sprague 1.0530, Stockman 1.0265, Teachman 0.8772 Vecchiarella 0.8834, Vickman 1.0915, Ward 1.0043, O'Brien 1.0632 - 19.9367.

Nays: none.

Act No. 593-2010, having received the majority vote of the Legislature, was declared Adopted.

ACT NO. 616-2010 by Mr. Snyder

**ADOPTION OF REVISED CATTARAUGUS COUNTY
CORPORATE COMPLIANCE PLAN AND
RESCINDING ACT 667-1999**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 667-1999 authorized the adoption of the Cattaraugus County Corporate Compliance Plan, and

WHEREAS, due to changes in federal regulations, the Corporate Compliance Plan needed to be revised, and

WHEREAS, a copy of the revised Corporate Compliance Plan has been given to the Legislature for information purposes, and

WHEREAS, it is necessary to formally adopt the revised Cattaraugus County Corporate Compliance Plan, now, therefore, be it

RESOLVED, that the revised Cattaraugus County Corporate Compliance Plan, dated December 8, 2010, is hereby adopted, and be it further

RESOLVED, that the Cattaraugus County Corporate Compliance Plan dated January 1, 2000 is hereby rescinded, effective December 7, 2010.

Approved by 7 members of the Finance Committee, 6 members of the County Operations Committee and 4 members of the Labor Relations Committee.

Adopted December 8, 2010 by voice vote.

ACT NO. 617-2010 by Mr. Giardini
and Mr. Ellis

**BID ACCEPTANCE FOR GASOLINE FOR ONOVILLE MARINA
(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 unleaded 91 Octane gasoline for the Onoville Marina, according to bid specifications and general information provided by the Public Works Committee, and

WHEREAS, the lowest bid received meeting specifications was the bid of NOCO Energy Corp., 2440 Sheridan Drive, Tonawanda, New York 14150, at a cost of \$3.2133 per gallon, based on the November 4, 2010 Rack Price of \$2.5735 per gallon, plus a firm differential of \$0.0694 per gallon and tax of \$0.5704 per gallon, now, therefore, be it

RESOLVED, that the bid of NOCO Energy Corp., be, and the same hereby is, accepted, for a term commencing January 1, 2011 and terminating December 31, 2011.

No State Bid.

Three sets of specifications were sent out.

One bid was received.

Approved by 6 members of the Finance Committee and 8 members of the Public Works Committee.

Adopted December 8, 2010 by voice vote.

ACT NO. 618-2010 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) new and unused, 2011 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) new and unused, 2011 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	\$52,152.00
Less Trade-in Allowance for R4700	<u>\$-3,500.00</u>
Net Cost with trade-in	\$48,652.00,

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.

Six sets of specifications were sent out.

Two bids were received.

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

Adopted December 8, 2010 by voice vote.

ACT NO. 619-2010 by Mr. Giardini
and Mr. Ellis

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
MARK D. ALIANELLO, P.E. FOR ENGINEERING SERVICES FOR
DEPARTMENT OF NURSING HOMES SEWAGE DISPOSAL SYSTEM**

Pursuant to Sections 215 and 450 of the County Law.

WHEREAS, Act 118-2009 authorized a contract with Mark D. Alianello, P.E. for the provision of engineering services for the replacement of the sewage disposal system at The Pines HealthCare and Rehabilitation Center-Machias Campus, the term of which expires December 31, 2010¹, and

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

WHEREAS, Mark D. Alianello, P.E., shall continue providing the following engineering services for an amount not to exceed \$43,450:

Task 1 Coordinate Sampling	\$850 per event for 36 events (not to exceed)	\$30,600.00
Task 2 Routine Consultations	On time and material basis according to attached schedule of hourly rates (est.)	\$12,000.00
Reimbursables	(not to exceed)	\$ 850.00,

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 Mark D. Alianello, P.E., for the provision of the above-described services for a term commencing January 1, 2011 and terminating December 31, 2013, according to the above-described terms.

Approved by 5 members of the Finance Committee, 8 members of the Public Works Committee and 7 members of the Strategic Planning Committee.

¹ MR. MARSH moved, seconded by Mr. Vecchiarella to amend Act No. 619-2010 as follows: In the first Whereas, delete: "2009", and replace with: "2010". Carried

Adopted, as amended, December 8, 2010 by voice vote.

ACT NO. 620-2010 by Mr. Giardini
and Mr. Ellis

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT
WITH MICHAEL JIMERSON, D/B/A TRIBAL PETROLEUM SUPPLIERS
FOR PROPANE GAS FOR ONOVILLE MARINA**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 455-2008 authorized a contract with Michael A. Jimerson, d/b/a Tribal Petroleum Suppliers, for the provision of propane gas for the Onoville Marina, and

WHEREAS, the County Department of Public Works has solicited proposals from two (2) companies for the provision of propane gas, and

WHEREAS, the lowest proposal was received from Michael A. Jimerson, d/b/a Tribal Petroleum Suppliers, P.O. Box 287, 1828 Route 20, Silver Creek, New York 14136, as follows: Method #2 - fixed price of \$1.579 per gallon, 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 Michael A. Jimerson, d/b/a Tribal Petroleum Suppliers, for the provision of propane gas, for a term commencing January 1, 2011 and terminating September 30, 2011, according to the above-described terms.

State bid for propane gas at this time is for pricing that varies according to the market. At this time, the State price is \$1.7700 per gallon.

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

Adopted December 8, 2010 by voice vote.

ACT NO. 621-2010 by Mr. Giardini
and Mr. Ellis

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
ENERGY ENTERPRISES, INC. FOR NATURAL GAS SERVICES**

Pursuant to Sections 215 and 450 of the County Law.

WHEREAS, Act 637-2009 authorized a contract with Energy Enterprises, Inc., 3401 Rochester Road, P.O. Box 687, Lakeville, New York 14480, for the provision of bid assistance, consulting and auditing services for the purchase of natural gas, the term of which expires December 31, 2010, and

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

WHEREAS, Energy Enterprises, Inc., 3401 Rochester Road, P.O. Box 687, Lakeville, New York 14480, has agreed to provide the following services at the following rates:

- | | |
|--|-----------|
| a) Research natural gas accounts, assist in preparation of bid specifications and evaluation of bid results | \$650.00 |
| b) Monitor and audit monthly gas bills and compare with actual gas usage (per month) County Center | \$220.00 |
| c) Monitor and audit monthly gas bills and compare with actual gas usage (per month) County Little Valley DPW Facility | \$115.00 |
| d) Monitor and audit monthly gas bills and compare with actual gas usage (per month) Pines Healthcare & Rehabilitation Center - Machias Campus | \$115.00, |

and

WHEREAS, sufficient funds are included in the 2011 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 Energy Enterprises, Inc., for the provision of the above-described services, for a term commencing January 1, 2011 and terminating December 31, 2011, according to the above-described terms.

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

Adopted December 8, 2010 by voice vote.

ACT NO. 622-2010 by Mr. Giardini
and Mr. Ellis and Mr. Murphy

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT EXTENSION
WITH ERDMAN ANTHONY AND ASSOCIATES, INC.
FOR ENGINEERING DESIGN SERVICES FOR
LEON BRIDGE NO. 18 FEDERAL AID REPLACEMENT PROJECT**

Pursuant to Sections 215 and 450 of the County Law.

WHEREAS, Act 568-2009 authorized a contract with Erdman Anthony and Associates, Inc., 2165 Brighton Henrietta Town Line Road, Rochester, New York 14623-2755, for the provision of engineering design services for the

Leon Bridge No. 18 federal aid replacement project, the term of which expires December 31, 2010, and

WHEREAS, the County Department of Public Works is desirous of extending the term of the aforementioned contract to December 31, 2012 in order to allow time to complete the project, at no additional 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 extension, on behalf of Cattaraugus County, with Erdman Anthony and Associates, Inc., for the provision of the above-described services, for a term commencing January 1, 2011 and terminating December 31, 2012, according to the above-described terms.

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

Adopted December 8, 2010 by voice vote.

ACT NO. 623-2010 by Mr. Giardini
and Mr. Ellis and Mr. Ward

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT
WITH BERGMANN ASSOCIATES, P.C.
FOR ENGINEERING DESIGN SERVICES FOR
GREAT VALLEY BRIDGE NO. 9 FEDERAL AID REPLACEMENT PROJECT**

Pursuant to Sections 215 and 450 of the County Law.

WHEREAS, Act 569-2009 authorized a contract with Bergmann Associates, P.C., 200 First Federal Plaza, 28 East Main Street, Rochester, New York 14614, for the provision of engineering design services for the Great Valley Bridge No. 9 Federal Aid Replacement Project, the term of which expires December 31, 2010, and

WHEREAS, a Cultural Resource Study is needed for the aforementioned project, and

WHEREAS, a contract amendment is necessary in order to include the Cultural Resource Study and also extend the term of the contract to December 31, 2012, and

WHEREAS, Bergmann Associates, P.C., has agreed to provide the Cultural Resource Study for an amount not to exceed \$4,685, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute an amended contract, on behalf of Cattaraugus County, with Bergmann Associates, P.C., for the provision of the above-described services, for a term commencing December 8, 2010 and terminating December 31, 2012, according to the above-described terms.

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

Adopted December 8, 2010 by voice vote.

ACT NO. 624-2010 by Mr. Giardini
and Mr. Ellis and Ms. Stockman

**AMENDING ACT 315-2010 REGARDING CONTRACT WITH
ABATE ASSOCIATES ENGINEERS & SURVEYORS, P.C.
FOR ENGINEERING SERVICES FOR RECONSTRUCTION OF
COUNTY ROAD NO. 57 INTERSECTION WITH BENTLEY ROAD**

Pursuant to Sections 215 and 450 of the County Law.

WHEREAS, Act 315-2010 authorized a contract with Abate Associates Engineers, & Surveyors, P.C., 4455 Genesee Street, P.O. Box 218, Buffalo, New York 14225-0218, for the provision of engineering services for the reconstruction of County Road No. 57 intersection with Bentley Road in the Town of Dayton, and

WHEREAS, Act 315-2010 should be amended to reflect a start date of March 1, 2010, rather than June 10, 2010, at no additional cost to the County, now, therefore, be it

RESOLVED, that Act 315-2010 be, and hereby is, amended as follows: In the Resolved, delete: "June 10, 2010" and replace with: "March 1, 2010".

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

Adopted December 8, 2010 by voice vote.

ACT NO. 625-2010 by Mr. Burrell, Mr. Ellis, Mr. McLarney,
Mr. Teachman, Ms. Vickman, Mr. Boser,
Mr. Giardini, Mr. Hebdon and Mr. McClune

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH
MCMAHON & MANN CONSULTING ENGINEERS, P.C. FOR
GEOTECHNICAL EVALUATION SERVICES FOR
COUNTY ROAD NO. 21 SLOPE FAILURE AREA**

Pursuant to Section 131-b of the Highway Law and
Section 450 of the County Law.

WHEREAS, Act 244-2010 authorized a contract with McMahon & Mann Consulting Engineers, P.C., 2495 Main Street, Suite 432, Buffalo, New York 14214, for the provision of geotechnical engineering services for the County Road No. 21 slope failure located in the Town of Freedom, and

WHEREAS, the Department of Public Works is desirous of amending the aforementioned contract to include the completion of the design for the first phase of the remediation project, and

WHEREAS, McMahon & Mann Consulting Engineers, P.C., can provide the aforementioned services for an amount not to exceed \$21,960, as follows:

<u>"Task</u>	<u>Unit</u>	<u>Estimated</u> <u>Quantity</u>	<u>Unit</u> <u>Price</u>	<u>Total</u>
1. Geotechnical Instrumentation monitoring and water well survey review	lump sum	1	\$1,000	\$1,000.00

2. Construction Plans and Technical Specifications	lump sum	1	\$11,310	\$11,310.00
3. Assistance During Bidding	hourly ⁽¹⁾	20	\$95	\$1,900.00
4. Assistance During Construction	per site visit	5	\$850	\$4,250.00
5. Post Construction Activities				
a. Review record plans	lump sum	1	\$1,400	\$1,400.00
b. Instrumentation monitoring	per site visit	3	\$700	<u>\$2,100.00</u>
			Total	\$21,960.00

⁽¹⁾The cost shown for Task 3 is based on a rate for a project manager to assist during budding.

McMahon & Mann Consulting Engineers, P.C., will invoice the County on a time and expense basis for services required that are not described above using the following fee schedule:

<u>Personnel Category</u>	<u>Rate Per Hour</u>
Principal Engineer	\$160/hr.
Senior Engineer	\$125/hr.
Project Manager	\$95/hr.
Project Engineer	\$85/hr.
Engineer	\$75/hr.
Geologist	\$65/hr.
Technical Support Staff	\$52/hr.
Administrative	\$45/hr." ¹

and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute an amended contract, on behalf of Cattaraugus County, with McMahon & Mann Consulting Engineers, P.C., for the provision of the above-described services, for a term commencing December 8, 2010 and terminating December 31, 2011, according to the above-described terms.

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

¹ MR. MARSH moved, seconded by Mr. Teachman to amend Act No. 625-2010 as follows: Delete:

<u>"Task</u>	<u>Unit</u>	<u>Estimated Quantity</u>	<u>Unit Price</u>	<u>Total</u>
1. Geotechnical Instrumentation monitoring and water well survey review	lump sum	1	\$1,000	\$1,000.00
2. Construction Plans and Technical Specifications	lump sum	1	\$11,310	\$11,310.00

3. Assistance During Bidding	hourly ⁽¹⁾	1	\$1,900	\$1,900.00
4. Assistance During Construction	per site visit	5	\$850	\$4,250.00
5. Post Construction Activities				
a. Review record plans	lump sum	1	\$1,400	\$1,400.00
b. Instrumentation monitoring	per site visit	3	\$700	<u>\$2,100.00</u>
			Total	\$21,960.00

⁽¹⁾ The cost shown for Task 3 is based on our estimate of the level of effort required and the labor rates shown in the table below:

<u>Personnel Category</u>	<u>Rate Per Hour</u>
Principal Engineer	\$160/hr.
Senior Engineer	\$125/hr.
Project Manager	\$ 95/hr.
Project Engineer	\$ 85/hr.
Engineer	\$ 75/hr.
Geologist	\$ 65/hr.
Technical Support Staff	\$ 52/hr.
Administrative	\$ 45/hr."

and replace with:

<u>"Task</u>	<u>Unit</u>	<u>Estimated Quantity</u>	<u>Unit Price</u>	<u>Total</u>
1. Geotechnical Instrumentation monitoring and water well survey review	lump sum	1	\$1,000	\$1,000.00
2. Construction Plans and Technical Specifications	lump sum	1	\$11,310	\$11,310.00
3. Assistance During Bidding	hourly ⁽¹⁾	20	\$95	\$1,900.00
4. Assistance During Construction	per site visit	5	\$850	\$4,250.00
5. Post Construction Activities				
a. Review record plans	lump sum	1	\$1,400	\$1,400.00
b. Instrumentation monitoring	per site visit	3	\$700	<u>\$2,100.00</u>
			Total	\$21,960.00

⁽¹⁾The cost shown for Task 3 is based on a rate for a project manager to assist during budding.

McMahon & Mann Consulting Engineers, P.C., will invoice the County on a time and expense basis for services required that are not described above using the following fee schedule:

<u>Personnel Category</u>	<u>Rate Per Hour</u>
Principal Engineer	\$160/hr.
Senior Engineer	\$125/hr.
Project Manager	\$95/hr.
Project Engineer	\$85/hr.
Engineer	\$75/hr.
Geologist	\$65/hr.

Technical Support Staff
Administrative

\$52/hr.
\$45/hr."

Carried.

Adopted, as amended, December 8, 2010 by voice vote.

ACT NO. 626-2010 by Mr. Boser
and Mr. Burrell, Mr. Ellis, Mr. Marsh,
Mr. McLarney, Mr. Snyder, Mr. Giardini,
Mr. Hebdon and Mr. Padlo¹

**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 2010-2011 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. 480-2010, 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 October 15, 2010, and

WHEREAS, the response deadline of November 14, 2010 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 2010-2011 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 Crystal J. Abers, Director, Cattaraugus County Department of Economic Development, Planning and Tourism, 303 Court Street, Little Valley, New York 14755.

Approved by 7 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: "Mr. Burrell, Mr. Ellis, Mr. Marsh, Mr. McLarney, Mr. Snyder, Mr. Giardini, Mr. Hebdon and Mr. Padlo".

Adopted December 8, 2010 by voice vote.

ACT NO. 627-2010 by Ms. Vickman and Mr. McClune
and Mr. Neal and Mr. Padlo¹

**AUTHORIZING THE CHAIR TO EXECUTE LEASE AGREEMENT
WITH CITY OF OLEAN FOR DEPARTMENT OF AGING
SENIOR WELLNESS AND NUTRITION PROGRAM SITE**

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

WHEREAS, Act 700-2007 authorized a lease agreement with the City of Olean, Municipal Building, P.O. Box 668, Olean, New York 14760, for the County Department of Aging Senior Wellness and Nutrition (SWAN) Program site, the term of which expires December 31, 2010, and

WHEREAS, the County Department of Aging is desirous of continuing the SWAN program in the Olean area, and

WHEREAS, the City of Olean has agreed to lease space in the John J. Ash Community Center for the SWAN program for a rental fee of \$5,000 per year, to be paid in quarterly installments of \$1,250, 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 lease agreement, on behalf of Cattaraugus County, with the City of Olean, for the leasing of the John J. Ash Community Center for a Senior Wellness and Nutrition Program site, for a term commencing January 1, 2011 and terminating December 31, 2012, according to the above-described terms.

Approved by 7 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. Neal and Mr. Padlo".

Adopted December 8, 2010 by voice vote.

ACT NO. 628-2010 by Ms. Vickman and Mr. McClune

**AUTHORIZING THE CHAIR TO EXECUTE GRANT DOCUMENTS WITH
NEW YORK STATE OFFICE FOR THE AGING FOR VARIOUS PROGRAMS FOR
DEPARTMENT OF AGING**

Pursuant to Title III of the Older Americans Act of 1965,
as amended, Section 541 of the Executive Law and
Section 95-a of the General Municipal Law.

WHEREAS, Act 761-2009 authorized the Chair to apply for, and accept, funding through the New York State Office for the Aging for the 2010 program year for various programs, the terms of which expire March 31, 2011, and

WHEREAS, funding is available for various programs through the New York State Office for the Aging for the 2011 program year, and

WHEREAS, the County Department of Aging is desirous of applying for the following program funding:

Community Services for the Elderly (CSEP)	\$101,482.00
Expanded In-Home Services for the Elderly	\$229,411.00
Congregate Services Initiative (CSI)	\$ 3,669.00
Caregiver Resource Center (CRC)	\$ 19,611.00
Supplemental Nutrition Assistance Program (SNAP)	\$212,678.00
Transportation	\$ 4,605.00
HIICAP	\$ 32,182.00
Weatherization Referral and Packaging (WRAP)	\$ 36,151.00,

and

WHEREAS, a contract is necessary with the New York State Office for the Aging in order to accept the aforementioned funds, and

WHEREAS, sufficient funds are included in the budget to cover the cost of the County's portion of the aforementioned programs, 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 Office for the Aging, in order to apply for, and accept, the aforementioned funds, for a term commencing April 1, 2011 and terminating March 31, 2012, 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 7 members of the Finance Committee and 7 members of the Senior Services Committee.

Adopted December 8, 2010 by voice vote.

ACT NO. 629-2010 by Ms. Vickman and Mr. McClune

**AUTHORIZING THE CHAIR TO EXECUTE GRANT DOCUMENTS WITH
NEW YORK STATE OFFICE FOR THE AGING FOR FUNDING UNDER
VARIOUS TITLES OF THE OLDER AMERICANS ACT OF 1965, AS AMENDED**

Pursuant to Titles III-B, III-C1, III-C2, III-D and III-E
of the Older Americans Act of 1965, as amended,
Section 541 of the Executive Law and
Section 95-a of the General Municipal Law.

WHEREAS, Act 762-2009 authorized the Chair to apply for funding through the New York State Office for the Aging for the 2010 program year, and

WHEREAS, federal funding is again available through the New York State Office for the Aging under Titles III-B, III-C1, III-C2, III-D and III-E of the Older Americans Act of 1965, as amended, for the 2010 program year, for the following programs:

- Title III-B - direct services to the senior citizens of Cattaraugus County,
- Title III-C - congregate and home delivered services and other related services to the senior citizens of Cattaraugus County,
- Title III-D - preventative services to senior citizens of Cattaraugus County, and
- Title III-E - family caregiver support program,

and

WHEREAS, it is necessary to file grant applications with the New York State Office for the Aging to obtain this funding, and

WHEREAS, the above-described programs are funded as follows:

Title III-B -	90% federally funded	\$ 87,656.00
Title III-C1 -	90% federally funded	\$111,710.00
Title III-C2 -	90% federally funded	\$ 52,990.00
Title III-D -	90% federally funded	\$ 5,460.00
Title III-E -	75% federally funded	\$ 41,312.00,

and

WHEREAS, sufficient funds are included in the 2011 budget to cover the County's portion of 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 the necessary grant applications, on behalf of Cattaraugus County, with the New York State Office for the Aging in order to apply for, and accept, funding under Titles III-B, III-C1, III-C2, III-D and III-E for the 2011 program year, 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 7 members of the Finance Committee and 7 members of the Senior Services Committee.

Adopted December 8, 2010 by voice vote.

ACT NO. 630-2010 by Ms. Vickman and Mr. McClune

**AUTHORIZING THE CHAIR TO EXECUTE LEASE AGREEMENTS WITH
VARIOUS ENTITIES FOR DEPARTMENT OF AGING
SENIOR WELLNESS AND NUTRITION PROGRAM SITES**

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

WHEREAS, Act 680-2009 authorized lease agreements with various entities for the County Department of Aging Senior Wellness and Nutrition Program sites in the County, the terms of which expire December 31, 2010, and

WHEREAS, the County Department of Aging is desirous of renewing the aforementioned lease agreements, and

WHEREAS, the following various entities have agreed to renew the aforementioned lease agreements, as follows:

<u>SITE</u>	<u>2010 RATE</u>	<u>2011 RATE</u>
Jeff Buncy 8101 Lakeshore Drive Caneadea, New York 14717	\$315/mo. plus \$155/mo. for utilities	\$330/mo. plus \$255/mo. for utilities
Free Methodist Church 327 Pine Street P.O. Box 261 South Dayton, New York 14138,	\$235/mo.	\$235/mo.

Portville Lodge #579 F.& A.M. 14 Temple Street Portville, New York 14770	\$420/mo.	\$420/mo.
Village of Cattaraugus 14 Main Street Cattaraugus, New York 14719	\$270/mo.	\$270/mo.
Town of Randolph 72 Main Street Randolph, New York 14772	\$478/mo.	\$478/mo.
Cornell Cooperative Extension 28 Parkside Drive Ellicottville, New York 14731	\$1,690/quarter (\$8/sq. foot)	\$1,690/quarter (\$8/sq. foot)
Presbyterian Church 25 South Main Street Franklinville, New York 14737	\$409/mo. plus \$12.50 for cleaning	\$421.27/mo. ¹ plus \$12.88 ¹ for Cleaning
Village of Little Valley Rock City Street Little Valley, New York 14755	\$210/mo.	\$210/mo.

and

WHEREAS, this program is 90% federal and 10% county funded, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute lease agreements, on behalf of Cattaraugus County, with the above-listed various entities, for the leasing of Senior Wellness and Nutrition Program sites, for a term commencing January 1, 2011 and terminating December 31, 2011, 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 7 members of the Finance Committee and 7 members of the Senior Services Committee.

¹ MR. MARSH moved, seconded by Mr. Ward to amend Act No. 630-2010 as follows: In the third Whereas, under 2011 rate, delete: "\$4099/mo", and replace with: "\$421.27/mo"; delete: "\$12.50" and replace with: "\$12.88". Carried.

Adopted, as amended, December 8, 2010 by voice vote.

ACT NO. 631-2010 by Ms. Vickman and Mr. McClune
and Mr. Neal¹

**AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACT WITH
VARIOUS ENTITIES FOR SENIOR NUTRITION PROGRAM MEAL SERVICES**

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

WHEREAS, Act 156-2008 authorized contracts with various entities for the purchasing of meals from the County Department of Aging Senior Nutrition Program for the elderly residents of their facilities who are participating in the County's congregate nutrition program, the terms of which expire December 31, 2010, and

WHEREAS, the following entities are desirous of renewing the aforementioned contracts to continue purchasing meals from the County Department of Aging Senior Nutrition Program for the elderly residents of their facilities who are participating in the County's congregate nutrition program:

Western New York Developmental
Disabilities Service Office
1200 East and West Road
West Seneca, NY 14221

Southern Tier Environments
for Living, Inc.
515 Washington Street
Jamestown, NY 14701,

and

WHEREAS, the Department of Aging has agreed to provide meals through its Senior Nutrition Program to eligible residents of the aforementioned entities at a cost of \$3.75 per meal, now, therefore, be it

RESOLVED, that the County Administrator be, and hereby is, authorized and directed to execute contracts, on behalf of Cattaraugus County, with the above-listed entities for the provision of meal services, for a term commencing January 1, 2011 and terminating December 31, 2013, according to the above-described terms.

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

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

Adopted December 8, 2010 by voice vote.

ACT NO. 632-2010 by Mr. McClune

**AUTHORIZING CERTAIN CHARGE-OFFS OF CERTAIN ACCOUNTS
RECEIVABLE IN THE DEPARTMENT OF NURSING HOMES**

Pursuant to Section 153 of the County Law.

WHEREAS, the Department of Nursing Homes has accounts receivable in which there has been no recent action, and

WHEREAS, the New York State Department of Audit and Control has recommended that the County remove these bad debts from the records of the Department of Nursing Homes, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature hereby authorizes the removal of the following debts from the accounts receivable records of the Department of Nursing Homes:

Machias Facility	
Hughes, Joan	\$ 20.00
Edel, Geraldine	\$ 205.56
Moranski, Ruth	\$ 396.89

Lascelle, Betty	\$	391.97	
Baker, Velma	\$	60.43	
Barber, David	\$	33.86	
Batorick, Paul	\$	2.52	
Brennan, Isabelle	\$	2.52	
Dolecki, Marie	\$	60.44	
Eberlin, Roy	\$	59.68	
Gerlach, Gladys	\$	60.43	
Kendall, Anna	\$	29.12	
Koepf, Eleanor	\$	124.03	
Pixley, Geraldine	\$	60.50	
Schofield, Florence	\$	8.45	
McChesney, Gloria	\$	250.00	
Cornish, Charles	\$	121.68	
Everts, Arlie	\$	5,660.50	
Wolfe, Ray	\$	2.00	
Total Machias Facility			\$ 7,550.58
Olean Facility			
Jones, Jean	\$	4,806.11	
Welch, Nina	\$	7.12	
Droney, Betty	\$	12.36	
Russell, John	\$	5.00	
Riggan, Richard	\$	500.00	
Richardson, Mary	\$	77.50	
Congdon, Lawrence	\$	573.45	
Total Olean Facility			\$ 5,981.54
TOTAL			\$13,532.12

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

Adopted December 8, 2010 by voice vote.

ACT NO. 633-2010 by Mr. Neal and Mr. Snyder

**AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACTS WITH
VARIOUS ENTITIES FOR HEALTH DEPARTMENT WIC CLINIC SPACE**

Pursuant to Section 215 of the County Law and
Act 472-2010 of the Cattaraugus County Legislature.

WHEREAS, Act 696-2009 authorized contracts with various entities for the utilization of space for the Health Department's WIC Program, the terms of which expire December 31, 2010, and

WHEREAS, Act 53-2010 authorized a contract with the United Methodist Church of Little Valley for the utilization of space for the Health Department's WIC Program, the term of which expires December 31, 2010, and

WHEREAS, the County Health Department is desirous of continuing the WIC program in various areas of Cattaraugus County, and

WHEREAS, the entities listed below have agreed to allow the County Health Department to utilize space in their facilities for WIC clinics:

	<u>2010 Rate</u>	<u>2011 Rate</u>
Franklinville Free Methodist Church 41 South Main Street Franklinville, New York 14737	\$300/year	\$300/year
Gowanda Free Methodist Church 149 West Main Street Gowanda, New York 14070	\$60/day of use	\$60/day of use
Roberts Memorial Free Methodist Church 111 South Street Cattaraugus, New York 14719	\$100/year	\$100/year
Town of Randolph 72 Main Street Randolph, New York 14772	No Cost	No Cost
United Methodist Church of Little Valley 109 Court Street Little Valley, New York 14755,	\$50/month	\$50/month

and

WHEREAS, this program is 100% state funded, now, therefore, be it
RESOLVED, that the County Administrator be, and hereby is,
authorized and directed to execute contracts, on behalf of Cattaraugus
County, with the above-listed various entities for the utilization of the
aforementioned space, for a term commencing January 1, 2011 and terminating
December 31, 2011, 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 7 members of the Finance Committee and 5 members of the
Human Services Committee.

Adopted December 8, 2010 by voice vote.

ACT NO. 634-2010 by Mr. Neal and Mr. Snyder

**AUTHORIZING HEALTH DEPARTMENT TO EXECUTE CONTRACT WITH
DAVID PORTER FOR ADMINISTRATIVE HEARING OFFICER SERVICES**

Pursuant to Section 309 of the Public Health Law and
Part 9 of the Cattaraugus County Sanitary Code.

WHEREAS, Act 705-2009 authorized a contract with David Porter,
1180 Four Mile Road, Allegany, New York 14706, for Administrative Hearing
Officer services for the County Health Department, at the rate of \$20.00 per
hour, plus meal cost during Board of Health meetings, the term of which
expires December 31, 2010, and

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

WHEREAS, David Porter has agreed to act as Administrative Hearing
Officer for the Cattaraugus County Health Department at the rate of \$20.00

per hour, which includes mileage, plus meal cost during Board of Health meetings, and

WHEREAS, the County Health Department is eligible to receive 36% state aid for the aforementioned services, and

WHEREAS, sufficient funds are included in the 2011 budget to cover the costs of the aforementioned services, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature hereby authorizes the Health Department to execute a contract, on behalf of Cattaraugus County, with David Porter for the provision of the Administrative Hearing Officer Services, for a term commencing January 1, 2011 and terminating December 31, 2011, according to the above-described terms.

Approved by 7 members of the Finance Committee and 5 members of the Human Services Committee.

Adopted December 8, 2010 by voice vote.

ACT NO. 635-2010 by Mr. Neal and Mr. Snyder

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
ALLEGANY COUNTY FOR HEALTH DEPARTMENT
LEAD RISK ASSESSMENT SERVICES**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 715-2009 authorized a contract with Allegany County for the provision of lead risk assessment services for the County Health Department, the term of which expires December 31, 2010, and

WHEREAS, the County Health Department is responsible for investigating possible lead poisoning situations, and

WHEREAS, Allegany County, County Office Building, 7 Court Street, Belmont, New York 14813, has personnel trained for the provision of lead risk assessment services, and

WHEREAS, the County Health Department is desirous of contracting with Allegany County for the provision of the aforementioned services, and

WHEREAS, Allegany County can perform the aforementioned lead risk assessment services, on an as-needed basis, for an amount of \$26.65 per hour, plus work-related mileage at the IRS rate in effect at the time services are provided, not to exceed \$3,000, plus reimbursement for lunch not to exceed \$10, plus equipment usage for an amount of \$150 per each completed assessment, 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 a contract, on behalf of Cattaraugus County, with Allegany County, for the provision of the above-described services, for a term commencing January 1, 2011 and terminating December 31, 2011, 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 7 members of the Finance Committee and 5 members of the Human Services Committee.

Adopted December 8, 2010 by voice vote.

ACT NO. 636-2010 by Mr. Neal and Mr. Snyder

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

Pursuant to Act 472-2010 of the Cattaraugus County Legislature.

WHEREAS, Act 292-2010 authorized a contract with McBee Associates, Inc., for the provision of Medicare revenue recovery services for the period October 1, 2008 through December 31, 2009, the term of which expires December 31, 2010, and

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

WHEREAS, McBee Associates, Inc., has agreed to conduct a comprehensive review of all paid Medicare claims for the County Health Department for the period October 1, 2009 through December 31, 2010, for the purpose of correct payment and identifying correction actions that can be implemented by the Department of Health to avoid future lost revenue, and

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

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

WHEREAS, there will also be no charge if there is a negative adjustment, and

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

RESOLVED, that the County Administrator be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with McBee Associates, Inc., for the provision of the above-described services, for a term commencing January 1, 2011 and terminating December 31, 2011, according to the above-described terms.

Approved by 7 members of the Finance Committee and 5 members of the Human Services Committee.

Adopted December 8, 2010 by voice vote.

ACT NO. 637-2010 by Mr. Neal and Mr. Snyder

**AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACT
WITH ALLEGANY COUNTY OFFICE FOR THE AGING
FOR DEPARTMENT OF HEALTH MOBILE MEALS PROGRAM**

Pursuant to Section 119-o of the General Municipal Law and
Act 472-2010 of the Cattaraugus County Legislature.

WHEREAS, Act 175-2010 authorized a contract with the Allegany County Office for the Aging, County Office Building, 17 Court Street, Belmont, New York 14813, for the provision of home delivered meals to clients of the Long Term Home Health Care Program located near the Cattaraugus-Allegany County border, the term of which expires December 31, 2010, and

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

WHEREAS, the Allegany County Office for the Aging has agreed to provide for the preparation and delivery of a noon meal in the townships contiguous to Cattaraugus County five (5) days a week, at the Cattaraugus County Health Department approved Medicaid rate, 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 the Allegany County Office for the Aging, for the provision of the above-described services, for a term commencing January 1, 2011 and terminating December 31, 2011, according to the above-described terms.

Approved by 7 members of the Finance Committee and 5 members of the Human Services Committee.

Adopted December 8, 2010 by voice vote.

ACT NO. 638-2010 by Mr. Neal and Mr. Snyder

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
LEARNING LADDER THERAPEUTIC ASSOCIATION, INC. FOR
HEALTH DEPARTMENT HOME HEALTH CARE PROGRAM
SPEECH THERAPY SERVICES**

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

WHEREAS, the County Department of Health is in need of speech therapy services for the patients of the Health Department Home Health Care Program, and

WHEREAS, Learning Ladder Therapeutic Association, Inc., 10495 Manchester Road, Boston, New York 14025, has agreed to provide speech therapy services to Cattaraugus County Health Department patients at the rate of \$70 per visit, and

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

RESOLVED, that the County Administrator be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Learning Ladder Therapeutic Association, Inc., for the provision of the above-described services, for a term commencing November 1, 2010 and terminating December 31, 2011, according to the above-described terms, and be it further

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

Approved by 7 members of the Finance Committee and 5 members of the Human Services Committee.

Adopted December 8, 2010 by voice vote.

ACT NO. 639-2010 by Mr. Neal and Mr. Snyder
and Mr. Aiello and Mr. Padlo¹

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

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

WHEREAS, Act 701-2009 authorized a contract with Olean General Healthcare Systems, LLC, 234 Homer Street, Olean, New York 14760, for the provision of respiratory therapy services for patients of the County Health Department Home Health Care Program, the term of which expires December 31, 2010, and

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

WHEREAS, Olean General Healthcare Systems, LLC, has agreed to provide respiratory therapy visits at a rate of \$70.00 per visit, with the stipulation that it not refuse any respiratory therapy cases referred to it, and \$28.00 per hour for attendance at meetings, and

WHEREAS, if Olean General Healthcare Systems, LLC, refuses any respiratory therapy homecare case during the term of the 2011 contract, then the rate for respiratory therapy services shall revert back to the base rate of \$68 per visit, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Olean General Healthcare Systems, LLC, for the provision of the above-described services, for a term commencing January 1, 2011 and terminating December 31, 2011, according to the above-described terms, and be it further

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

Approved by 7 members of the Finance Committee and 5 members of the Human Services Committee.

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

Adopted December 8, 2010 by voice vote.

ACT NO. 640-2010 by Mr. Neal and Mr. Snyder
and Mr. Aiello and Mr. Padlo¹

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT
WITH CAROLYN C. RUFFNER, P.T. FOR HEALTH DEPARTMENT
PHYSICAL THERAPY SERVICES**

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

WHEREAS, Act 709-2009 authorized a contract with Carolyn C. Ruffner, 3676 Buffalo Road, Allegany, New York 14706, for the provision of physical therapy services for the patients of the County Health Department's Long-Term Home Health Care Program, the term of which expires December 31, 2010, and

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

WHEREAS, Carolyn C. Ruffner, P.T., has agreed to renew the aforementioned contract for an amount as follows:

<u>Service</u>	<u>2010 Rate</u>	<u>2011 Rate</u>
Physical Therapist	\$68 per visit	\$68 per visit
Evaluations	\$70 per evaluation	\$70 per evaluation
PT only admission visit	\$80 per visit	\$80 per visit
Attendance at Meetings	\$28 per hour	\$28 per hour
Recruitment & Retention	to be determined by NYSDOH,	

and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Carolyn C. Ruffner, P.T., for the provision of the above-described physical therapy services, for a term commencing January 1, 2011 and terminating December 31, 2011, according to the above-described terms, and be it further

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

Approved by 7 members of the Finance Committee and 5 members of the Human Services Committee.

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

Adopted December 8, 2010 by voice vote.

ACT NO. 641-2010 by Mr. Neal and Mr. Snyder
and Mr. Aiello¹

**AUTHORIZING HEALTH DEPARTMENT TO EXECUTE CONTRACT WITH
ROBERT BUBBS FOR SUBSTITUTE ADMINISTRATIVE
HEARING OFFICER SERVICES**

Pursuant to Section 309 of the Public Health Law and
Part 9 of the Cattaraugus County Sanitary Code.

WHEREAS, Act 710-2009 authorized a contract with Robert Bubbs, 5918 Phyllis Lou Circle, Port Orange, Florida 32127, for the provision of services of an Administrative Hearing Officer to preside over administrative hearings on behalf of the Cattaraugus County Board of Health, as the governing body of the Cattaraugus County Health Department, which has the responsibility of ensuring that all persons found in violation of the State and/or County Sanitary Code are provided an opportunity for a fair hearing, the term of which expires December 31, 2010, and

WHEREAS, the County Health Department is in need of a substitute Administrative Hearing Officer, and

WHEREAS, Robert Bubbs has agreed to act as substitute Administrative Hearing Officer for the Cattaraugus County Health Department at the rate of \$20.00 per hour, plus meal cost during Board of Health meetings, on an as-needed basis only when David Porter is unavailable, and

WHEREAS, the County Health Department is eligible to receive 36% state aid for the aforementioned services, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature hereby authorizes the Health Department to execute a contract, on behalf of Cattaraugus County, with Robert Bubbs for the provision of substitute Administrative Hearing Officer Services, for a term commencing January 1, 2011 and terminating December 31, 2011, according to the above-described terms.

Approved by 7 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. Aiello".

Adopted December 8, 2010 by voice vote. Mr. Padlo voting no.

ACT NO. 642-2010 by Mr. Neal and Mr. Snyder

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
WESTERN NEW YORK PHYSICAL & OCCUPATIONAL THERAPY GROUP, PLLC
FOR HEALTH DEPARTMENT HOME HEALTH CARE PROGRAM
PHYSICAL AND OCCUPATIONAL THERAPY SERVICES**

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

WHEREAS, Act 697-2009 authorized a contract with Western New York Physical & Occupational Therapy Group, PLLC, 6301 Transit Road, Depew, New York 14043, for the provision of physical and occupational therapy services to patients of the County Health Department Home Health Care Program, the term of which expires December 31, 2010, and

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

WHEREAS, Western New York Physical & Occupational Therapy Group, PLLC, has agreed to provide physical and occupational therapy services to Cattaraugus County Health Department patients at the following rates:

Service	2010 Rate	2011 Rate
Physical Therapist	\$73/visit	\$73/visit
Physical Therapist Aides	\$55/visit	\$55/visit
Occupational Therapist	\$73/visit	\$73/visit
Occupational Therapist Aides	\$55/visit	\$55/visit
Attendance at Meetings	\$28/hour	\$28/hour
Office Visits:		
- per standard visit	\$50/visit	\$50/visit
(any combination of modalities and/or		
procedures; CHAA or patient to provide all		
dressings and ointments)		
- per short visit	\$22/visit	\$22/visit
(less than 15 minutes)		
Evaluations	\$73/visit	\$73/visit,

and

WHEREAS, if Western New York Physical & Occupational Therapy Group, PLLC, refuses any physical therapy homecare cases or occupational therapy visits during the term of the 2011 contract, then the rates for such services shall revert back as follows for the duration of the contract:

Physical Therapy Services	Base Rate of \$68/visit
Occupational Therapy Services	Base Rate of \$68/visit
Physical Therapy Assistant Services	Base Rate of \$45/visit
Occupational Therapy Assistant Services	Base Rate of \$45/visit,

and

WHEREAS, sufficient funds are included in the 2011 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 Western New York Physical & Occupational Therapy Group, PLLC, for the provision of the above-described services, for a term commencing January 1, 2011 and terminating December 31, 2011, 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 7 members of the Finance Committee and 5 members of the Human Services Committee.

Adopted December 8, 2010 by voice vote.

ACT NO. 643-2010 by Mr. Neal and Mr. Snyder
and Mr. Aiello and Mr. Padlo¹

**AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACT WITH
VIC VENA PHARMACY, INC. FOR PHARMACY CONSULTANT SERVICES**

Pursuant to 10 NYCRR Section 752.5 and
Act 432-2002 of the Cattaraugus County Legislature.

WHEREAS, Act 704-2009 authorized a contract with Vic Vena Pharmacy, Inc., 1322 West State Street, Olean, New York 14760, for the provision of a pharmacy consultant for assistance in the development of policies and procedures related to the provision of drugs and vaccines and advising professional and para-professional staff on drug interactions, side effects, and recall procedures as required by Article 28 of the Public Health Law, the term of which expires December 31, 2010, and

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

WHEREAS, Vic Vena Pharmacy, Inc. has agreed to continue providing the aforementioned services at the rate of \$70.00 per hour, and

WHEREAS, sufficient funds are included in the 2011 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 Vic Vena Pharmacy, Inc., for the provision of the above-described services, for a term commencing January 1, 2011 and terminating December 31, 2011, 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 7 members of the Finance Committee and 5 members of the Human Services Committee.

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

Adopted December 8, 2010 by voice vote.

ACT NO. 644-2010 by Mr. Neal and Mr. Snyder

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
NEW DIRECTIONS YOUTH & FAMILY SERVICES, INC.
FOR FAMILY PLANNING SERVICES**

Pursuant to 14 NYCRR Sections 587.9(d)(6) and 587.9(e)(1) and (2) and Section 450 of the County Law.

WHEREAS, Act 712-2009 authorized a contract with New Directions Youth & Family Services, Inc., 6395 Old Niagara Road, Lockport, New York 14094, for the provision of basic reproductive health services, routine family planning/GYN care (which includes cancer screening), patient education, STD screening and treatment, HIV counseling and testing and any other medically indicated services as deemed necessary, the term of which expires December 31, 2010, and

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

WHEREAS, New Directions Youth & Family Services, Inc., has agreed to allow the County Health Department to provide the aforementioned services to residents of the facility located at 356 Main Street, ER, Randolph, New York 14772, in accordance with family planning clinic negotiated rates, and

WHEREAS, sufficient funds are included in the 2011 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 Directions Youth & Family Services, Inc., for the provision of the above-described services, for a term commencing January 1, 2011 and terminating December 31, 2011, according to the above-described terms.

Approved by 7 members of the Finance Committee and 5 members of the Human Services Committee.

Adopted December 8, 2010 by voice vote.

ACT NO. 645-2010 by Mr. Neal and Mr. Snyder

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT
WITH OLEAN MEDICAL GROUP, LLP FOR HEALTH DEPARTMENT
CONTINGENT MEDICAL DIRECTOR SERVICES**

Pursuant to Section 352 of the Public Health Law and
Section 450 of the County Law.

WHEREAS, Act 714-2009 authorized a contract with the Olean Medical Group, LLP, 535 Main Street, Olean, New York 14760, for the provision of a contingent medical director, in the event the County Health Department's medical director is unavailable, the term of which expires December 31, 2010, and

WHEREAS, the County Health Department is desirous of renewing the aforementioned contract at the same rates, and

WHEREAS, the Olean Medical Group, LLP, can provide the aforementioned medical director services, in the event the County Health Department's current medical director is unavailable, for an amount of \$160 per hour, and

WHEREAS, sufficient funds are included in the 2011 budget to cover the costs of the aforementioned services, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute an amended contract, on behalf of Cattaraugus County, with the Olean Medical Group, LLP, for the provision of the above-described services, for a term commencing January 1, 2011 and terminating December 31, 2011, according to the above-described terms.

Approved by 7 members of the Finance Committee and 5 members of the Human Services Committee.

Adopted December 8, 2010 by voice vote.

ACT NO. 646-2010 by Mr. Neal and Mr. Snyder
and Mr. Aiello and Mr. Padlo¹

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT
WITH OLEAN GENERAL HOSPITAL
FOR LABORATORY, RADIOLOGY AND MAMMOGRAPHY SERVICES**

Pursuant to Section 450 of the County Law.

WHEREAS, the County Health Department is in need of laboratory, radiology and mammography services for its clients, and

WHEREAS, the Olean General Hospital, 515 Main Street, Olean, New York 14760, can provide the aforementioned laboratory, radiology and mammography services at the Olean General Hospital approved Medicaid rate, 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 Olean General Hospital, for the provision of the above-described services, for a term commencing January 1, 2011 and terminating December 31, 2011, according to the above-described terms.

Approved by 7 members of the Finance Committee and 5 members of the Human Services Committee.

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

Adopted December 8, 2010 by voice vote.

ACT NO. 647-2010 by Mr. Neal and Mr. Snyder

**AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACT WITH
VNA HOMECARE SERVICES, INC. FOR PERSONAL EMERGENCY RESPONSE UNITS AND
MONITORING FOR DEPARTMENTS OF HEALTH, AGING AND SOCIAL SERVICES**

Pursuant to Section 95-a of the General Municipal Law and
Act 472-2010 of the Cattaraugus County Legislature.

WHEREAS, Act 703-2009 authorized a contract with Lifeline Systems, and Visiting Nursing Association of Western New York, Inc., for the provision of various services to the County Departments of Health, Aging and Social Services, the term of which expires December 31, 2010, and

WHEREAS, the County Departments of Health, Aging and Social Services are desirous of continuing the aforementioned services, and

WHEREAS, VNA Homecare Services, Inc., 2100 Wehrle Drive, Williamsville, New York 14221, have agreed to provide services to the County Departments of Health, Aging and Social Services, as follows:

<u>Category of Service</u>	<u>2010 Rate</u>	<u>2011 Rate</u>
<u>HEALTH DEPARTMENT</u>		
Installation of PERS units	\$25/unit (one time charge)	\$25/unit (one time charge)
PERS Monitoring	NYS Approved Rate (currently \$23/month/unit)	NYS Approved Rate (currently \$23/month/unit)
<u>SOCIAL SERVICES</u>		
Installation of PERS units	NYS Approved Medicaid Rate	NYS Approved Medicaid Rate
PERS Monitoring	NYS Approved Medicaid Rate	NYS Approved Medicaid Rate
<u>DEPARTMENT OF AGING</u>		
Installation of PERS units	\$25/unit	\$25/unit
PERS Monitoring	\$15/month	\$15/month
Replacement of Pendants (lost/damaged/broken)	\$40/unit	\$40/unit
PERS related cost of approved repairs/ maintenance	Approved Cost	Approved Cost

and

WHEREAS, this program is 75% state and 25% County funded for the Department of Aging's portion of expenses, and

WHEREAS, sufficient funds are included in the 2011 budget to cover the cost 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 VNA Homecare Services, Inc., for the provision of the above-described services for a term commencing January 1, 2011 and terminating December 31, 2011, 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 7 members of the Finance Committee, 5 members of the Human Services Committee and 5 members of the Senior Services Committee.

Adopted December 8, 2010 by voice vote.

ACT NO. 648-2010 by Mr. Neal and Mr. Snyder

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

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

WHEREAS, Act 711-2009 authorized contracts with various individuals for the provision of nurse practitioner services for the County Health Department Family Planning and Sexually Transmitted Disease Clinics, the terms of which expire December 31, 2010, and

WHEREAS, the County Health Department is desirous of contracting with various individuals or entities for the provision of the aforementioned services at the rate of \$40 per hour for up to 28 hours per week for each Nurse Practitioner, and

WHEREAS, sufficient funds are included in the 2011 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 or entities, for the provision of the above-described services, for a term commencing January 1, 2011 and terminating December 31, 2011, according to the above-described terms.

Approved by 7 members of the Finance Committee and 5 members of the Human Services Committee.

Adopted December 8, 2010 by voice vote.

ACT NO. 649-2010 by Mr. Neal and Mr. Snyder

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT
WITH VNA HOMECARE SERVICES, INC. FOR
HEALTH DEPARTMENT HOME HEALTH CARE PROGRAM
SPEECH THERAPY SERVICES**

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

WHEREAS, the County Department of Health is in need of speech therapy services for the patients of the Health Department Home Health Care Program, and

WHEREAS, VNA Homecare Services, Inc., 2100 Wehrle Drive, Williamsville, NY 14221, has agreed to provide speech therapy services to Cattaraugus County Health Department patients at the rate of \$70 per visit, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with VNA Homecare Services, Inc., for the provision of the above-described services, for a term commencing November 1, 2010 and terminating December 31, 2011, according to the above-described terms, and be it further

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

Approved by 7 members of the Finance Committee and 5 members of the Human Services Committee.

Adopted December 8, 2010 by voice vote.

ACT NO. 650-2010 by Mr. Neal and Mr. Snyder
and Mr. Aiello and Mr. Padlo¹

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
REHABILITATION TODAY, PT, OT, REGISTERED NURSING, PLLC FOR
HEALTH DEPARTMENT HOME HEALTH CARE PROGRAM OCCUPATIONAL SERVICES**

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

WHEREAS, Act 707-2009 authorized a contract with Rehabilitation Today, PT, OT, Registered Nursing, PLLC, 2416 Constitution Avenue, Olean, New York 14760, for the provision of physical therapy services, occupational therapy visits, and speech therapy visits, to patients of the County Health Department Home Health Care Program, the term of which expires December 31, 2010, and

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

WHEREAS, Rehabilitation Today, PT, OT, Registered Nursing, PLLC, has agreed to provide occupational therapy services to Cattaraugus County Health Department patients at the following rates:

<u>Service</u>	<u>2010 Rate</u>	<u>2011 Rate</u>
Occupational Therapist	\$73 per visit	\$73 per visit
Attendance at Meetings	\$28 per hour	\$28 per hour
Office Visits:		
per standard visit - (any combination of modalities and/or procedures; CHAA or patient to provide all dressings and ointments)	\$50 per visit	\$50 per visit
per short visit - (less than 15 minutes)	\$22 per visit	\$22 per visit
Office Visit Evaluations	\$72.50 per visit	\$72.50 per visit

Recruitment & Retention (to be determined by NYSDOH),

and

WHEREAS, if Rehabilitation Today, PT, OT, Registered Nursing, PLLC, refuses any occupational therapy visits during the term of the 2011 contract, then the rates for such services shall revert back to the base rate of \$68/visit for the duration of the contract, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Rehabilitation Today, PT, OT, Registered Nursing, PLLC, for the provision of the above-described services, for a term commencing January 1, 2011 and terminating December 31, 2011, according to the above-described terms, and be it further

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

Approved by 7 members of the Finance Committee and 5 members of the Human Services Committee.

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

Adopted December 8, 2010 by voice vote.

ACT NO. 651-2010 by Mr. Neal and Mr. Snyder

**AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACT WITH
CORNELL COOPERATIVE EXTENSION-CATTARAUGUS COUNTY
FOR HEALTH DEPARTMENT REPRODUCTIVE HEALTH EDUCATOR**

Pursuant to 10 NYCRR Part 40-1 and
Act 472-2010 of the Cattaraugus County Legislature.

WHEREAS, Act 716-2009 authorized a contract with Cornell Cooperative Extension-Cattaraugus County, 28 Parkside Drive, Ellicottville, New York 14731, for the provision of services of a Reproductive Health Educator for the County Health Department Family Planning Clinics, the term of which expires December 31, 2010, and

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

WHEREAS, Cornell Cooperative Extension-Cattaraugus County has agreed to perform the aforementioned reproductive health educator services for the Family Planning Clinics, for a total amount not to exceed \$44,560, which includes mileage and other approved work-related expenses, and

WHEREAS, this program is 100% funded through the Family Planning Grant, 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 Cornell Cooperative Extension-Cattaraugus County, for the provision of the above-described services, for a term commencing January 1, 2011 and terminating December 31, 2011, according to the above-described terms, and be it further

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

Approved by 7 members of the Finance Committee and 5 members of the Human Services Committee.

Adopted December 8, 2010 by voice vote.

ACT NO. 652-2010 by Mr. Neal and Mr. Snyder

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT
WITH CORNELL COOPERATIVE EXTENSION-CATTARAUGUS COUNTY
FOR HEALTH DEPARTMENT WATER RESOURCE SPECIALIST**

Pursuant to Sections 224 (8)(e) and 450 of the County Law.

WHEREAS, Act 717-2009 authorized a contract with Cornell Cooperative Extension-Cattaraugus County, 28 Parkside Drive, Ellicottville, New York 14731, for the provision of a Water Resource Specialist to coordinate the public water supply inspection, monitoring and surveillance program and ensure fulfillment of all NYS drinking water enhancement grant work plan deliverables, the term of which expires December 31, 2010, and

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

WHEREAS, Cornell Cooperative Extension-Cattaraugus County can provide a Water Resource Specialist to provide the aforementioned services for a total amount not to exceed \$55,800, which includes mileage and other approved work-related expenses, 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 a contract, on behalf of Cattaraugus County, with Cornell Cooperative Extension-Cattaraugus County, for the provision of the above-described services, for a term commencing January 1, 2011 and terminating December 31, 2011, according to the above-described terms.

Approved by 7 members of the Finance Committee and 5 members of the Human Services Committee.

Adopted December 8, 2010 by voice vote.

ACT NO. 653-2010 by Mr. Neal and Mr. Snyder

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT
WITH RONALD JOHNSON D/B/A UNDERWOOD MANOR FOR
DEPARTMENT OF HEALTH IN-HOME NURSING AND THERAPY SERVICES**

Pursuant to Section 450 of the County Law.

WHEREAS, Ronald Johnson d/b/a Underwood Manor, 4460 Union Hill Road, Hinsdale, New York 14743, has requested that the County Health Department provide in-home nursing and therapy services for its assisted living program residents, and

WHEREAS, the County Department of Health, through its Home Health Care Program can provide in-home nursing and therapy services for the

residents of the Underwood Manor assisted living program, at the New York State approved Medicaid rates for Cattaraugus County Certified Home Health Care 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 Ronald Johnson d/b/a Underwood Manor, for the provision of the above-described services, for a term commencing January 1, 2011 and terminating December 31, 2011, according to the above-described terms.

Approved by 7 members of the Finance Committee and 5 members of the Human Services Committee.

Adopted December 8, 2010 by voice vote.

ACT NO. 654-2010 by Mr. Neal and Mr. Snyder
and Mr. Aiello and Mr. Padlo¹

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT
WITH WILLCARE, INC. FOR HOME HEALTH CARE SERVICES**

Pursuant to Section 3602 of the Public Health Law and
Section 450 of the County Law.

WHEREAS, Act 51-2010 authorized the Chair to execute a contract with Willcare, Inc. for the provision of home health care services, the term of which expires December 31, 2010, and

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

WHEREAS, Willcare, Inc., Westgate Plaza, 700 West State Street, Olean, New York 14760, has agreed to provide home health care services to Cattaraugus County in accordance with the following rate limits and terms:

<u>Level of Care</u>	<u>2010 Rates**</u>	<u>2011 Rates**</u>
Home Attendant/Housekeeper (Personal Care 1)	\$18.37/hr.	\$18.55/hr.
Personal Care Aide (Personal Care 2)	\$18.84/hr.	\$19.03/hr.
Shared Aide -1/4 hour (Personal Care 1)	\$ 4.59/¼ hr.	\$ 4.64/¼ hr.
Shared Aide -1/4 hour (Personal Care 2)	\$ 4.71/¼ hr.	\$ 4.76/¼ hr.
Certified Home Health Aide	\$19.40/hr.	\$19.59/hr.
Registered Nurse (RN) (Health Dept)	\$37.30/hr.	\$37.30/hr.++
Registered Nurse (RN) (DSS)	\$26.00/hr.	\$26.00/hr.
Licensed Practical Nurse (LPN) (Health Dept)	\$26.25/hr.	\$26.25/hr.++
Licensed Practical Nurse (LPN) (DSS)	\$21.00/hr.	\$21.00/hr.
Nursing Supervision Visit	\$62.87/hr.	\$63.50/hr.

++Initial Visit which is less than, or equal to, 1 hour will be billed at 1 hour rate

**Actual base Medicaid rates as initially established by the State Department of Health to be billed, if lower than caps to all Departments. In addition to the base rate, any recruitment and retention add-on established by the State Department of Health shall be billed to the Department of Social Services only. Cattaraugus County Department of Health has applied for and receives recruitment and retention add-on funds.

Assumptions:

- In the event the initial Medicaid rates for 2011 as established by the State Department of Health exceed the County rate limits set forth above, the Contractor agrees to submit rate revision requests to the NYSDOH and request the rate(s) be lowered to comply with the Cattaraugus County rate limits set forth above.
- Rates billed to the Medicaid Management Information System (MMIS) for the DSS personal care program are subject to any limitations of the MMIS and will reflect the requirements of 18 NYCRR 505.14.
- At least 75% of the 2011 increase will be paid by Willcare, Inc., to its direct care staff for salaries and fringe benefits.,

and

WHEREAS, sufficient funds are included in the 2011 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 Willcare, Inc. for the provision of the above-described services for a term commencing January 1, 2011 and terminating December 31, 2011, 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 7 members of the Finance Committee, 5 members of the Human Services Committee and 5 members of the Senior Services Committee.

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

Adopted December 8, 2010 by voice vote.

ACT NO. 655-2010 by Mr. Neal and Mr. Snyder

**AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACTS
WITH VARIOUS ENTITIES FOR DEPARTMENT OF
SOCIAL SERVICES DAY CARE SERVICES**

Pursuant to Sections 410 and 410-a of the Social Services Law and Act 472-2010 of the Cattaraugus County Legislature.

WHEREAS, Act 675-2009 authorized contracts with various entities for the provision of Child Care Block Grant day care services to eligible recipients of Cattaraugus County, the terms of which expire December 31, 2010, and

WHEREAS, the County Department of Social Services is desirous of renewing the contracts for the provision of day care services to eligible recipients, in accordance with the following revised rate schedule:

CATTARAUGUS COUNTY- WEEKLY MARKET RATES

Effective October 1, 2007

Age of Child:	<u>Under 1½</u>	<u>1½ - 2</u>	<u>3 - 5</u>	<u>6 - 12</u>
DAY CARE CENTER				
Weekly	\$171.00	\$165.00	\$155.00	\$136.00
Daily	40.00	37.00	34.00	31.00
Part-Day	27.00	25.00	23.00	21.00
Hourly	5.44	5.06	5.25	5.23
SCHOOL AGE CHILD CARE				
Weekly	\$0	0	0	\$136.00
Daily	0	0	0	31.00
Part-Day	0	0	0	21.00
Hourly	0	0	0	5.23

****PLEASE NOTE**** The entity cannot charge the Department of Social Services at a higher rate than the entity charges non-DSS clients for the child care services the entity provides., and

WHEREAS, this program is 100% federally funded, now, therefore, be it

RESOLVED, that the County Administrator be, and hereby is, authorized and directed to execute contracts, on behalf of Cattaraugus County, with various entities for the provision of the above-described day care services, for a term commencing January 1, 2011 and terminating December 31, 2011, 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 7 members of the Finance Committee and 5 members of the Human Services Committee.

Adopted December 8, 2010 by voice vote.

ACT NO. 656-2010 by Mr. Neal and Mr. Snyder

**AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACTS WITH
VARIOUS ENTITIES FOR WHEELCHAIR AMBULETTE TRANSPORTATION SERVICES
FOR MEDICAID-ELIGIBLE RECIPIENTS**

Pursuant to 42 CFR Section 431.53, 18 NYCRR
Section 505.10, Section 365-a(2)(j) of the Social Services Law and
Act 472-2010 of the Cattaraugus County Legislature.

WHEREAS, Act 666-2009 authorized contracts with various entities for wheelchair ambulette transportation services for Medicaid-eligible recipients, the terms of which expire December 31, 2010, and

WHEREAS, the County Department of Social Services is mandated to continue the aforementioned wheelchair ambulette transportation services for Medicaid-eligible recipients, and

WHEREAS, the following various entities shall provide ambulette services (wheelchair transport):

Trans-Am Ambulance Service, Inc.
305 N. 8th Street
Olean, NY 14760

Carrier Coach, Inc.
271 Buffalo Street
Gowanda, NY 14070,

WCA Services, Inc.
207 Foote Avenue, P.O. Box 41
Jamestown, NY 14702,

and

WHEREAS, the above-described ambulette services shall be provided at the following rates:

Base One Way	\$ 36.00
Mileage (per loaded mile)	\$ 1.85
Attendant (prior approved-max.2 hours)	\$ 15.00/hour,

and

WHEREAS, in the event that, during any given quarter annual period of the term of the contract, the price of fuel rises by 25% or more above the price charged on November 1, 2005, as measured by the price for GAS REG as shown in the New York State Office of General Services Fuel Contract Pricing List, then during the following quarter annual period, commencing January 1, 2011, a surcharge of \$.05 per mile will be deemed added to the mileage charge in the preceding paragraph, and

WHEREAS, in the event that, during any given quarter annual period of the term of the contract, the price of fuel declines by 25% or more below the price charged on November 1, 2005, as measured by the price for GAS REG as shown in the New York State Office of General Services Fuel Contract Pricing List, then during the following quarter annual period, commencing January 1, 2011, the mileage charge paid to the entity in the preceding quarter shall be decreased by \$.05 cents per mile, and

WHEREAS, VMC, Inc., in its capacity as Mobility Manager for Cattaraugus County, will facilitate the scheduling and prior approval process for the aforementioned service, and

WHEREAS, this program is funded with 50% federal funds, 25% state funds and 25% county funds, now, therefore, be it

RESOLVED, that the County Administrator be, and hereby is, authorized and directed to execute contracts, on behalf of Cattaraugus County, with the above-listed various entities for the provision of the above-described services, for a term commencing January 1, 2011 and terminating December 31, 2011, 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 7 members of the Finance Committee and 5 members of the Human Services Committee.

Adopted December 8, 2010 by voice vote.

ACT NO. 657-2010 by Mr. Neal and Mr. Snyder

**AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACTS WITH
VARIOUS ENTITIES FOR ADVANCED LIFE SUPPORT INTERFACE SERVICES FOR
MEDICAID-ELIGIBLE RECIPIENTS**

Pursuant to 42 CFR Section 431.53, 18 NYCRR
Section 505.10, Section 365-a(2)(j) of the Social Services Law and
Act 472-2010 of the Cattaraugus County Legislature.

WHEREAS, Act 667-2009 authorized contracts with various entities for the provision of advanced life support interface services for Medicaid-eligible recipients, the terms of which expire December 31, 2010, and

WHEREAS, the Department of Social Services is desirous of contracting with the following entities for the provision of advanced life support interface services to medical assistance recipients for an amount of \$84.46 per interface trip:

Trans-Am Ambulance Service, Inc.
305 North 8th Street
Olean, New York 14760

WCA Services, Inc.
207 Foote Avenue, P.O. Box 41
Jamestown, New York 14702,

and

WHEREAS, this program is 50% federal, 25% state and 25% county funded, now, therefore, be it

WHEREAS, sufficient funds are included in the 2011 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 contracts, on behalf of Cattaraugus County, with various entities, for the provision of the above-described services, for a term commencing January 1, 2011 and terminating December 31, 2011, 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 7 members of the Finance Committee and 5 members of the Human Services Committee.

Adopted December 8, 2010 by voice vote.

ACT NO. 658-2010 by Mr. Neal and Mr. Snyder
and Mr. Aiello and Mr. Padlo¹

**AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACTS WITH
VARIOUS ENTITIES FOR NON-EMERGENT/EMERGENCY AMBULANCE
TRANSPORTATION SERVICES FOR MEDICAID-ELIGIBLE RECIPIENTS**

Pursuant to 42 CFR Section 431.53, 18 NYCRR
Section 505.10, Section 365-a(2)(j) of the Social Services Law and
Act 472-2010 of the Cattaraugus County Legislature.

WHEREAS, Act 665-2009 authorized contracts with various entities for the provision of non-emergent/emergency ambulance transportation services to medical assistance recipients of Cattaraugus County, the terms of which expire December 31, 2010, and

WHEREAS, the County Department of Social Services is required to provide non-emergent/emergency ambulance transportation services to medical assistance recipients of Cattaraugus County and is desirous of renewing the aforementioned contracts, and

WHEREAS, the following various entities shall provide non-emergent/emergency ambulance transportation services to medical assistance recipients:

City of Olean
Municipal Building
Olean, NY 14760

City of Salamanca
225 Wildwood Avenue
Salamanca, NY 14779

Trans-Am Ambulance Service, Inc.
305 N. 8th Street
Olean, NY 14760

WCA Services, Inc.
207 Foote Avenue, PO Box 41
Jamestown, NY 14702,

and

WHEREAS, the above-described non-emergent/emergency ambulance transportation services shall be provided at the following rates:

Basic Life Support	\$125.27
Advanced Life Support	\$176.43
Mileage (per loaded mile)	\$ 2.70
Oxygen (after 20 miles)	\$ 15.00

**NOTE - expenditures are based on utilization,
and

WHEREAS, in the event that, during any given quarter annual period of the term of the contract, the price of fuel rises by 25% or more above the price charged on November 1, 2005, as measured by the price for DIESEL REG as shown in the New York State Office of General Services Fuel Contract Pricing List, then during the following quarter annual period, commencing January 1, 2011, a surcharge of \$.05 per mile will be deemed added to the mileage charge in the preceding paragraph, and

WHEREAS, in the event that, during any given quarter annual period of the term of the contract, the price of fuel declines by 25% or more below the price charged on November 1, 2005, as measured by the price for DIESEL REG as shown in the New York State Office of General Services Fuel Contract Pricing List, then during the following quarter annual period, commencing January 1, 2011, the mileage charge paid to the entity in the preceding quarter shall be decreased by \$.05 cents per mile, and

WHEREAS, this program is 50% federal, 25% state and 25% county funded, now, therefore, be it

RESOLVED, that the County Administrator be, and hereby is, authorized and directed to execute contracts, on behalf of Cattaraugus County, with the above-listed various entities, for the provision of the above-described services, for a term commencing January 1, 2011 and terminating December 31, 2011, 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 7 members of the Finance Committee and 5 members of the Human Services Committee.

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

Adopted December 8, 2010 by voice vote.

ACT NO. 659-2010 by Mr. Neal and Mr. Snyder
and Mr. Aiello, Ms. Vickman and Mr. Padlo¹

**AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACT
WITH GREATER OLEAN, INC., FOR DEPARTMENT OF SOCIAL SERVICES
TANF ON-THE-JOB TRAINING SERVICES**

Pursuant to Public Law 104-1993 and Act 472-2010 of the
Cattaraugus County Legislature.

WHEREAS, Act 655-2009 authorized a contract with Greater Olean, Inc., for the provision of on-the-job training for TANF-eligible participants, the term of which expires December 31, 2010, and

WHEREAS, the County Department of Social Services is desirous of continuing the aforementioned on-the-job training for TANF-eligible participants, and

WHEREAS, Greater Olean, Inc., 120 North Union Street, Olean, New York 14760, has agreed to develop and manage on-the-job training for participants that are TANF-eligible for an amount not to exceed \$53,045, and

WHEREAS, this program is 100% federally funded, and

WHEREAS, sufficient funds are included in the 2011 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 Greater Olean, Inc., for a term commencing January 1, 2011 and terminating December 31, 2011, for the provision of the above-described services, 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 7 members of the Finance Committee and 5 members of the Human Services Committee.

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

Adopted December 8, 2010 by voice vote.

ACT NO. 660-2010 by Mr. Neal and Mr. Snyder
and Mr. Aiello, Ms. Vickman and Mr. Padlo¹

**AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACT WITH
PARENT EDUCATION PROGRAM, INC., FOR PROTECTIVE/PREVENTIVE
SERVICES FOR CHILDREN AT RISK OF PLACEMENT**

Pursuant to P.L. 96-272, 18 NYCRR Parts 405, 407 and 423,
Sections 409 and 409-b of the Social Services Law and
Act 472-2010 of the Cattaraugus County Legislature.

WHEREAS, Act 654-2009 authorized a contract with the Parent Education Program, Inc., 234 North Union Street, Olean, New York 14760, for the provision of "Families Together" and "Families First" services for families with children who may be placed in foster care, for an amount of \$61,062, the term of which expires December 31, 2010, and

WHEREAS, the County Department of Social Services is desirous of renewing the aforementioned contract and providing the following additional services:

- The Families Together Program will serve one (1) family at a time that is referred by the County, and

The Families First Program will provide in-home parenting skills and related services to approximately 15 Cattaraugus County families per month, and

WHEREAS, the Parent Education Program, Inc., has agreed to provide the above-described services for an amount of \$61,062, and

WHEREAS, this program is 62% state and 38% county funded, and

WHEREAS, sufficient funds are included in the 2011 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 the Parent Education Program, Inc., for the provision of the above-described services, for a term commencing January 1, 2011 and terminating December 31, 2011, 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 7 members of the Finance Committee and 5 members of the Human Services Committee.

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

Adopted December 8, 2010 by voice vote.

ACT NO. 661-2010 by Mr. Neal and Mr. Snyder
and Mr. Aiello and Mr. Padlo¹

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
CATHOLIC CHARITIES OF WESTERN NEW YORK FOR DEPARTMENT OF
SOCIAL SERVICES TANF FUNDING FOR PINS DIVERSION**

Pursuant to Public Law 104-193 and
Section 450 of the County Law.

WHEREAS, Act 123-2010 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, the term of which expires December 31, 2010, and

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

WHEREAS, Catholic Charities of Western New York has agreed to continue the provision of home-based services to 16 and 17 year olds for whom a PINS action has been initiated in an attempt to prevent detention and foster care placements, for a total amount up to \$191,500, and

WHEREAS, this program is 100% federally 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 Catholic Charities of Western New York for the provision of the above-described services, for a term commencing January 1, 2011 and terminating December 31, 2011, 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 7 members of the Finance Committee and 5 members of the Human Services Committee.

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

Adopted December 8, 2010 by voice vote.

ACT NO. 662-2010 by Mr. Neal and Mr. Snyder
and Mr. Aiello, Mr. McClune and Mr. Sprague¹

**AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACT
WITH CATTARAUGUS COMMUNITY ACTION, INC., FOR
RESIDENTIAL SERVICES FOR VICTIMS OF DOMESTIC VIOLENCE**

Pursuant to 18 NYCRR Parts 408 and 452.2(b),
Article 6-A of the Social Services Law and
Act 472-2010 of the Cattaraugus County Legislature.

WHEREAS, Act 657-2009 authorized a contract with Cattaraugus Community Action, Inc., 25 Jefferson Street, P.O. Box 308, Salamanca, New York 14779, for the provision of necessary and available approved residential services to victims of domestic violence, the term of which expires December 31, 2010, and

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

WHEREAS, Cattaraugus Community Action, Inc., has agreed to administer the aforementioned program at a cost of \$69.77 per person per day, or at the 2011 rate as set by the New York State Office of Children and Family Services, and

WHEREAS, this program is 50% federal, 25% state and 25% county funded, 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 Cattaraugus Community Action, Inc., for the administration of the above-described program, for a term commencing January 1, 2011 and terminating December 31, 2011, according to the above-described terms, and be it further

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

Approved by 7 members of the Finance Committee and 5 members of the Human Services Committee.

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

Adopted December 8, 2010 by voice vote.

ACT NO. 663-2010 by Mr. Neal and Mr. Snyder
and Mr. McClune¹

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
CATTARAUGUS COMMUNITY ACTION, INC. FOR
DEPARTMENT OF SOCIAL SERVICES
SUPERVISED VISITATION AND EXCHANGE PROGRAM**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 101-2010 authorized a contract with Cattaraugus Community Action, Inc., 25 Jefferson Street, Salamanca, New York 14779, for the provision of a supervised visitation and exchange program, the term of which expires December 31, 2010, and

WHEREAS, the County Department of Social Services is desirous of continuing the above-described program, and

WHEREAS, Cattaraugus Community Action, Inc., has agreed to provide two (2) locations, one in Olean and one in Salamanca, for supervised visitation or exchange to take place for an amount not to exceed \$55,000, and

WHEREAS, this program is 100% federally 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 Cattaraugus Community Action, Inc., for the provision of the above-described services, for a term commencing January 1, 2011 and terminating December 31, 2011, 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 7 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. McClune".

Adopted December 8, 2010 by voice vote.

ACT NO. 664-2010 by Mr. Neal and Mr. Snyder
and Mr. McClune¹

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
CENTER FOR FAMILY UNITY, INC.
FOR POP-IN VISITATION FOR AT-RISK CHILDREN**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 491-2009 authorized a contract with the Center for Family Unity, Inc., 4039 Route 219, Salamanca, New York 14779, for the provision of pop-in visitation services for at-risk children, the term of which expires December 31, 2010, and

WHEREAS, the County Department of Social Services is desirous of continuing the aforementioned visitation services for families with at-risk children during non-traditional work hours, including evenings and weekends, and

WHEREAS, the Center for Family Unity, Inc., can provide both planned and unplanned visits to families working with the Cattaraugus County Child Welfare Unit for an amount not to exceed \$27,000, and

WHEREAS, this program is 100% federally funded through the flexible fund for family 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 Center for Family Unity, Inc., for the provision of the above-described services, for a term commencing January 1, 2011 and terminating December 31, 2011, 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 7 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. McClune".

Adopted December 8, 2010 by voice vote.

NO. 665-2010 by Mr. Neal and Mr. Snyder
and Mr. McClune¹

**AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACT WITH
CENTER FOR FAMILY UNITY, INC., FOR CHILD ABUSE
SERVICES FOR DEPARTMENT OF SOCIAL SERVICES**

Pursuant to 42 USCS 1397, 18 NYCRR Parts 405, 407 and 423,
Article 6, Title 1 of the Social Services Law and
Act 472-2010 of the Cattaraugus County Legislature.

WHEREAS, Act 670-2009 authorized a contract with the Center for Family Unity, Inc., 4039 Route 219, Salamanca, New York 14779, in cooperation with the National Exchange Club Foundation for the Prevention of Child Abuse, for the provision of a Child Abuse Prevention Program, the term of which expires December 31, 2010, and

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

WHEREAS, the Center for Family Unity, Inc., proposes to provide parent aid services, nurturing services and parent education programs for an amount not to exceed \$41,163, plus \$24 per hour for supervised visitation, and

WHEREAS, this program is 62% federal and state and 38% county funded, and

WHEREAS, sufficient funds are included in the 2011 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 the Center for Family Unity, Inc., for the provision of the above-described services, for a term commencing January 1, 2011 and terminating December 31, 2011, according to the above-described terms, and be it further

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

Approved by 7 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. McClune".

Adopted December 8, 2010 by voice vote.

ACT NO. 666-2010 by Mr. Neal and Mr. Snyder

**AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACT WITH
AIMEE JOZWIAK FOR FOSTER PARENT TRAINING SERVICES**

Pursuant to 18 NYCRR Parts 386 and 443 and
Act 472-2010 of the Cattaraugus County Legislature.

WHEREAS, Act 674-2009 authorized a contract with Aimee Jozwiak, 917 Route 446, Hinsdale, New York 14743, for foster parent training services, the term of which expires December 31, 2010, and

WHEREAS, the Department of Social Services is desirous of continuing the aforementioned foster parent training services, and

WHEREAS, Aimee Jozwiak can provide the aforementioned foster parent training services for an amount of \$1,000 per ten (1) meeting session for two (2) sessions, plus mileage at the County rate in effect at the time services are rendered not to exceed \$200, for a total program cost, including mileage, not to exceed \$2,200, and

WHEREAS, this program is 62% state and 38% County funded, and

WHEREAS, sufficient funds are included in the 2011 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 Aimee Jozwiak for the provision of the above-described foster parent training services for a term commencing January 1, 2011 and terminating December 31, 2011, 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 7 members of the Finance Committee and 5 members of the Human Services Committee.

Adopted December 8, 2010 by voice vote.

ACT NO. 667-2010 by Mr. Neal and Mr. Snyder
and Mr. Aiello and Mr. Padlo¹

**AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACT WITH
OLEAN MEDICAL GROUP, LLP FOR DEPARTMENT OF
SOCIAL SERVICES EMPLOYMENT UNIT PHYSICALS**

Pursuant to 29 USCS 1604 and Act 472-2010 of the
Cattaraugus County Legislature.

WHEREAS, Act 671-2009 authorized a contract with the Olean Medical Group, LLP, 533 Main Street, Olean, New York 14760, for the provision of employment unit physicals for applicants/recipients of temporary assistance, the term of which expires December 31, 2010, and

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

WHEREAS, the Olean Medical Group, LLP, has agreed to provide employment unit physicals for the County Department of Social Services employment program in accordance with the following fee schedule:

Office Visit Level 1 (minimal)	\$ 28.00
Office Visit Level 2 (problem focus)	\$ 42.25
Office Visit Level 3 (expanded problem)	\$ 58.50
Office Visit Level 4 (detail-moderate)	\$ 82.00
Office Visit Level 5 (comprehensive-high)	\$131.00

**Charges for specific tests are as recommended by the
physician and approved on a case-by-case basis by
the chief social welfare examiner for the employment unit,

and

WHEREAS, sufficient funds are included in the 2011 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 the Olean Medical Group, LLP, for the provision of the above-described services, for a term commencing January 1, 2011 and terminating December 31, 2011, 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 7 members of the Finance Committee and 5 members of the Human Services Committee.

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

Adopted December 8, 2010 by voice vote.

ACT NO. 668-2010 by Mr. Neal and Mr. Snyder

**AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACT WITH
CATTARAUGUS REHABILITATION CENTER, INC. FOR DEPARTMENT OF
SOCIAL SERVICES EMPLOYMENT PROGRAM FOR HARD-TO-PLACE RECIPIENTS**

Pursuant to Section 158 of the Social Services Law, 18 NYCRR Section 387.13(n) and Act 472-2010 of the Cattaraugus County Legislature.

WHEREAS, Act 656-2009 authorized a contract with Cattaraugus Rehabilitation Center, Inc., through The Employment Connection, for the provision of employment services for hard-to-place/serve recipients with significant barriers to obtain long-term independence, the term of which expires December 31, 2010, and

WHEREAS, the Department of Social Services has been awarded funding in the amount of \$70,000, for the provision of the above-described employment program, and

WHEREAS, The Employment Connection, a division of the Cattaraugus Rehabilitation Center, Inc., 1439 Buffalo Street, Olean, New York 14760, shall provide the aforementioned services to hard-to-place/serve recipients for an amount not to exceed \$70,000, and

WHEREAS, this program is 100% federally funded through the Flexible Fund for Family 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 the Cattaraugus Rehabilitation Center, Inc., for the provision of the aforementioned services, for a term commencing January 1, 2011 and terminating December 31, 2011, 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 7 members of the Finance Committee and 5 members of the Human Services Committee.

Adopted December 8, 2010 by voice vote. Mr. Padlo absent for vote.

ACT NO. 669-2010 by Mr. Neal and Mr. Snyder

**AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACT WITH
GREATER BUFFALO CHAPTER OF THE AMERICAN RED CROSS FOR
EMERGENCY DISASTER ASSISTANCE**

Pursuant to P.L. 93-288, 36 USCS 2 and
Act 472-2010 of the Cattaraugus County Legislature.

WHEREAS, Act 664-2009 authorized a contract with the Greater Buffalo Chapter of the American Red Cross for the provision of such care, assistance and treatment that may be necessary to assure that persons are maintained in, or restored to, their domicile(s) with sufficient food and clothing to meet their needs pursuant to the New York State Social Services Law, which includes the responsibility for emergency assistance to recipients of public assistance, if made necessary as a result of disaster, the term of which expires December 31, 2010, and

WHEREAS, the parties are desirous of continuing the provision of the aforementioned services, and

WHEREAS, the Greater Buffalo Chapter of the American Red Cross has agreed to continue providing the aforementioned emergency assistance, and

WHEREAS, the County Department of Social Services is responsible for the payment of emergency needs only, as follows:

Clothing:

Birth to 5 years	\$48.00 per individual
6 to 11 years	\$73.00 per individual
12 years to Adult	\$89.00 per individual

Food:

An allowance of \$10.00 per day per individual up to a maximum of 3 days

Shelter:

Shelter provided for a maximum of 3 days at reasonable cost,

and

WHEREAS, it is economically and organizationally feasible for the County to contract with the Greater Buffalo Chapter of the American Red Cross for the provision of this assistance, and

WHEREAS, this program is 50% federal, 25% state and 25% county funded, and

WHEREAS, sufficient funds are included in the 2011 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 the Greater Buffalo Chapter of the American Red Cross for the provision of the above-described emergency disaster assistance for a term commencing January 1, 2011 and terminating December 31, 2011, 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 7 members of the Finance Committee, 5 members of the Human Services Committee and 7 members of the Public Safety Committee.

Adopted December 8, 2010 by voice vote.

ACT NO. 670-2010 by Mr. Neal and Mr. Snyder

**AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACT WITH
COMMUNITY CARE OF WESTERN NEW YORK, INC. FOR ASSISTED
TRANSPORTATION SERVICES FOR MEDICAID RECIPIENTS**

Pursuant to 42 CFR Section 431.53, 18 NYCRR
Section 505.10, Section 365-a(2)(j) of the Social Services
Law and Act 472-2010 of the Cattaraugus County Legislature.

WHEREAS, Act 662-2009 authorized a contract with Community Care of Western New York, Inc., 1225 West State Street, Olean, New York 14760, for the provision of assisted transportation services for Medicaid recipients, the term of which expires December 31, 2010, and

WHEREAS, the County Department of Social Services is mandated to provide assisted transportation services for Medicaid recipients, and

WHEREAS, Community Care of Western New York, Inc., has agreed to provide assisted transportation services at the following rates:

Transport Car - base rate	\$25.43 per one-way trip
Transport Car - mileage	\$ 1.42 per loaded mile
Transport Wheelchair Van - base rate	\$27.97 per one-way trip
Transport Wheelchair Van - mileage	\$ 1.54 per loaded mile
No mileage charged for services provided solely within the city limits of the City of Olean,	

and

WHEREAS, this program is 50% federal, 25% state and 25% county funded, and

WHEREAS, sufficient funds are included in the 2011 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 Community Care of Western New York, Inc., for the provision of the above-described services, for a term commencing January 1, 2011 and terminating December 31, 2011, 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 7 members of the Finance Committee and 5 members of the Human Services Committee.

Adopted December 8, 2010 by voice vote.

ACT NO. 671-2010 by Mr. Neal and Mr. Snyder

**AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACTS WITH
VARIOUS ENTITIES FOR DEPARTMENT OF SOCIAL SERVICES
SKILLED NURSING IN-HOME CARE SERVICES**

Pursuant to Section 3612 of the Public Health Law,
18 NYCRR Part 505, Section 636-a of the Executive Law, and
Act 472-2010 of the Cattaraugus County Legislature.

WHEREAS, Act 661-2009 authorized contracts with Pediatric Home Care Services, Inc., 2829 Sheridan Drive, Tonawanda, New York 14150, and Aurora Home Care, Inc., 3527 Harlem Road, Cheektowaga, New York 14225, for the provision of mandated skilled nursing in-home care services for eligible residents of Cattaraugus County, when such services are medically necessary and ordered by a physician, the terms of which expire December 31, 2010, and

WHEREAS, the County Department of Social Services is desirous of continuing the above-described services, and

WHEREAS, Pediatric Home Care Services, Inc., and Aurora Home Care, Inc., have agreed to provide skilled nursing in-home care services in accordance with the following rate schedule, which is the same as the 2010 rate schedule:

<u>Skilled Nursing Service</u>	<u>Rates/Care Hour</u>
Licensed Practical Nurse	\$21.00
Licensed Practical Nurse (Premium)	\$24.00

Registered Nurse (Premium) \$28.00,
and

WHEREAS, this program is 50% federal, 25% state and 25% county funded, and

WHEREAS, sufficient funds are included in the 2011 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 contracts, on behalf of Cattaraugus County, with Pediatric Home Care Services, Inc., and Aurora Home Care, Inc., for the provision of the above-described services, for a term commencing January 1, 2011 and terminating December 31, 2011, 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 7 members of the Finance Committee and 5 members of the Human Services Committee.

Adopted December 8, 2010 by voice vote.

ACT NO. 672-2010 by Mr. Neal and Mr. Snyder

**AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACT WITH
ENRIQUE BARRERA FOR SPANISH INTERPRETER SERVICES**

Pursuant to 14 NYCRR Section 527.4 (a), (b) and (c) and
Act 472-2010 of the Cattaraugus County Legislature.

WHEREAS, Act 663-2009 authorized a contract with Enrique Barrera for Spanish interpreter services for various County departments, the term of which expires December 31, 2010, and

WHEREAS, County departments are desirous of continuing the aforementioned services, and

WHEREAS, Enrique Barrera, 6750 Poverty Hill Road, Ellicottville, New York 14731, shall provide Spanish interpreter services at a rate not to exceed \$36 per hour, plus mileage at the County rate in effect at the time services are rendered, and

WHEREAS, this service may be paid through various funding streams ranging from 100% federal funds, down to 30% federal funds, 29% state funds, 36% county funds and 5% local funds, and

WHEREAS, sufficient funds are included in the 2011 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 Enrique Barrera, for the provision of the above-described Spanish interpreter services, for a term commencing January 1, 2011 and terminating December 31, 2011, 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 7 members of the Finance Committee and 5 members of the Human Services Committee.

Adopted December 8, 2010 by voice vote.

ACT NO. 673-2010 by Mr. Neal and Mr. Snyder

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
BERKSHIRE FARMS CENTER AND SERVICE FOR YOUTH, INC. FOR
DEPARTMENT OF SOCIAL SERVICES TRUANCY PREVENTION PROGRAM**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 672-2009 authorized a contract with Berkshire Farms Center and Service for Youth, Inc., for the provision of a home-based truancy prevention program, the term of which expires December 31, 2010, and

WHEREAS, the County Department of Social Services is desirous of continuing the aforementioned truancy prevention program in Cattaraugus County, and

WHEREAS, Berkshire Farms Center and Service for Youth, Inc., 845 Central Avenue, Albany, New York 12206, has agreed to conduct an attendance support plan in partnership with the County Department of Social Services for an amount not to exceed \$221,069, as follows:

Target Population:

- Elementary Grades 3-8 with flexibility if attendance problems are identified earlier or later

Overarching Goals:

- Reduction in truancy rates
- Improved academic success and achievement
- Strengthening family systems that support positive relationships with schools and improve for families the value of education

Key Solution Factors:

- Collaboration with schools, DSS, families and other agencies
- Early intervention and parental involvement/accountability
- Systemic and individualized approach to root causes of truancy

Strategies:

- Early parental notification
- Attendance expectations are made clear to students and parents before school year begins
- Prompt parental/child intervention that includes individualized goal setting
- Clear and enforceable sanctions and incentives are in place,

and

WHEREAS, this program is 100% federally 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 Berkshire Farms Center and Service for Youth, Inc., for the provision of the above-described services, for a term commencing January 1, 2011 and terminating December 31, 2011, 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 7 members of the Finance Committee and 5 members of the Human Services Committee.

Adopted December 8, 2010 by voice vote.

ACT NO. 674-2010 by Mr. Neal and Mr. Snyder

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
THE BONADIO GROUP FOR ACCOUNTING SERVICES FOR
DEPARTMENT OF SOCIAL SERVICES CLIENT ACCOUNTS**

Pursuant to Public Law 104-193 and
Section 450 of the County Law.

WHEREAS, Act 659-2009 authorized a contract with The Bonadio Group, 171 Sully's Trail, Pittsford, New York 14534, for the provision of accounting services for the Department of Social Services client accounts, the term of which expires December 31, 2010, and

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

WHEREAS, The Bonadio Group can provide the necessary accounting services for an amount of \$150 per hour, with no travel time or mileage paid, and

WHEREAS, the above-described services are 100% 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 Bonadio Group for the provision of the above-described services, for a term commencing January 1, 2011 and terminating December 31, 2011, 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 7 members of the Finance Committee and 5 members of the Human Services Committee.

Adopted December 8, 2010 by voice vote.

ACT NO. 675-2010 by Mr. Neal and Mr. Snyder
and Mr. Aiello, Ms. Vickman and Mr. Padlo¹

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
SOUTHERN TIER HEALTH CARE SYSTEM, INC. FOR CHILD PROTECTION
SERVICES THROUGH SOUTHERN TIER CHILD ADVOCACY CENTER**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 669-2009 authorized a contract with Southern Tier Health Care System, Inc., One Blue Bird Square, Olean, New York 14760, for

the provision of the examinations and interviews for open child protection cases, the term of which expires December 31, 2010, and

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

WHEREAS, the Southern Tier Health Care System, Inc., through its Southern Tier Child Advocacy Center, can conduct the aforementioned examinations and interviews for an amount of \$15,000, to be paid on a monthly basis, and

WHEREAS, this program is 62% state and 38% county funded, and

WHEREAS, sufficient funds are included in the 2011 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 Southern Tier Health Care System, Inc., for the provision of services through its Southern Tier Child Advocacy Center, for a term commencing January 1, 2011 and terminating December 31, 2011, 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 7 members of the Finance Committee and 5 members of the Human Services Committee.

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

Adopted December 8, 2010 by voice vote.

ACT NO. 676-2010 by Mr. Neal and Mr. Snyder
and Mr. Aiello and Mr. Padlo¹

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
JAMESTOWN COMMUNITY COLLEGE FOR TRAINING COORDINATOR SERVICES**

Pursuant to Section 112 of the Social Services Law and
Section 450 of the County Law.

WHEREAS, Act 652-2009 authorized a contract with Jamestown Community College, P.O. Box 5901, Olean, New York 14760-5901, for an employee education and training program, the term of which expires December 31, 2010, and

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

WHEREAS, Jamestown Community College has agreed to provide a full-time training coordinator who will provide the above-described staff development services to employees of the Cattaraugus County Department of Social Services, and

WHEREAS, the maximum amount for 2011 is \$82,428.15, of which \$57,699.71 is charged to the Cattaraugus County Department of Social Services, and

WHEREAS, this program is 100% reimbursable through state and federal funds, 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 Jamestown Community College, for the provision of the above-

described employee education program, for a term commencing January 1, 2011 and terminating December 31, 2011, 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 7 members of the Finance Committee and 5 members of the Human Services Committee.

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

Adopted December 8, 2010 by voice vote.

ACT NO. 677-2010 by Mr. Neal and Mr. Snyder
and Mr. Aiello¹

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
CORNELL COOPERATIVE EXTENSION-CATTARAUGUS COUNTY FOR
FOOD STAMP NUTRITIONAL EDUCATION PROGRAM**

Pursuant to 7 CFR Part 227 and Section 450 of the County Law.

WHEREAS, Act 676-2009 authorized a contract with Cornell Cooperative Extension-Cattaraugus County, 28 Parkside Drive, Suite A, Ellicottville, New York 14731, for the provision of the Food Stamp Nutrition Educational Program, the term of which expired September 30, 2010, and

WHEREAS, the Food Stamp Nutritional Education Program is designed to target food stamp applicants and recipients, including: individuals, senior citizens, sheltered workshops participants, homeless individuals and youth at risk in Cattaraugus County, and

WHEREAS, the purpose of the aforementioned program is for participants to acquire knowledge, skills and desired practices which contribute to the health and well-being of themselves and/or their families, and

WHEREAS, Cornell Cooperative Extension-Cattaraugus County has again agreed to implement the aforementioned programs for an amount of \$607,136, consisting of \$303,568 local share and \$303,568 federal share, and

WHEREAS, this program is partially federally funded, with the remainder being donated services by Cornell Cooperative Extension-Cattaraugus 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 Cornell Cooperative Extension-Cattaraugus County, for the provision of the above-described Food Stamp Nutritional Education Program, for a term commencing October 1, 2010 and terminating September 30, 2011, 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 automatically abolished.

Approved by 7 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. Aiello".

Adopted December 8, 2010 by voice vote.

ACT NO. 678-2010 by Mr. Neal and Mr. Snyder

**AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACTS WITH
VARIOUS ENTITIES FOR DEPARTMENT OF SOCIAL SERVICES
MEDICAL AND TESTING SERVICES FOR CHILD PROTECTIVE SERVICES**

Pursuant to 45 CFR Parts 74 and 92 and
Act 472-2010 of the Cattaraugus County Legislature.

WHEREAS, Act 673-2009 authorized contracts with various entities for the provision of medical and testing services for persons needing evaluations, the terms of which expire December 31, 2010, and

WHEREAS, the County Department of Social Services is desirous of renewing the aforementioned contracts, and

WHEREAS, the following various entities can provide medical and testing services for persons needing evaluations in accordance with the following rate schedules:

<u>Company</u>	<u>Test</u>	<u>Rates</u>
Cattaraugus County Council on Alcoholism and Substance Abuse, Inc. 201 South Union Street Olean, New York 14760	- 5 Panel Urine Drug Screen with Collection-Active Client	\$ 35.00
	- 5 Panel Urine Drug Screen with Collection-Non-Active Client	\$ 60.00
	- Psychological Evaluations (2 sessions) Cost per session	\$ 77.00
Occupational Health Services, Inc. 187 Center Street Salamanca, New York 14779	- Drug Screen (results within 48-72 hours)	\$ 50.00
	- Breathalyzer/Alcohol Testing	\$ 20.00
	- Drug Test (Hair)	\$145.00
	- Drug Test (Saliva)	\$105.00
Olean General Hospital 515 Main Street P.O. Box 728 Olean, New York 14760	- Urine Drug Screen Confirmation for Positive Results with Medical Review Officer Present	\$ 90.00 (1 drug) \$130.00 (2 drugs) \$175.00 (3 drugs)
	- Pre-Employment History & Physical	\$ 75.00
	- 10 Panel Urine Drug Collection & Screen	\$ 85.00
	- Breath Alcohol Screen	\$ 30.00
	- Breath Alcohol Confirmation	\$ 27.00
	- Professional Panel Urine Drug Collection and Screen	\$ 90.00
	- Hair Collection and Screen	\$ 90.00

and

WHEREAS, this program is 62% state and 38% county funded, now, therefore, be it

RESOLVED, that the County Administrator be, and hereby is, authorized and directed to execute contracts, on behalf of Cattaraugus County, with the above-listed various entities for the provision of the

above-described services, for a term commencing January 1, 2011 and terminating December 31, 2011, 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 7 members of the Finance Committee and 5 members of the Human Services Committee.

Adopted December 8, 2010 by voice vote.

ACT NO. 679-2010 by Mr. Snyder

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
RONALD JOHNSON D/B/A UNDERWOOD MANOR FOR
DEPARTMENT OF SOCIAL SERVICES ASSISTED LIVING PROGRAM**

Pursuant to 42 CFR §431.53, 18 NYCRR §505.10, Section 365-a (2)(j) of the Social Services Law and Section 450 of the County Law.

WHEREAS, the County Department of Social Services is desirous of obtaining an assisted living program for medical assistance recipients of Cattaraugus County, and

WHEREAS, Ronald Johnson d/b/a Underwood Manor, 4460 Union Hill Road, Hinsdale, New York 14743, can provide assisted living program services to medical assistance recipients referred by the County Department of Social Services, at no cost to the County, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Ronald Johnson d/b/a Underwood Manor, for the provision of the above-described services, for a term commencing January 1, 2011 and terminating December 31, 2011, according to the above-described terms.

Approved by 7 members of the Finance Committee and 5 members of the Human Services Committee.

Adopted December 8, 2010 by voice vote.

ACT NO. 680-2010 by Mr. Aiello and Mr. Snyder

**AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACT
WITH CATTARAUGUS COMMUNITY ACTION, INC., FOR
NON-RESIDENTIAL SERVICES FOR VICTIMS OF DOMESTIC VIOLENCE**

Pursuant to 18 NYCRR Parts 408 and 452.2(b), Article 6-A of the Social Services Law, and Act 472-2010 of the Cattaraugus County Legislature.

WHEREAS, Act 658-2009 authorized a contract with Cattaraugus Community Action, Inc., 25 Jefferson Street, P.O. Box 308, Salamanca, New York 14779, for the provision of mandated approved non-residential services

to victims of domestic violence, the term of which expires December 31, 2010, and

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

WHEREAS, Cattaraugus Community Action, Inc., has agreed to administer the aforementioned program at a cost not to exceed \$50,000, and

WHEREAS, this program is 100% federally funded, 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 Cattaraugus Community Action, Inc., for the administration of the above-described program, for a term commencing January 1, 2011 and terminating December 31, 2011, 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 7 members of the Finance Committee and 5 members of the Human Services Committee.

Adopted December 8, 2010 by voice vote.

ACT NO. 681-2010 by Mr. Murphy and Mr. Teachman
and Mr. Aiello, Mr. Neal and Mr. Padlo¹

**AUTHORIZING THE CHAIR TO EXECUTE GRANT DOCUMENTS WITH
NEW YORK STATE OFFICE OF HOMELAND SECURITY FOR
STATE HOMELAND SECURITY PROGRAM GRANT**

Pursuant to Public Law 107-56, Department of Homeland Security
Appropriations Act of 2005, Public Law 108-334 and
Section 450 of the County Law.

WHEREAS, Act 522-2009 authorized the Chair to execute grant documents with the New York State Office of Homeland Security for the State Homeland Security Program grant, and

WHEREAS, the County of Cattaraugus has been awarded a grant in the amount of \$286,000 through the New York State Office of Homeland Security for the aforementioned State Homeland Security Program that must be allocated as follows:

- Cattaraugus County Office of Emergency Services - A Homeland Security Program contract in the amount of \$182,323 will be initiated to provide funds to support the implementation of the State Homeland Security Strategy and address the identified planning, equipment, training and exercise needs for acts of terrorism and other catastrophic events;
- Cattaraugus County Sheriff's Office - A Law Enforcement Prevention Program contract in the amount of \$79,823 will be initiated to provide funds for the law enforcement community to support terrorism prevention and preparedness efforts;
- Cattaraugus County Health Department - A Local Health Department Program contract in the amount of \$23,854 will be initiated to provide funds for the local health departments to support their health emergency preparedness efforts,

and

WHEREAS, grant documents must be executed in order to receive the aforementioned funding, and

WHEREAS, this program is 100% federally funded, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute grant documents, on behalf of Cattaraugus County, with the New York State Office of Homeland Security, in order to receive the above-described grant funding, according to the above-described terms.

Approved by 7 members of the Finance Committee, 5 members of the Human Services Committee and 7 members of the Public Safety Committee.

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

Adopted December 8, 2010 by voice vote.

ACT NO. 682-2010 by Mr. Murphy
and Mr. Neal¹

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
MOTOROLA, INC. FOR
E911 TECHNICAL SUPPORT AND MONITORING SERVICES**

Pursuant to Sections 308 and 450 of the County Law.

WHEREAS, the Sheriff's Office is in need of on-site and remote technical support, service and monitoring services for the E911 telephone system, and

WHEREAS, Motorola, Inc., 1307 East Algonquin Road, Schaumburg, Illinois 60196, can provide the aforementioned services for an amount of \$52,077.12, and

WHEREAS, sufficient funds are included in the 2011 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 Motorola, Inc., for the provision of the above-described services, for a term commencing January 1, 2011 and terminating December 31, 2011, according to the above-described terms.

Approved by 7 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. Neal".

Adopted December 8, 2010 by voice vote.

ACT NO. 683-2010 by Mr. Murphy

**AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACT WITH
SARAH BARTZ SMITH FOR TONSORIAL SERVICES FOR COUNTY JAIL**

Pursuant to 9 NYCRR Part 7005 and
Act 472-2010 of the Cattaraugus County Legislature.

WHEREAS, Act 751-2009 authorized a contract with Sarah Bartz Smith, 6209 Valley Drive, Great Valley, New York 14741, for the provision of tonsorial services for the inmates of the County Jail at the rate of \$9.00 per head, the term of which expires December 31, 2010, and

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

WHEREAS, Sarah Bartz Smith has agreed to provide the aforementioned services at a rate of \$9.00 per head, and

WHEREAS, sufficient funds are included in the 2011 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 Sarah Bartz Smith, for the provision of the aforementioned services, for a term commencing January 1, 2011 and terminating December 31, 2011, according to the above-described terms.

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

Adopted December 8, 2010 by voice vote.

ACT NO. 684-2010 by Mr. Murphy
and Mr. Aiello¹

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
CATTARAUGUS COUNTY AGRICULTURAL SOCIETY, INC. FOR
SHERIFF'S DEPARTMENT SECURITY SERVICES AND SPACE RENTAL**

Pursuant to Sections 215, 450 and 650 of the County Law.

WHEREAS, Act 752-2009 authorized the Chair to execute a contract with the Cattaraugus County Agricultural Society, Inc., P.O. Box 182, Little Valley, New York 14755, for the provision of security services at various events at the County Fairgrounds, including the annual Cattaraugus County Fair, the term of which expires December 31, 2010, and

WHEREAS, it is proposed that the Cattaraugus County Sheriff provide security services at the Cattaraugus County Fairgrounds during the 2011 year, and

WHEREAS, the Agricultural Society will reimburse the County on an hourly basis for the provision of these services, except for the first \$500 in services to be provided by the Sheriff's Office in 2011, and

WHEREAS, the Agricultural Society will charge the County the following rental costs:

Tourism Booths	\$400
Emergency Services Booths	\$400
Health Department Booths	\$400
Stop DWI Space	\$600

Storage	\$200/boat
Civil Service	\$100/testing day,

and

WHEREAS, sufficient funds are included in the 2011 budget to cover the costs of the aforementioned services, now, therefore, be it

RESOLVED, the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with the Cattaraugus County Agricultural Society, Inc., for the rental of the above-described space, for a term commencing January 1, 2011 and terminating December 31, 2011, according to the above-described terms.

Approved by 7 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 December 8, 2010 by voice vote.

ACT NO. 685-2010 by Mr. Murphy
and Mr. Aiello, Mr. Teachman and Mr. Padlo¹

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
CRAIG ZUCKERMAN FOR SHERIFF'S OFFICE
PRE-EMPLOYMENT PSYCHOLOGICAL SCREENING SERVICES**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 56-2010 authorized a contract with Craig Zuckerman, D.Ed., Licensed Psychologist, 784 Main Street, Olean, New York 14760, for the provision of pre-employment psychological evaluations of prospective employees of the Sheriff's Office, the term of which expires December 31, 2010, and

WHEREAS, the Sheriff's Office is desirous of continuing the aforementioned services, and

WHEREAS, Craig Zuckerman, D.Ed., Licensed Psychologist, 784 Main Street, Olean, New York 14760, has agreed to provide pre-employment psychological evaluations of prospective employees using the enhanced 16PF, and the Protective Services Report, plus as the basis for written reports and recommendations, for an amount of \$125 per report, and

WHEREAS, sufficient funds are included in the 2011 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 Craig Zuckerman, for the provision of the above-described services, for a term commencing January 1, 2011 and terminating December 31, 2011, 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 7 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. Teachman and Mr. Padlo".

Adopted December 8, 2010 by voice vote.

ACT NO. 686-2010 by Mr. Murphy

**AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACT WITH
OLEAN MEDICAL GROUP, LLP FOR JAIL PHYSICIAN SERVICES**

Pursuant to Section 501 of the Correction Law,
9 NYCRR Part 7010 and Act 472-2010 of the
Cattaraugus County Legislature.

WHEREAS, Act 755-2009 authorized a contract with the Olean Medical Group, LLP, 535 Main Street, Olean, New York 14760, for the provision of jail physician services at the rate of \$160 per hour, including mileage, the term of which expires December 31, 2010, and

WHEREAS, the County Sheriff's Office is desirous of continuing the aforementioned services, and

WHEREAS, the Olean Medical Group, LLP, can provide the aforementioned jail physician services at the rate of \$160 per hour, including mileage, for the year 2011, and

WHEREAS, sufficient funds are included in the 2011 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 Olean Medical Group, LLP, for the provision of the above-described services, for a term commencing January 1, 2011 and terminating December 31, 2011, according to the above-described terms.

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

Adopted December 8, 2010 by voice vote.

ACT NO. 687-2010 by Mr. Murphy

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
NEW WORLD SYSTEMS FOR SHERIFF'S OFFICE SOFTWARE MAINTENANCE**

Pursuant to Sections 450 and 650 of the County Law.

WHEREAS, Act 667-2007 authorized a contract with New World Systems for the provision of maintenance support services for the Sheriff's Office New World Systems standard software packages, the term of which expires December 31, 2010, and

WHEREAS, the Sheriff's Office is desirous of renewing the aforementioned maintenance support services for a term of three years, and

WHEREAS, New World Systems, 888 West Big Beaver, Suite 1100, Troy, Michigan 48084, can provide the aforementioned maintenance support services for the licensed standard software packages installed in the Sheriff's Office, for an amount as follows:

1/1/2011 to 12/31/2011	\$103,669.00
1/1/2012 to 12/31/2012	\$111,963.00

1/1/2013 to 12/31/2013

\$120,920.00,

and

WHEREAS, the licensed standard software packages installed in the Sheriff's Office are as follows:

<u>Application Package</u>	<u>Number of Modules</u>
1. Aegis - Computer Aided Dispatch Software	17
2. Aegis - Law Enforcement Records Software	20
3. Aegis - Public Safety Interface Software	5
4. Aegis - Corrections Management Software	2
5. Aegis - Photo Imaging Software	2
6. Aegis - Data Management and Retrieval Tools	2
7. Aegis - Mobile Management Server Software	2
8. Aegis - Mobile Software on the RS6000	4
9. Aegis - Mobile Client Laptop Software	4
10. Aegis - Mobile Software on the iSeries 400 or MSP Server	3
11. Aegis - ESRI Embedded Applications - Upgrades	2

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 New World Systems, for the provision of the above-described AVL software and services, for a term commencing January 1, 2011 and terminating December 31, 2013, according to the above-described terms.

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

Adopted December 8, 2010 by voice vote.

ACT NO. 688-2010 by Mr. Marsh and Mr. Padlo

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
SYSTEMS DEVELOPMENT GROUP, INC. FOR
REAL PROPERTY TAX SERVICES
IMAGE MATE ONLINE SUPPORT AGREEMENT AND
IMAGE MATE GIS SUPPORT AGREEMENT**

Pursuant to Section 1532 of the Real Property Tax Law and
Section 450 of the County Law.

WHEREAS, Act 692-2009 authorized a contract with Systems Development Group, Inc., 441 Trenton Avenue, Utica, New York 13502, for the provision of imaging software and services for the County Real Property Tax Service Agency online support, the term of which expires December 31, 2010, and

WHEREAS, the County Real Property Tax Service Agency is desirous of continuing the aforementioned technical support for the Image Mate online, and

WHEREAS, Systems Development Group, Inc., can provide the necessary online support of the Image Mate Online System for an amount as follows:

Annual Fee	\$7,420
Software Support	\$85/hr, including travel time
Software Support	\$125/hour
Custom Software Enhancement	\$100/hour,

and

WHEREAS, sufficient funds are included in the 2011 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 Systems Development Group, Inc., for the provision of the above-described services, for a term commencing January 1, 2011 and terminating December 31, 2011, according to the above-described terms.

Approved by 7 members of the Finance Committee and 6 members of the County Operations Committee.

Adopted December 8, 2010 by voice vote.

ACT NO. 689-2010 by Mr. Vecchiarella and Mr. Ward

**CANCELING UNENFORCEABLE LIEN
(Towns of Allegany, Farmersville, Freedom and Olean)**

Pursuant to Sections 404 and 448 of the Real Property Tax Law.

WHEREAS, there are certain properties located in Cattaraugus County containing vacated oil and gas wells which are no longer producing, or having been capped, and are no longer on the tax rolls, and

WHEREAS, it is necessary and prudent for the Cattaraugus County Legislature to cancel the unpaid taxes where the lien of such taxes is unenforceable, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature hereby cancels the lien of taxes for the properties below, as being unenforceable:

<u>Town / Tax Cert</u> <u>Property Owner</u>	<u>Acct No.</u> <u>Well ID</u>	<u>Tax Map No.</u> <u>on Well</u>	<u>Tax Due</u>	<u>Year</u>
Allegany 1985-7 Benson Stroud Lease	2870		\$2,508.07	1985-1987
Allegany 1986-25 Goodman Bros	2792	111.002-1-3/4	\$ 776.87	1986-1994
Allegany Johnston, Richard & Wendy	1775	93.004-2-4.1/4	\$ 48.11	1996
Allegany 1986-38 Kenco	2978	84.002-1-21./4	\$ 763.36	1986
Farmersville 1987-378 Merrill Natural Gas	0718	41.002-1-3.1/2	\$1,185.24	1987-1991
Freedom 1988-421 Interco Energy	1005	5.004-1-2./12	\$ 292.07	1988

Olean Town 1986-1180 1134 999.999.99-1.134 \$ 650.84 1986
Benson Stroud Lease

Approved by 7 members of the Finance Committee and 6 members of the County Operations Committee.

Adopted December 8, 2010 by voice vote.

ACT NO. 690-2010 by Mr. Marsh
and Mrs. Stockman and Mr. Padlo¹

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
SYSTEMS DEVELOPMENT GROUP, INC. FOR
COUNTY CLERK IMAGING SYSTEM TECHNICAL SUPPORT**

Pursuant to Sections 525 and 450 of the County Law.

WHEREAS, Act 653-2008 authorized a contract with Systems Development Group, Inc., 441 Trenton Avenue, Utica, New York 13502, for the provision of imaging system software for the County Clerk's Office, the term of which expires December 31, 2010, and

WHEREAS, the County Clerk's Office is desirous of continuing the aforementioned contract, and

WHEREAS, Systems Development Group, Inc., can provide Image Mate Enterprise Software Licensing, technical support and software maintenance for a monthly amount of \$2,288, which is the same as the current rate, 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 Systems Development Group, Inc., for the provision of the above-described services, for a term commencing January 1, 2011 and terminating December 31, 2012, according to the above-described terms.

Approved by 7 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. Stockman and Mr. Padlo".

Adopted December 8, 2010 by voice vote.

ACT NO. 691-2010 by Mr. Vecchiarella and Mr. Ward

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
TOSKI, SCHAEFER & CO., P.C. FOR CONSULTING SERVICES**

Pursuant to Sections 210 and 450 of the County Law.

WHEREAS, the County Treasurer is in need of auditing services relating to the internal controls regarding implementation of the New World accounting software, and

WHEREAS, the firm of Toski, Schaefer & Co., P.C., 555 International Drive, Williamsville, New York 14221, can provide the aforementioned consulting services for an amount not to exceed \$6,500, based

on a total estimated maximum of 80 hours, and includes all costs for travel, and out-of-pocket expenses incurred by Toski, Schaefer & Co., P.C., and

WHEREAS, sufficient funds are included in the 2010 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 firm of Toski, Schaefer & Co., P.C., for the provision of the above-described auditing services, for a term commencing January 1, 2011 and terminating December 31, 2011, according to the above-described terms.

Approved by 7 members of the Finance Committee.

Adopted December 8, 2010 by voice vote.

ACT NO. 692-2010 by Mr. McLarney and Mr. Boser
and Mr. Padlo¹

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
CATTARAUGUS COUNTY BUSINESS DEVELOPMENT CORPORATION FOR
SMALL BUSINESS ASSISTANCE PROGRAM**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 749-2009 authorized a contract with the Cattaraugus County Business Development Corporation for the provision of administrative and technical services for the Cattaraugus County Small Business Assistance Program, the term of which expires December 31, 2010, and

WHEREAS, the Cattaraugus County Business Development Corporation, 214 Main Street, Little Valley, New York 14755, has designed a comprehensive Small Business Assistance Program in response to the diverse needs of the growing number of entrepreneurs and small business enterprises struggling to succeed in Cattaraugus County, and

WHEREAS, the aforementioned program shall be provided through a unique partnership of existing Cattaraugus County business assistance agencies at the following locations: Little Valley and Olean County Centers, and

WHEREAS, the Cattaraugus County Business Development Corporation will provide the aforementioned services for an amount of \$18,000, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract for the year 2011 with Cattaraugus County Business Development Corporation, for the provision of the above-described services, for a term commencing January 1, 2011 and terminating December 31, 2011, according to the above-described terms.

Approved by 7 members of the Finance Committee and 6 members of the Development and Agriculture Committee.

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

Adopted December 8, 2010 by voice vote.

ACT NO. 693-2010 by Mr. McLarney and Mr. Boser
and Mr. Padlo¹

**AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACTS WITH
VARIOUS ENTITIES FOR EMPIRE STATE DEVELOPMENT
CORPORATION COMMUNITY DEVELOPMENT BLOCK GRANT**

Pursuant to 42 USCS 5301, 24 CFR Part 570 and
Act 472-2010 of the Cattaraugus County Legislature.

WHEREAS, Act 745-2009, as amended by Act 425-2010, authorized contracts with various entities for the administration of the Microenterprise Development Revolving Loan Fund, the terms of which expire December 31, 2010, and

WHEREAS, the County is the recipient of Empire State Development Corporation Community Development Block Grant Program funds and has an existing Microenterprise Revolving Loan Fund portfolio to maintain, and

WHEREAS, the NYS Small Cities Community Development Block Grant was obtained for the purpose of establishing and continuing a Microenterprise Development Revolving Loan Fund, Microenterprise Outreach Program and Microenterprise Business Education Program, and

WHEREAS, the County shall administer the Microenterprise Development Revolving Loan Fund portfolio with the assistance of the following contractors:

Cattaraugus County Business Development Corp.
214 Main Street
Little Valley, New York 14755

Nicholas DiCerbo, Jr.
410 Community Bank Building
Olean, New York 14760

H. Sicherman & Company, Inc.
5852 Forest Creek Drive
East Amherst, New York 14051,

and

WHEREAS, the County Department of Economic Development, Planning and Tourism, in conjunction with the County Treasurer, shall administer the aforementioned grant program, on behalf of the County, as follows:

1. An amount not to exceed \$90,000 to the Cattaraugus County Business Development Corporation to provide specialized technical assistance, education, computer training and development of business plans.
2. An amount not to exceed \$2,000 to Nicholas DiCerbo, Jr. for legal fees and other legal incidentals.
3. An amount not to exceed \$3,000 to H. Sicherman and Company to provide technical assistance on program administration, loan reviews and credit analyses for the loan committee.
4. Unused balances of previous Community Development Block Grant funds, as well as program income from loan repayments, will be used for the Microenterprise Loan Fund for the microenterprises in the County, less administrative expenses identified above.

and

WHEREAS, this program is 100% federally funded, now, therefore, be it

RESOLVED, that the County Administrator be, and hereby is, authorized and directed to execute contracts, on behalf of Cattaraugus County, with the above-listed various entities, for the administration and management of the above-referenced grant application, for a term commencing January 1, 2011 and terminating December 31, 2011, 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 7 members of the Finance Committee and 6 members of the Development and Agriculture Committee.

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

Adopted December 8, 2010 by voice vote.

ACT NO. 694-2010 by Mr. McLarney and Mr. Boser
and Mr. Padlo¹

**AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACTS WITH
VARIOUS ENTITIES FOR HUD SMALL CITIES COMMUNITY
DEVELOPMENT BLOCK GRANT**

Pursuant to 42 USCS 5303 and
Act 472-2010 of the Cattaraugus County Legislature.

WHEREAS, Act 746-2009, as amended by Act 424-2010, authorized contracts with various entities for assistance in the administration of the Microenterprise Revolving Loan Fund, the terms of which expire December 31, 2010, and

WHEREAS, the County is the recipient of United States Department of Housing and Urban Development (HUD) Small Cities Community Development Block Grant funds and has an existing Microenterprise Revolving Loan Fund portfolio to maintain, and

WHEREAS, the Small Cities Community Development Block Grant was obtained for the purpose of establishing and continuing a Microenterprise Development Revolving Loan Fund, Microenterprise Outreach Program and Microenterprise Business Education Program, and

WHEREAS, the County shall administer the Microenterprise Development Revolving Loan Fund portfolio with the assistance of the following contractors:

Cattaraugus County Business Development Corp.
214 Main Street
Little Valley, New York 14755

H. Sicherman & Co., Inc.
5852 Forest Creek Drive
East Amherst, New York 14051-2980

Nicholas DiCerbo, Jr.
410 Community Bank Building
Olean, New York 14760,

and

WHEREAS, the County Department of Economic Development, Planning and Tourism, in conjunction with the County Treasurer, shall administer the aforementioned grant program, on behalf of the County, as follows:

1. An amount not to exceed \$30,000 to the Cattaraugus County Business Development Corporation to provide technical assistance, education, computer training and development of business plans.
2. An amount not to exceed \$7,000 to H. Sicherman and Company to provide technical assistance on program administration, loan reviews and credit analyses for the loan committee.
3. An amount not to exceed \$7,000 to Nicholas DiCerbo, Jr. for legal fees and other legal incidentals.
4. Unused balances of previous Community Development Block Grant funds, as well as program income from loan repayments, will be used for the Microenterprise Loan Fund for the microenterprises in the County, less administrative expenses identified above.,

and

WHEREAS, this program is 100% federally funded, now, therefore, be it

RESOLVED, that the County Administrator be, and hereby is, authorized and directed to execute contracts, on behalf of Cattaraugus County, with the above-listed various entities, for the administration and management of the above-referenced grant application, for a term commencing January 1, 2011 and terminating December 31, 2011, 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 7 members of the Finance Committee and 6 members of the Development and Agriculture Committee.

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

Adopted December 8, 2010 by voice vote.

ACT NO. 695-2010 by Mr. McLarney and Mr. Boser

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
H. SICHERMAN & COMPANY, INC. FOR
GRANT WRITING TECHNICAL ASSISTANCE**

Pursuant to Title I of the Housing and Community Development Act of 1974, as amended, and Section 450 of the County Law.

WHEREAS, Act 747-2009 authorized a contract with H. Sicherman & Company, Inc., 5852 Forest Creek Drive, East Amherst, New York 14051-2980, for the provision of technical assistance for grant writing for various programs, the term of which expires December 31, 2010, and

WHEREAS, the Department of Economic Development, Planning and Tourism is desirous of continuing the aforementioned grant writing technical assistance services, and

WHEREAS, H. Sicherman & Company, Inc., can continue providing technical assistance for grant writing services for an amount not to exceed \$10,000, which will be billed at the following rates:

Harry Sicherman	\$143/hour
Robert E. Deemer, Jr.	\$110/hour
Richard W. Lippold	\$ 90/hour
Other Professionals	\$ 81/hour
Rate in Travel Status	\$ 58/hour (all personnel),

and

WHEREAS, sufficient funds are included in the 2011 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 H. Sicherman and Company, Inc., for the provision of the above-described services, for a term commencing January 1, 2011 and terminating December 31, 2011, according to the above-described terms.

Approved by 7 members of the Finance Committee and 6 members of the Development and Agriculture Committee.

Adopted December 8, 2010 by voice vote.

ACT NO. 696-2010 by Mr. Vecchiarella and Mr. Ward

ABOLISHING ONE POSITION OF DAY CARE SUPERVISOR, ONE POSITION OF DAY CARE ASSISTANT, ONE POSITION OF LEISURE TIME ACTIVITIES SPECIALIST, ONE POSITION OF DAY CARE ASSISTANT (PART-TIME), ONE POSITION OF FOOD SERVICE HELPER (PART-TIME), ONE POSITION OF LEISURE TIME ACTIVITIES WORKER (PART-TIME) AND ONE POSITION OF AGING SERVICES AIDE (PART-TIME) IN THE DEPARTMENT OF AGING

Pursuant to Section 204 of the County Law.

WHEREAS, based on the adoption of the 2011 County Budget, a reduction of filled positions in the County workforce is necessary to achieve needed cost savings, and

WHEREAS, one position of Day Care Supervisor, one position of Day Care Assistant, one position of Leisure Time Activities Specialist, one position of Day Care Assistant (part-time), one position of Food Service Helper (part-time), one position of Leisure Time Activities Worker (part-time) and one position of Aging Services Aide (part-time) have been identified as positions that can assist in achieving cost savings, now, therefore, be it

RESOLVED, that effective 11:59 p.m. January 28, 2011, there are hereby abolished one position of Day Care Supervisor, one position of Day Care Assistant, one position of Leisure Time Activities Specialist, one position of Day Care Assistant (part-time), one position of Food Service Helper (part-time), one position of Leisure Time Activities Worker (part-time) and one position of Aging Services Aide (part-time) in the Department of Aging.

Approved by 7 members of the Finance Committee and 4 members of the Labor Relations Committee.

Adopted December 8, 2010 by voice vote.

ACT NO. 697-2010 by Mr. Vecchiarella and Mr. Ward

**ABOLISHING ONE POSITION OF COMMUNITY HEALTH NURSE IN
THE HEALTH DEPARTMENT**

Pursuant to Section 204 of the County Law.

WHEREAS, based on the adoption of the 2011 County Budget, a reduction of filled and unfilled positions in the County workforce is necessary to achieve needed cost savings, and

WHEREAS, one unfilled position of Community Health Nurse in the Department of Community Services has been identified as a position that can assist in achieving cost savings, now, therefore, be it

RESOLVED, that effective 11:59 p.m. December 31, 2010, there is hereby abolished one position of Community Health Nurse in the Health Department.

Approved by 7 members of the Finance Committee and 4 members of the Labor Relations Committee.

Adopted December 8, 2010 by voice vote.

ACT NO. 698-2010 by Mr. Vecchiarella and Mr. Ward

**ABOLISHING ONE POSITION OF SENIOR ACCOUNT CLERK-TYPIST AND
THREE POSITIONS OF ACCOUNT CLERK-TYPIST IN THE
DEPARTMENT OF COMMUNITY SERVICES**

Pursuant to Section 204 of the County Law.

WHEREAS, based on the adoption of the 2011 County Budget, a reduction of filled positions in the County workforce is necessary to achieve needed cost savings, and

WHEREAS, one position of Senior Account Clerk-Typist and three positions of Account Clerk-Typist in the Department of Community Services have been identified as positions that can assist in achieving cost savings, now, therefore, be it

RESOLVED, that effective 11:59 p.m. December 31, 2010, there are hereby abolished one position of Senior Account Clerk-Typist and three positions of Account Clerk-Typist in the Department of Community Services.

Approved by 7 members of the Finance Committee and 4 members of the Labor Relations Committee.

Adopted December 8, 2010 by voice vote.

ACT NO. 699-2010 by Mr. Vecchiarella and Mr. Ward

**ABOLISHING ONE POSITION OF ASSESSOR AND
ONE POSITION OF KEYBOARD SPECIALIST AND
CREATING ONE POSITION OF ASSESSMENT DATA CLERK IN THE
DEPARTMENT OF REAL PROPERTY TAX SERVICES AND
ESTABLISHING COMPENSATION FOR THE SAME**

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

WHEREAS, based on the adoption of the 2011 County Budget, a reduction of filled positions in the County workforce is necessary to achieve needed cost savings, and

WHEREAS, one position of Keyboard Specialist and one position of Assessor in the Department of Real Property Tax Services have been identified as positions that can assist in achieving cost savings, and

WHEREAS, the Department of Real Property Tax Services will reconfigure its current structure by creating one position of Assessment Data Clerk in order to continue providing essential services, and

WHEREAS, the New Position Duties Statement has been submitted to the Civil Service Commission which has approved the title in accordance with Section 22 of the Civil Service Law, now, therefore, be it

RESOLVED, that effective 11:59 p.m., June 30, 2011, there are hereby abolished one position of Keyboard Specialist and one position of Assessor in the Department of Real Property Tax Services, and be it further

RESOLVED, that effective July 1, 2011, there is hereby created one position of Assessment Data Clerk to be compensated at Grade 17, General Bargaining Unit.

Approved by 7 members of the Finance Committee and 4 members of the Labor Relations Committee.

Adopted December 8, 2010 by voice vote.

ACT NO. 700-2010 by Mr. Vecchiarella and Mr. Ward

**ABOLISHING ONE POSITION OF DEPUTY SHERIFF AND
ONE POSITION OF KEYBOARD SPECIALIST AND
CREATING ONE POSITION OF ACCOUNT CLERK-TYPIST (PART-TIME) IN
THE SHERIFF'S OFFICE AND ESTABLISHING COMPENSATION FOR THE SAME**

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

WHEREAS, based on the adoption of the 2011 County Budget, a reduction of filled positions in the County workforce is necessary to achieve needed cost savings, and

WHEREAS, one position of Deputy Sheriff and one position of Keyboard Specialist in the Sheriff's Office have been identified as positions that can assist in achieving cost savings, and

WHEREAS, the Sheriff's Office will reconfigure its current structure by creating one position of Account Clerk-Typist to be filled on a part-time basis in order to continue providing essential services, and

WHEREAS, the New Position Duties Statement has been submitted to the Civil Service Commission which has approved the title in accordance with Section 22 of the Civil Service Law, now, therefore, be it

RESOLVED, that effective 11:59 p.m. December 31, 2010, there are hereby abolished one position of Keyboard Specialist and one position of Deputy Sheriff in the Sheriff's Office, and be it further

RESOLVED, that effective January 1, 2011, there is hereby created one position of Account Clerk Typist to be filled on a part-time basis and compensated at Grade 14A (\$12.48/hr. - 2011 rate), Sheriff's Department Employee Unit.

Approved by 7 members of the Finance Committee and 4 members of the Labor Relations Committee.

Adopted December 8, 2010 by voice vote.

ACT NO. 701-2010 by Mr. Vecchiarella and Mr. Ward

**ABOLISHING ONE POSITION OF PROBATION OFFICER IN THE
DEPARTMENT OF PROBATION AND CORRECTIONAL ALTERNATIVES**

Pursuant to Section 204 of the County Law.

WHEREAS, based on the adoption of the 2011 County Budget, a reduction of filled and unfilled, positions in the County workforce is necessary to achieve needed cost savings, and

WHEREAS, one position of Probation Officer in the Department of Probation and Correctional Alternatives has been identified as a position that can assist in achieving cost savings, and

WHEREAS, this position is expected to become vacant in July of 2011, now, therefore, be it

RESOLVED, that effective August 1, 2011, there is hereby abolished one position of Probation Officer in the Department of Probation and Correctional Alternatives.

Approved by 7 members of the Finance Committee and 4 members of the Labor Relations Committee.

Adopted December 8, 2010 by voice vote.

ACT NO. 702-2010 by Mr. McLarney

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT EXTENSION WITH
PUBLIC SECTOR HR CONSULTANTS LLC FOR
WORKPLACE VIOLENCE PREVENTION PROGRAM**

Pursuant to Section 27-b of the Labor Law and
Section 450 of the County Law.

WHEREAS, Act 399-2010, as amended by Act 471-2010, authorized a contract with Public Sector HR Consultants LLC, 14 Knollwood Drive, Glenville, New York 12302, for assistance with the implementation of a

Workplace Violence Prevention Program, the term of which expires December 31, 2010, and

WHEREAS, the County Department of Human Resources is desirous of extending the term of the aforementioned contract to June 30, 2011 at no additional 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 extension, on behalf of Cattaraugus County, with Public Sector HR Consultants LLC, for the provision of the above-described services, for a term commencing August 1, 2010 and terminating June 30, 2011, according to the above-described terms.

Approved by 7 members of the Finance Committee and 4 members of the Labor Relations Committee.

Adopted December 8, 2010 by voice vote.

ACT NO. 703-2010 by Mr. McLarney

**AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACT WITH
FIRST AMERITAS LIFE INSURANCE CORP. OF NEW YORK
FOR DENTAL INSURANCE COVERAGE**

Pursuant to Section 92-a of the General Municipal Law and
Act 472-2010 of the Cattaraugus County Legislature.

WHEREAS, Act 609-2008 authorized a contract with First Ameritas Life Insurance Corp. of New York, 400 Rella Boulevard, Suite 304, Suffern, New York 10901, for the provision of employee dental coverage, the term of which expires December 31, 2010, and

WHEREAS, the County is desirous of continuing the provision of dental coverage for its employees, and

WHEREAS, First Ameritas Life Insurance Corp. of New York, can provide employee dental coverage for an annual amount of \$108,612, based on the following:

Single Coverage	\$ 9.99/month
Family Coverage	\$28.03/month (employee would pay difference between \$28.03 & \$9.99 per month),

and

WHEREAS, sufficient funds are included in the budget to cover the cost 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 First Ameritas Life Insurance Corp. of New York, for the provision of the above-described coverage, for a term commencing January 1, 2011 and terminating December 31, 2011, according to the above-described terms.

Approved by 7 members of the Finance Committee and 4 members of the Labor Relations Committee.

Adopted December 8, 2010 by voice vote.

ACT NO. 704-2010 by Mr. McLarney

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
MARSH USA, INC. FOR BROKER OF RECORD SERVICES FOR
COUNTY INSURANCE PROGRAM**

Pursuant to Sections 52 and 78 of the General Municipal Law and
Sections 215 and 450 of the County Law.

WHEREAS, Act 685-2009 authorized a contract with Marsh USA, Inc., 300 South State Street, Suite 300, Syracuse, New York 13202, for the provision of those services required to serve as Insurance Broker of Record for the County's Property, Boiler & Machinery, Excess Public Entity Liability, Commercial Crime, Excess Workers' Compensation & Employer's Liability, and Pines Fidelity Bond insurance coverage, the term of which expires December 31, 2010, and

WHEREAS, the County Human Resources Department is desirous of continuing the aforementioned insurance coverage and services, and

WHEREAS, Marsh USA, Inc., has agreed to continue providing brokerage services for the County's insurance program for an amount of \$30,000, and

WHEREAS, sufficient funds are included in the 2011 budget to cover the cost of the aforementioned services, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Marsh USA, Inc., for the provision of the above-described services and insurance coverage, for a term commencing January 1, 2011 and terminating December 31, 2011, according to the above-described terms.

Approved by 7 members of the Finance Committee and 4 members of the Labor Relations Committee.

Adopted December 8, 2010 by voice vote.

ACT NO. 705-2010 by Mr. McLarney

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
EBS-RMSCO, INC. FOR THIRD-PARTY ADMINISTRATION OF
CATTARAUGUS COUNTY FLEXIBLE BENEFITS PLAN**

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

WHEREAS, Act 688-2009 authorized a contract with RMSCO, Inc., for the third-party administration of the Cattaraugus County Flexible Benefits Plan, the term of which expires December 31, 2010, and

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

WHEREAS, EBS-RMSCO, Inc., FSA Customer Service Department, 30 Perinton Hills Mall, Fairport, New York 14450, can administer the County's Flexible Benefits Plan for an amount of \$3.20 per participant per month or \$55 per month, whichever is greater, not to exceed \$6,030, and

WHEREAS, sufficient funds are included in the 2011 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 RMSCO, Inc. for the provision of the above-described services, for a term commencing January 1, 2011 and terminating December 31, 2011, according to the above-described terms.

Approved by 7 members of the Finance Committee and 4 members of the Labor Relations Committee.

Adopted December 8, 2010 by voice vote.

ACT NO. 706-2010 by Mr. McLarney

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
ACTUARIAL & TECHNICAL SOLUTIONS, INC.
FOR WORKERS' COMPENSATION ACTUARIAL CONSULTING SERVICES**

Pursuant to Section 64 of the Workers' Compensation Law and
Section 450 of the County Law.

WHEREAS, Act 683-2009 authorized a contract with Actuarial & Technical Solutions, Inc., 3555 Veterans Memorial Highway, Suite A, Ronkonkoma, New York 11779, for the provision of actuarial services for the County's self-insurance workers' compensation program, the term of which expired April 30, 2010, and

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

WHEREAS, Actuarial & Technical Solutions, Inc., can provide actuarial consulting services for an amount not to exceed \$15,000, and

WHEREAS, sufficient funds are included in the 2011 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 Actuarial & Technical Solutions, Inc., for the provision of the above-described services, for a term commencing January 1, 2011 and terminating March 31, 2011, according to the above-described terms.

Approved by 7 members of the Finance Committee and 4 members of the Labor Relations Committee.

Adopted December 8, 2010 by voice vote.

ACT NO. 707-2010 by Mr. McLarney and Mr. Ward

**AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACT WITH
EMPLOYEE SERVICES, INC., FOR EMPLOYEE ASSISTANCE PROGRAM**

Pursuant to Section 205 of the County Law and
Act 432-2002 of the Cattaraugus County Legislature.

WHEREAS, Act 742-2009, authorized a contract with Employee Services, Inc., 111 West Pearl Street, Wellsville, New York 14895, for the provision of an Employee Assistance program, the term of which expires December 31, 2010, and

WHEREAS, Employee Services, Inc. has advised the County that a new rate of \$25.33 per non-public safety employee and \$77.53 per public

safety employee will be charged effective January 1, 2011, for a total not to exceed \$26,082.00, based on the number of covered employees, and

WHEREAS, the total number of covered employees may increase or decrease up to, and including, five percent without affecting the total value of the agreement, and

WHEREAS, if the number of covered employees increases or decreases by more than five percent, then the total agreement value may be revised quarterly to reflect the changes in employees covered, 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 Employee Services, Inc., for the provision of the above-described services, for a term commencing January 1, 2011 and terminating December 31, 2011, according to the above-described terms.

Approved by 7 members of the Finance Committee and 4 members of the Labor Relations Committee.

Adopted December 8, 2010 by voice vote.

ACT NO. 708-2010 by Mr. Aiello and Mr. Neal

**AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE DOCUMENTS
REGARDING YOUTH PROGRAMS FOR 2011**

Pursuant to Section 95 of the General Municipal Law and
Act 472-2010 of the Cattaraugus County Legislature.

WHEREAS, Act 690-2009 authorized the County Administrator to execute such agreements, applications and other documents to effect the establishment of the various youth programs in 2010, and

WHEREAS, a sum not to exceed \$175,000 will be used for various youth-related projects in Cattaraugus County during 2011, and

WHEREAS, it is necessary for the County to enter into various contracts with the individual sponsoring agencies throughout 2011 to comply with New York State Office of Children & Family Services' requirements, now, therefore, be it

RESOLVED, that the County Administrator be, and hereby is, authorized and directed to execute such contracts, applications and other documents, on behalf of Cattaraugus County, as deemed necessary to effect the establishment of the various youth programs in 2011, and be it further

RESOLVED, that prior to entering into any contract for youth programs for 2011, such programs shall be approved, in writing, by the Cattaraugus County Youth Bureau Board of Directors, and be it further

RESOLVED, that any such contracts, applications, or other documents are further contingent upon subsequent approval by the New York State Office of Children & Family Services of the program and program budgeting and are null and void until and unless such approval is obtained, and be it further

RESOLVED, that the County's participation in any of the various programs will be to reimburse the sponsoring agency 50% for the Youth Development and Delinquency Prevention (YDDP) Program and 100% for the Special Delinquency Prevention (SDPP) Program of reimbursable expenditures as defined under the New York State Office of Children & Family Services

Guidelines and approved by the Cattaraugus County Youth Bureau with reimbursement set forth infra, and be it further

RESOLVED, that all reimbursement to the sponsoring agency by the County of Cattaraugus up to the maximum of the approved program cost for fiscal year 2011 will take effect after the sponsoring agency has filed appropriate state aid forms with the Cattaraugus County Youth Bureau, and the Youth Bureau has approved those forms, and be it further

RESOLVED, that any such contract entered into between the County and a sponsoring agency shall provide, inter alia, a provision that, in the event the State of New York fails to reimburse the County as contractually outlined, the sponsoring agency shall reimburse the County for the total amount of funds provided by the County pursuant hereto, and be it further

RESOLVED, that upon reduction or termination of either state or federal funding for this program, then any of the programs affected by this resolution shall be automatically abolished.

Approved by 7 members of the Finance Committee and 5 members of the Human Services Committee.

Adopted December 8, 2010 by voice vote.

ACT NO. 709-2010 by Mr. Aiello and Mr. Neal

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
LITERACY WEST NY, INC. FOR AMERICORPS START PROGRAM**

Pursuant to 42 USCS Section 12501 and
Section 450 of the County Law.

WHEREAS, Act 580-2009 authorized a contract with Literacy West NY, Inc., 5455 State Route 19 North, Belmont, New York 14813, for the provision of services for the AmeriCorps START Program, the term of which expired November 7, 2010, and

WHEREAS, the Youth Bureau is desirous of continuing the aforementioned services, and

WHEREAS, Literacy West NY, Inc., has agreed to provide services for the AmeriCorps START Program by contributing an amount of \$3,500 for one full-time member, and

WHEREAS, the aforementioned contract is contingent upon the receipt of funding from the New York State Commission on National and Community Service, 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 Literacy West NY, Inc., for the provision of services for the AmeriCorps START Program, for a term commencing November 8, 2010 and terminating November 7, 2011, 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 7 members of the Finance Committee and 5 members of the Human Services Committee.

Adopted December 8, 2010 by voice vote.

ACT NO. 710-2010 by Mr. Aiello and Mr. Neal

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
BELFAST CENTRAL SCHOOL DISTRICT FOR
YOUTH BUREAU AMERICORPS START PROGRAM**

Pursuant to 42 USCS Section 12501 and
Section 450 of the County Law.

WHEREAS, Act 689-2009 authorized a contract with the Belfast Central School District for the implementation of the AmeriCorps START Program, the term of which expires November 7, 2010, and

WHEREAS, the County Youth Bureau is desirous of continuing the AmeriCorps START Program in the Belfast Central School, and

WHEREAS, Belfast Central School District has agreed to provide services for the AmeriCorps START Program by contributing an amount of \$7,300 for one (1) full-time member at \$3,500 and two (2) part-time members at \$1,900 each, and

WHEREAS, the continuation of the aforementioned contract is contingent upon the receipt of funding from the New York State Commission on National and Community Service, 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 Belfast Central School District, for the implementation of the AmeriCorps START Program, for a term commencing October 11, 2010 and terminating November 7, 2011, 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 7 members of the Finance Committee and 5 members of the Human Services Committee.

Adopted December 8, 2010 by voice vote.

ACT NO. 711-2010 by Mr. Aiello and Mr. Neal

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
ACCORD CORPORATION FOR AMERICORPS START PROGRAM**

Pursuant to American Recovery and Reinvestment Act of 2009
(Public Law 111-5), 42 USCS Section 12501 and
Section 450 of the County Law.

WHEREAS, Act 578-2009 authorized a contract with the Accord Corporation, P.O. Box 573, 84 Schuyler Street, Belmont, New York 14813, for the provision of services for the AmeriCorps START Program, the term of which expires December 31, 2010, and

WHEREAS, the Youth Bureau is desirous of contracting with various entities for the continuation of the AmeriCorps START Program, and

WHEREAS, the Accord Corporation has agreed to provide services for the AmeriCorps START Program by contributing an amount of \$5,700 for three (3) part-time members at \$1,900 each, 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 a contract, on behalf of Cattaraugus County, with the Accord Corporation, for the implementation of the AmeriCorps START Program, for a term commencing November 8, 2010 and terminating November 21, 2011, 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 7 members of the Finance Committee and 5 members of the Human Services Committee.

Adopted December 8, 2010 by voice vote.

ACT NO. 712-2010 by Mr. Aiello, Mr. Ellis, Mr. Marsh, Mr. O'Brien, Mr. Vecchiarella,¹ Mr. Ward and Mr. Sprague

APPOINTMENT OF COUNTY ADMINISTRATOR

Pursuant to Local Law Number 5-1985
(Intro Number 10-1985).

RESOLVED, that John R. Searles of Olean, New York, be, and hereby is, appointed Cattaraugus County Administrator for a term commencing September 14, 2011 and terminating September 13, 2015, to be compensated at such salary which has heretofore been, or may hereafter be, established.

Approved by 7 members of the Finance Committee and 5 members of the Human Services Committee.

¹ MR. McCLUNE asked that his name be removed as a sponsor.

Adopted December 8, 2010 by voice vote.

ACT NO. 713-2010 by Mr. Neal and Mr. Snyder
and Mr. Aiello, Ms. Vickman and Mr. Padlo¹

**AUTHORIZING THE CHAIR TO EXECUTE LEASE AGREEMENT WITH
SOUTHERN TIER ENVIRONMENTS FOR LIVING, INC. FOR
LEASE OF SPACE IN COUNTY PROS FACILITY**

Pursuant to Sections 215 and 450 of the County Law.

WHEREAS, Act 353-2001 authorized a lease agreement with Southern Tier Environments for Living, Inc., (STEL), 715 Central Avenue, Dunkirk, New York 14048, for the leasing of space in the County's Guidepost Facility, which is now known as the PROS Facility, located at 203 Laurens Street in the City of Olean, the term of which expired, and

WHEREAS, Southern Tier Environments for Living, Inc., has requested to renew the aforementioned lease, and

WHEREAS, the County shall lease to STEL approximately 120 square feet of office space for a total amount of \$1,680 per year, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a lease agreement, on behalf of Cattaraugus County, with Southern Tier Environments for Living, Inc., to lease the above-described space for a term commencing January 1, 2011 and terminating December 31, 2012, according to the above-described terms.

Approved by 7 members of the Finance Committee and 5 members of the Human Services Committee.

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

Adopted December 8, 2010 by voice vote.

ACT NO. 714-2010 by Mr. Neal and Mr. Snyder

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
JAMESTOWN PSYCHIATRIC, P.C. FOR DEPARTMENT OF COMMUNITY SERVICES
MEDICAL DIRECTOR SERVICES**

Pursuant to 14 NYCRR Section 587.8(d)(3) and (i),
Section 41.07 of the Mental Hygiene Law and
Section 450 of the County Law.

WHEREAS, Act 166-2010 authorized a contract with Isrir Abbasi, M.D., for the provision of medical director services to oversee the provision of medical services in the Department of Community Services mental health clinics, the term of which expires December 31, 2010, and

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

WHEREAS, Jamestown Psychiatric, P.C., 305 East Fairmount Avenue, Lakewood, New York 14750, through Isrir Abbasi, M.D., shall provide the services of Medical Director for the Department of Community Services mental health clinics for an amount of \$16,000, to be paid in monthly installments of \$1,333.33, and

WHEREAS, sufficient funds are included in the 2011 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 Jamestown Psychiatric, P.C., for the provision of the above-described services, for a term commencing January 1, 2011 and terminating December 31, 2011, 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 7 members of the Finance Committee and 5 members of the Human Services Committee.

Adopted December 8, 2010 by voice vote.

ACT NO. 715-2010 by Mr. Neal and Mr. Snyder

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
MENTAL HEALTH ASSOCIATION IN CATTARAUGUS COUNTY, INC.
FOR SKILL BUILDING AND MENTORING SERVICES**

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

WHEREAS, Act 736-2009, as amended by Act 167-2010, authorized a contract with Mental Health Association in Cattaraugus County, Inc., 102 North Clinton Street, Olean, New York 14760, for the provision of skill-building and mentoring services for children and adults, the term of which expires December 31, 2010, and

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

WHEREAS, the Mental Health Association in Cattaraugus County, Inc., can provide the aforementioned skill-building and mentoring services for children and adults for an amount of \$10 per 15 minute increment or \$40 per hour, and a total contract amount not to exceed \$30,000, and

WHEREAS, sufficient funds are included in the 2011 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 Mental Health Association in Cattaraugus County, Inc., for the provision of the above-described services, for a term commencing January 1, 2011 and terminating December 31, 2011, 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 7 members of the Finance Committee and 5 members of the Human Services Committee.

Adopted December 8, 2010 by voice vote.

ACT NO. 716-2010 by Mr. Neal and Mr. Snyder

**AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACT WITH
NEW DIRECTIONS YOUTH & FAMILY SERVICES, INC. FOR
RESPIRE/CASE MANAGEMENT SERVICES**

Pursuant to 14 NYCRR Sections 587.9(d)(6) and 587.9(e)(1) and (2) and
Act 472-2010 of the Cattaraugus County Legislature.

WHEREAS, Act 733-2009 authorized a contract with New Directions Youth & Family Services, Inc., 356 Main Street, Randolph, New York 14772, for the provision of short-term respite placement and case management services for youth who need a "cooling off" period from their families, the term of which expires December 31, 2010, and

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

WHEREAS, New Directions Youth & Family Services, Inc., through its Global Village Community Services, has agreed to provide therapeutic

foster care respite homes and case management services for youth in foster care placement for an amount of \$55 per day, not to exceed \$24,898, and

WHEREAS, this program is 80% state and 20% county funded, and

WHEREAS, sufficient funds are included in the 2011 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 New Directions Youth & Family Services, Inc., for the provision of the above-described services, for a term commencing January 1, 2011 and terminating December 31, 2011, 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 7 members of the Finance Committee and 5 members of the Human Services Committee.

Adopted December 8, 2010 by voice vote.

ACT NO. 717-2010 by Mr. Neal and Mr. Snyder

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT
WITH KIMBERLY CONROY, RN, MS, CS, NPP
FOR DEPARTMENT OF COMMUNITY SERVICES
PSYCHIATRIC NURSE PRACTITIONER SERVICES**

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

WHEREAS, Act 38-2010 authorized a contract with Kimberly Conroy, RN, MS, CS, NPP, 2656 West State Street, Suite 502, Olean, New York 14760, for the provision of psychiatric nurse practitioner services for clients in the PROS program, the term of which expires December 31, 2010, and

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

WHEREAS, Kimberly Conroy, RN, MS, CS, NPP, can provide psychiatric nurse practitioner services to clients in PROS facility for an amount of \$110 per direct care hour, for a maximum of 286 hours per year, not to exceed \$31,460, and

WHEREAS, sufficient funds are included in the 2011 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 Kimberly Conroy, RN, MS, CS, NPP, for the provision of the above-described services, for a term commencing January 1, 2011 and terminating December 31, 2011, 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 7 members of the Finance Committee and 5 members of the Human Services Committee.

Adopted December 8, 2010 by voice vote.

ACT NO. 718-2010 by Mr. Neal and Mr. Snyder

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
SOUTHERN TIER ENVIRONMENTS FOR LIVING, INC. FOR
SOCIAL WORKER/MENTAL HEALTH THERAPIST FOR DEPARTMENT
OF COMMUNITY SERVICES PROS PROGRAM**

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

WHEREAS, Act 725-2009 authorized a contract with Southern Tier Environments for Living, Inc. (STEL), 715 Central Avenue, Dunkirk, New York 14048, for the provision of social worker/mental health therapist services for the PROS Program, the term of which expires December 31, 2010, and

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

WHEREAS, Southern Tier Environments for Living, Inc. (STEL), can provide social worker/mental health therapist services for an annual amount of \$56,942, and

WHEREAS, sufficient funds are included in the 2011 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 Southern Tier Environments for Living, Inc., for the provision of the above-described services, for a term commencing January 1, 2011 and terminating December 31, 2011, 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 7 members of the Finance Committee and 5 members of the Human Services Committee.

Adopted December 8, 2010 by voice vote.

ACT NO. 719-2010 by Mr. Neal and Mr. Snyder

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
CATTARAUGUS REHABILITATION CENTER, INC. FOR
DEPARTMENT OF COMMUNITY SERVICES QUALITY ASSURANCE AND
VOCATIONAL SERVICES FOR PROS PROGRAM**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 129-2010 authorized a contract with Cattaraugus Rehabilitation Center, Inc., 1439 Buffalo Street, Olean, New York 14060, for the provision of quality assurance and vocational services for its PROS Program, the term of which expires December 31, 2010, and

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

WHEREAS, the Cattaraugus Rehabilitation Center, Inc., can review records and procedures involving client care for the Department of Community Services PROS Program and provide Vocational Services for the Department of

Community Services PROS program, for an amount not to exceed \$115,000, as follows:

Quality Assurance Services	\$30,000.00
Vocational Services	\$85,000.00,

and

WHEREAS, sufficient funds are included in the 2011 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 Cattaraugus Rehabilitation Center, Inc., for the provision of the above-described services, for a term commencing January 1, 2011 and terminating December 31, 2011, 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 7 members of the Finance Committee and 5 members of the Human Services Committee.

Adopted December 8, 2010 by voice vote.

ACT NO. 720-2010 by Mr. Neal and Mr. Snyder

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
HOUSING OPTIONS MADE EASY, INC. FOR
PEER SPECIALISTS FOR THE PROS PROGRAM**

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

WHEREAS, Act 741-2009, as amended by Act 556-2010, authorized a contract with Housing Options Made Easy, Inc., 75 Jamestown Street, Gowanda, New York 14070, for the provision of peer specialists for the PROS program, the term of which expires December 31, 2010, and

WHEREAS, the County Department of Community Services is desirous of contracting for the services of two (2) part-time peer specialists for the Personalized Recovery Oriented Services (PROS) program, and

WHEREAS, the purpose of the PROS program is to integrate elements of support, rehabilitation and treatment in an individualized manner to aid in the recovery of a person with a mental illness, and

WHEREAS, Housing Options Made Easy, Inc., can provide two (2) part-time peer specialists for the PROS program for an amount not to exceed \$34,800, and

WHEREAS, sufficient funds are included in the 2011 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 Housing Options Made Easy, Inc., for the provision of the above-described services, for a term commencing January 1, 2011 and terminating December 31, 2011, 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 7 members of the Finance Committee and 5 members of the Human Services Committee.

Adopted December 8, 2010 by voice vote.

ACT NO. 721-2010 by Mr. Neal and Mr. Snyder

**AUTHORIZING DIRECTOR OF COMMUNITY SERVICES TO EXECUTE
MEMORANDA OF UNDERSTANDING WITH NEW YORK STATE OFFICE OF
MENTAL HEALTH AND VARIOUS ENTITIES
FOR DISPROPORTIONATE SHARE TO HOSPITALS INITIATIVE**

Pursuant to Chapter 119 of the Laws of 1997 and
Section 41.13(6) of the Mental Hygiene Law.

WHEREAS, Act 278-2009 authorized a Memorandum of Understanding with the New York State Office of Mental Health and the Olean General Hospital for the payment of disproportionate share income, the terms of which expired December 31, 2009, and

WHEREAS, Chapter 119 of the Laws of 1997 authorizes a disproportionate share to hospitals initiative (DSH), which affects identified Article 28 voluntary hospitals with mental health services which received funding pursuant to Article 41 of the Mental Hygiene Law, and

WHEREAS, in addition to payments currently made for existing hospital debt incurred in providing Medicaid-eligible services, DSH payments will also replace Office of Mental Health (OMH) approved net deficit funding provided pursuant to Article 41 of the Mental Hygiene Law in these hospitals, and

WHEREAS, Chapter 119 of the Laws of 1997 requires the Commissioner of OMH, in consultation with the County Director of Community Services, to annually certify those hospitals which will receive these additional DSH payments, and

WHEREAS, it is necessary to enter into a memorandum of understanding with the New York State Office of Mental Health and the Olean General Hospital in order to comply with the aforementioned disproportionate share to hospitals initiative, now, therefore, be it

RESOLVED, that the Director of Community Services be, and hereby is, authorized and directed to execute memoranda of understanding, on behalf of Cattaraugus County, with the New York State Office of Mental Health and the Olean General Hospital, for the provision of the above-described services, for a term commencing January 1, 2010 and terminating December 31, 2010, according to the above-described terms.

Approved by 7 members of the Finance Committee and 5 members of the Human Services Committee.

Adopted December 8, 2010 by voice vote.

ACT NO. 722-2010 by Mr. Neal and Mr. Snyder
and Mr. Aiello, Mr. Marsh, Mr. Teachman and Mr. Padlo¹

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
COUNCIL ON ADDICTION RECOVERY SERVICES, INC. FOR
LEASING OF OFFICE SPACE AT THE STONE HOUSE**

Pursuant to Sections 215 and 450 of the County Law.

WHEREAS, Act 721-2008 authorized the Chair to execute a lease agreement with the Cattaraugus County Council on Alcoholism & Substance Abuse, Inc., for the leasing of space on the third floor of the Stone House in Machias, the term of which expires December 31, 2010, and

WHEREAS, the County has proposed to lease to the Council on Addiction Recovery Services, Inc., 420 square feet of office space at a rate of \$340 per month, for a total of \$4,080 per year, which includes utilities, except telephone, and

WHEREAS, the Council on Addiction Recovery Services, Inc., 201 South Union Street, Olean, New York 14760, is desirous of leasing the aforementioned space, and

WHEREAS, the Council on Addiction Recovery Services, Inc., shall provide its own office equipment and office furniture, 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 Council on Addiction Recovery Services, Inc., for the provision of the above-described services, for a term commencing January 1, 2011 and terminating December 31, 2012, 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 7 members of the Finance Committee, 8 members of the Public Works Committee and 5 members of the Human Services Committee.

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

Adopted December 8, 2010 by voice vote.

ACT NO. 723-2010 by Mr. Neal and Mr. Snyder

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
CATTARAUGUS COMMUNITY ACTION, INC., FOR DEPARTMENT OF
COMMUNITY SERVICES TO PROVIDE MENTAL HEALTH SERVICES**

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

WHEREAS, Act 507-2009 and Act 726-2009 authorized contracts with Cattaraugus Community Action, Inc., 25 Jefferson Street, Salamanca, New York 14779, for the provision of social worker/mental health therapists for the mental health clinics, the terms of which expire December 31, 2010, and

WHEREAS, the Department of Community Services is desirous of contracting for the services of five (5) mental health clinicians and one (1) intake coordinator, and

WHEREAS, Cattaraugus Community Action, Inc., can provide five (5) mental health clinicians and one (1) intake coordinator for the mental health clinics for an amount not to exceed \$340,170, to be paid on a monthly basis, and

WHEREAS, sufficient funds are included in the 2011 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 Cattaraugus Community Action, Inc., for the provision of the above-described services, for a term commencing January 1, 2011 and terminating December 31, 2011, 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 7 members of the Finance Committee and 5 members of the Human Services Committee.

Adopted December 8, 2010 by voice vote.

ACT NO. 724-2010 by Mr. Neal and Mr. Snyder

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
SOUTHERN TIER HEALTH CARE SYSTEM, INC. FOR SOCIAL WORKER/MENTAL
HEALTH THERAPIST FOR MENTAL HEALTH CLINIC THROUGH THE
SOUTHERN TIER CHILD ADVOCACY CENTER**

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

WHEREAS, Act 71-2010 authorized a contract with Southern Tier Health Care System, Inc., One Blue Bird Square, Olean, New York 14760, for the provision of a social worker/mental health therapist for the mental health clinic to serve abuse victims and their families who are present at the Child Advocacy Center, the term of which expires December 31, 2010, and

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

WHEREAS, the Southern Tier Health Care System, Inc., through its Southern Tier Child Advocacy Center, can provide the aforementioned social worker/mental health therapist for an amount of \$59,312, to be paid on a monthly basis, 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 Southern Tier Health Care System, Inc., for the provision of services through its Southern Tier Child Advocacy Center, for a term commencing January 1, 2011 and terminating December 31, 2011, 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 7 members of the Finance Committee and 5 members of the Human Services Committee.

Adopted December 8, 2010 by voice vote.

ACT NO. 725-2010 by Mr. Neal and Mr. Snyder

**AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACT WITH
OSCAR LOPEZ, M.D. FOR PSYCHIATRIC SERVICES FOR
DEPARTMENT OF COMMUNITY SERVICES**

Pursuant to 14 NYCRR Part 585 and
Act 472-2010 of the Cattaraugus County Legislature.

WHEREAS, Act 730-2009 authorized a contract with Oscar Lopez, M.D., 230 Bewley Building, Lockport, New York 14094, for the provision of psychiatric services for the patients and families of the County Department of Community Services, the term of which expires December 31, 2010, and

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

WHEREAS, Oscar Lopez, M.D., has agreed to provide the aforementioned psychiatric services for an amount of \$165 per hour for direct care, not to exceed 400 hours annually, plus \$50 per hour for travel, not to exceed \$10,000 annually, and

WHEREAS, the aforementioned services are funded through federal, state and local funds, 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 Oscar Lopez, M.D., for the provision of the above-described psychiatric services, for a term commencing January 1, 2011 and terminating December 31, 2011, 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 7 members of the Finance Committee and 5 members of the Human Services Committee.

Adopted December 8, 2010 by voice vote.

ACT NO. 726-2010 by Mr. Neal and Mr. Snyder

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT
WITH JAMESTOWN PSYCHIATRIC, P.C., FOR DEPARTMENT OF
COMMUNITY SERVICES MENTAL HEALTH CLINIC SERVICES FOR ADULTS**

Pursuant to 14 NYCRR Section 587.8(d)(3) and (i),
Section 41.07 of the Mental Hygiene Law and
Section 450 of the County Law.

WHEREAS, Act 164-2010 authorized a contract with Jamestown Psychiatric, P.C., 305 East Fairmount Avenue, Lakewood, New York 14750, for the provision of mental health clinic services for adults for the Department

of Community Services, through an Allied Health Professional or Psychiatrist, the term of which expires December 31, 2010, and

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

WHEREAS, Jamestown Psychiatric, P.C., shall provide psychiatric medical services for the Department of Community Services mental health clinic, through an Allied Health Professional, at a rate of \$110 per direct care hour for an Allied Health Professional, for up to 2,112 hours of service, for a total not to exceed \$232,320, and

WHEREAS, this program is funded through federal, state and local funds, 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 Jamestown Psychiatric, P.C., for the provision of the above-described services, for a term commencing January 1, 2011 and terminating December 31, 2011, 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 7 members of the Finance Committee and 5 members of the Human Services Committee.

Adopted December 8, 2010 by voice vote.

ACT NO. 727-2010 by Mr. Neal and Mr. Snyder

**AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACT WITH
RAJAN GULATI PHYSICIAN, P.C. FOR DEPARTMENT OF
COMMUNITY SERVICES MEDICAL SERVICES**

Pursuant to 14 NYCRR Section 587.8(d)(3) and (i) and
Act 472-2010 of the Cattaraugus County Legislature.

WHEREAS, Act 731-2009 authorized a contract with Rajan Gulati Physician, P.C., 45 West Main Street, Cuba, New York 14727, for the provision of medical services for the Department of Community Services, the term of which expires December 31, 2010, and

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

WHEREAS, Rajan Gulati Physician, P.C., shall provide medical services for the Department of Community Services mental health clinic, at a rate of \$130 per hour of direct care for a maximum of 180 hours per year, plus \$50 per hour for travel not to exceed 1.5 hours per week, for a total not to exceed \$27,300, and

WHEREAS, this program is funded through federal, state and local funds, 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 Rajan Gulati Physician, P.C., for the provision of the above-described medical services, for a term commencing January 1, 2011 and terminating December 31, 2011, 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 7 members of the Finance Committee and 5 members of the Human Services Committee.

Adopted December 8, 2010 by voice vote.

ACT NO. 728-2010 by Mr. Neal and Mr. Snyder

**AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACT
WITH MILESTONE PPS, P.C. FOR DEPARTMENT OF
COMMUNITY SERVICES PSYCHIATRIC MEDICAL SERVICES**

Pursuant to 14 NYCRR Section 587.8(d)(3) and (i) and Act 472-2010 of the Cattaraugus County Legislature.

WHEREAS, Act 729-2009 amended by Act 127-2010, authorized a contract with Raja Rao, M.D., for the provision of psychiatric medical services for the Department of Community Services, the term of which expires December 31, 2010, and

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

WHEREAS, Milestone PPS, P.C., 15 Pleasant Street, Hornell, New York 14843, shall provide psychiatric medical services for the Department of Community Services mental health clinic, through Hardish K. Singh, M.D., at a rate of rate of \$135 per hour of direct care for a maximum of 780 hours per year, plus \$50 per hour for travel, not to exceed 6 hours per month, and

WHEREAS, this program is funded through federal, state and local funds, 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 Milestone PPS, P.C., for the provision of the above-described psychiatric medical services, for a term commencing January 1, 2011 and terminating December 31, 2011, 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 7 members of the Finance Committee and 5 members of the Human Services Committee.

Adopted December 8, 2010 by voice vote.

ACT NO. 729-2010 by Mr. Neal and Mr. Snyder

**AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACT
WITH CATTARAUGUS REHABILITATION CENTER, INC. FOR
DEPARTMENT OF COMMUNITY SERVICES RESPITE SERVICES**

Pursuant to Section 41.55 of the Mental Hygiene Law and Act 472-2010 of the Cattaraugus County Legislature.

WHEREAS, Act 168-2010 authorized a contract with Cattaraugus Rehabilitation Center, Inc., 1439 Buffalo Street, Olean, New York 14760, for the provision of respite services for case management clients, the term of which expires December 31, 2010, and

WHEREAS, the County Department of Community Services is desirous of utilizing respite services for ICM and SCM clients, and

WHEREAS, Cattaraugus Rehabilitation Center, Inc., has agreed to provide the aforementioned respite services for an amount not to exceed \$24,898, as follows:

Respite through DSS 65/35 Program	not to exceed \$13,394/yr.
OMH Respite	not to exceed \$11,504/yr.

Out-of-Home Respite Services
(other than North Union Street Community Residence)

First 48 hours of services provided	\$ 8.48/hr
In-Home Respite Services	\$ 13.99/hr

North Union Street Community Residence

- **RESPITE**

Hourly

First 4 hours	\$ 42.40
Each hour after 4 hours up to 16 hours	\$ 10.60/hr

Daily

One day - anything over 16 hours not to exceed 24 hours	\$ 180.00
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Weekly

5 - 7 consecutive days	\$ 900.00
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- **1:1 RESPITE**

Hourly

First 4 hours	\$ 102.40
Each hour after 4 hours up to 16 hours	\$ 25.60/hr

Daily

One day - anything over 16 hours not to exceed 24 hours	\$ 420.00
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Weekly

5 - 7 consecutive days	\$2,100.00
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Note: The 1st respite stay will include a \$20 additional assessment fee.,

and

WHEREAS, this program is 80% state and 20% County funded, 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 the Cattaraugus Rehabilitation Center, Inc., for the provision of the above-described services, for a term commencing January 1, 2011 and terminating December 31, 2011, 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 7 members of the Finance Committee and 5 members of the Human Services Committee.

Adopted December 8, 2010 by voice vote.

ACT NO. 730-2010 by Mr. Neal and Mr. Snyder

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
JAMESTOWN PSYCHIATRIC, P.C., FOR DEPARTMENT OF COMMUNITY SERVICES
MENTAL HEALTH PSYCHIATRIC SERVICES FOR PROS CLIENTS**

Pursuant to 14 NYCRR Section 587.8(d)(3) and (i),
Section 41.07 of the Mental Hygiene Law and
Section 450 of the County Law.

WHEREAS, Act 163-2010, as amended by Act 407-2010, authorized a contract with Jamestown Psychiatric, P.C., 305 East Fairmount Avenue, Lakewood, New York 14750, for the provision of psychiatric services for the Department of Community Services at a rate of \$165 per hour for a maximum amount of 340 hours, the term of which expires December 31, 2010, and

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

WHEREAS, Jamestown Psychiatric, P.C., shall provide psychiatric services for the Department of Community Services' clients in the PROS program through a psychiatrist at a rate of \$165 per hour for a maximum amount of 286 hours of direct care, plus an amount of \$100 per hour for travel not to exceed 150 hours, and

WHEREAS, this program is funded through federal, state and local funds, 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 Jamestown Psychiatric, P.C., for the provision of the above-described services, for a term commencing January 1, 2011 and terminating December 31, 2011, 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 7 members of the Finance Committee and 5 members of the Human Services Committee.

Adopted December 8, 2010 by voice vote.

ACT NO. 731-2010 by Mr. Neal and Mr. Snyder
and Mr. Aiello and Mr. Padlo¹

**AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACT WITH
OLEAN CHILD DAY CARE CENTER, INC. FOR DAY CARE SERVICES FOR
DEPARTMENT OF COMMUNITY SERVICES PROS CLIENTS**

Pursuant to Section 41.07 of the Mental Hygiene Law,
Section 450 of the County Law and
Act 432-2002 of the Cattaraugus County Legislature

WHEREAS, Act 64-2010 authorized a contract with Olean Child Day Care Center, Inc., 212 Laurens Street, Olean, New York 14760, for the provision of day care services to PROS clients with children, in order to allow clients to attend programs more regularly, the term of which expires December 31, 2010, and

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

WHEREAS, Olean Child Day Care Center, Inc., has agreed to provide the aforementioned day care services for an amount not to exceed a total program amount of \$6,000, in accordance with the Olean Child Day Care Center's current rate schedule, and

WHEREAS, this program is 37% county funded and 63% state and federally funded, 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 Olean Child Day Care Center, Inc., for the provision of the above-described services, for a term commencing January 1, 2011 and terminating December 31, 2011, 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 7 members of the Finance Committee and 5 members of the Human Services Committee.

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

Adopted December 8, 2010 by voice vote.

ACT NO. 732-2010 by Mr. Neal and Mr. Snyder
and Mr. Aiello and Mr. Padlo¹

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
MENTAL HEALTH ASSOCIATION IN CATTARAUGUS COUNTY, INC.
FOR DEPARTMENT OF COMMUNITY SERVICES FAMILY SUPPORT SERVICES**

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

WHEREAS, the Department of Community Services is desirous of providing family support services at the Pioneer Central School for children and youth who are referred for Mental Health services and their families, and

WHEREAS, Mental Health Association in Cattaraugus County, Inc., 102 North Clinton Street, Olean, New York 14760, can provide family support services at the Pioneer Central School for an amount of \$4,000, and

WHEREAS, sufficient funds are included in the 2011 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 Mental Health Association in Cattaraugus County, Inc., for the provision of the above-described services, for a term commencing January 1, 2011 and terminating December 31, 2011, according to the above-described terms.

Approved by 7 members of the Finance Committee and 5 members of the Human Services Committee.

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

Adopted December 8, 2010 by voice vote.

ACT NO. 733-2010 by Mr. Neal and Mr. Snyder

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
VARIOUS ENTITIES FOR DEPARTMENT OF COMMUNITY SERVICES
ON-CALL SOCIAL WORKER/MENTAL HEALTH THERAPIST**

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 providing on-call social worker/mental health therapist services for its Mental Health Clinic, and

WHEREAS, the following various entities can provide clinicians for the provision of on-call social worker/mental health therapist services for the Mental Health Clinic:

Cattaraugus Community Action, Inc. 25 Jefferson Street Salamanca, New York 14779	Two (2) Clinicians	\$7,333.00
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Southern Tier Environments for Living, Inc. 715 Central Avenue Dunkirk, New York 14048,	One (1) Clinician	\$3,667.00
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and

WHEREAS, the aforementioned clinicians will each be on-call 8.6 weeks per year for approximately 14 hours per week and work on a rotation basis, and

WHEREAS, sufficient funds are included in the 2011 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 above-listed various entities, for the provision of the above-described services, for a term commencing January 1, 2011 and terminating December 31, 2011, according to the above-described terms.

Approved by 7 members of the Finance Committee and 5 members of the Human Services Committee.

Adopted December 8, 2010 by voice vote.

ACT NO. 734-2010 by Mr. Vecchiarella

AUTHORIZATION FOR ORGANIZATIONAL MEETING

Pursuant to Section 151 of the County Law.

RESOLVED, that the organizational meeting of the Cattaraugus County Legislature shall be held in the Legislature's Chambers, County Office Building, 303 Court Street, Little Valley, New York on the 5th day of January, 2011, at 3:00 p.m., and be it further

RESOLVED, that the Clerk of the Legislature shall serve upon each member a notice stating the time, place and date of such meeting to organize the Legislature, and that the Chairman will then be elected; such notice shall be in writing and shall be served by mail addressed to each member to

his or her last known post office address at least 48 hours before the date of the meeting.

Approved by 7 members of the Finance Committee and 6 members of the County Operations Committee.

Adopted December 8, 2010 by voice vote.

ACT NO. 735-2010 by Mr. McClune

**BID ACCEPTANCE FOR DIETARY MANAGEMENT SERVICES AND
DIETITICIAN AND NUTRITION CONSULTANT SERVICES
(Department of Nursing Homes)**

Pursuant to 10 NYCRR Section 415.14, 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 operation and management of the Department of Nursing Homes Dietary Department at the Pines Healthcare & Rehabilitation Center - Olean Campus, according to specifications provided by the Senior Services Committee, and

WHEREAS, the Clerk of the Legislature was also authorized to advertise for sealed bids for dietician and nutrition consultant services for the Department of Nursing Homes Dietary Departments at the Pines Healthcare & Rehabilitation Centers - Olean and Machias Campuses, according to specifications provided by the Senior Services Committee, and

WHEREAS, the lowest bids received meeting specifications was the bid of Healthcare Services Group, Inc., 3220 Tillman Drive, Glenview Corporate Center, Suite 300, Bensalem, Pennsylvania 19020, as follows:

<u>Service</u>	<u>Basis</u>	<u>Rate</u>
Skilled Nursing Facility	Price per Patient Day for Meals Served to In-House Residents, not including those residents requiring Enteral Feeding and NPO*	\$14.98
Food for Gratification costs (tube fed residents)	Price per Patient Day	\$ 0.90
Employee/Visitor Meals	Cost per Meal	\$ 3.50
Registered Dietitian	Cost per Hour	\$45/hour

*The vendor will charge only for those meals served. Therefore, the Facility will not be charged for residents who are in the hospital on bed-hold, unoccupied beds, those residents who are nothing by mouth (NPOs), or those residents on tube-feeding,

and

RESOLVED, that the bids of Healthcare Services Group, Inc., be, and the same hereby are, accepted for a term commencing February 1, 2011 and terminating January 31, 2013, with the County's sole option to renew for two (2) additional one-year periods, and be it further

RESOLVED, that there is allowed a 3% annual increase in the per patient day price and registrant meal price (Facility), with such increases to be effective February 1 of each year this contract remains in effect, commencing February 1, 2012, and be it further

RESOLVED, that the vouchers accordingly certified by the Controller of the Department of Nursing Homes be audited by the Auditor and paid by the County Treasurer.

No State Bid.

13 sets of specifications were sent out.

Two bids were received.

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

Adopted December 8, 2010 by voice vote.

ACT NO. 736-2010 by Mr. Neal and Mr. Snyder

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
JOM PHARMACEUTICAL SERVICES, INC. FOR
PROVISION OF INVEGA SUSTENNA FOR
DEPARTMENT OF COMMUNITY SERVICES PROS CLIENTS**

Pursuant to Section 450 of the County Law.

WHEREAS, the Department of Community Services is in need of the prescription medication Invega Sustenna for certain clients of the Mental Health Clinics and the PROS Facility, and

WHEREAS, JOM Pharmaceutical Services, Inc., 1000 Route 202 South, Raritan, New Jersey 08869-0602, can provide the prescription medication Invega Sustenna for the clients of the Department of Community Services, and

WHEREAS, the Department of Community Services will bill Medicaid and other third party insurance carriers for reimbursement of the cost of the aforementioned prescription medication, 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 JOM Pharmaceutical Services, Inc., for the provision of the above-described services, for a term commencing January 1, 2011 to continue in full force and effect until terminated by either party hereto, according to the above-described terms.

Approved by 7 members of the Finance Committee and 5 members of the Human Services Committee.

Adopted December 8, 2010 by voice vote.

ACT NO. 737-2010 by Mr. Neal and Mr. Snyder

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
CATTARAUGUS REHABILITATION CENTER, INC. FOR
DEPARTMENT OF COMMUNITY SERVICES
AFTERNOON GAP PROGRAM**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 402-2010 authorized a contract with the Cattaraugus Rehabilitation Center, Inc., 1439 Buffalo Street, Olean, New York 14760, for participation in the Afternoon Group Activities People (GAP) Program, the term of which expires December 31, 2010, and

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

WHEREAS, the Cattaraugus Rehabilitation Center, Inc., operates the Afternoon GAP Program and has agreed to allow the blended child case management clients to attend for an amount of \$16.68 per hour and/or \$4.17 per fifteen minute increment, for an amount not to exceed \$5,000, and

WHEREAS, the aforementioned services are 100% 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 Cattaraugus Rehabilitation Center, Inc., for the provision of the above-described services, for a term commencing January 1, 2011 and terminating December 31, 2011, 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 7 members of the Finance Committee and 5 members of the Human Services Committee.

Adopted December 8, 2010 by voice vote.

ACT NO. 738-2010 by Mr. McLarney, Mr. O'Brien,
Mr. Boser and Mr. Giardini
who ask immediate consideration

**WAIVING FEES AT CERTAIN TRANSFER STATIONS FOR
DISPOSAL OF FLOOD-DAMAGED MATERIALS**

Pursuant to Section 17 of Local Law Number 2-1990 (Intro Number 1-1990).

WHEREAS, the various areas of Portville, Allegany, Olean, and Salamanca have suffered damage due to the recent flooding, and

WHEREAS, tipping fees should be waived on *December 11 and 18¹, 2010*, at the Portville, Allegany, and Salamanca Transfer Stations for the disposal of flood-damaged materials, now, therefore, be it

RESOLVED, that the tipping fees are hereby waived at the Portville, Allegany, and Salamanca Transfer Stations for the disposal of flood-damaged materials on December 11, 2010, *and be it further*

RESOLVED, that the County Administrator can authorize additional Saturdays, based on weather conditions.¹

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

¹ MR. VECCHIARELLA moved, seconded by Mr. Boser to amend Act No. 738-2010 as follows: In the second Whereas, delete: "December 11", and replace with: "December 11 and 18"; add a second Resolved as follows: "and be it further RESOLVED, that the County Administrator can authorize additional Saturdays, based on weather conditions." Carried.

Adopted, as amended, December 8, 2010 by voice vote.

ACT NO. 739-2010 by Mr. Giardini
and Mr. Ellis and Mr. Murphy
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT EXTENSION WITH
NYSDOT FOR TANNERY STREET BRIDGE OVER TRIBUTARY
SOUTH BRANCH CATTARAUGUS CREEK**

Pursuant to Title 23 U.S. Code and
Section 450 of the County Law.

WHEREAS, Act 259-2006, as amended by Act 236-2009, authorized a contract with the New York State Department of Transportation (NYSDOT) for the replacement of the Tannery Street Bridge over Tributary South Branch Cattaraugus Creek, BIN 3-32281-0, in the Town of New Albion, Cattaraugus County, PIN 5757.33, (the "Project"), the term of which expires December 31, 2010, and

WHEREAS, a no-cost time extension is necessary in order to complete the aforementioned project, 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 New York State Department of Transportation, for the provision of the above-described services, extending the term of the aforementioned contract to December 31, 2012, according to the above-described terms.

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

Adopted December 8, 2010 by voice vote.

ACT NO. 740-2010 by Mr. Giardini
and Mr. Ellis and Mrs. Stockman
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT EXTENSION WITH
NYSDOT FOR COUNTY ROAD NO. 57 AND BENTLEY ROAD
INTERSECTION FEDERAL-AID IMPROVEMENT PROJECT**

Pursuant to Title 23 U.S. Code and
Section 450 of the County Law.

WHEREAS, Act 66-2009 authorized a contract with New York State Department of Transportation (NYSDOT) for the improvement of the County Road No. 57 and Bentley Road intersection improvement project, in the Town of

Dayton, Cattaraugus County, PIN 5759.09 (the "Project"), the term of which expires December 31, 2010, and

WHEREAS, a no-cost time extension is necessary in order to complete the aforementioned project, 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 New York State Department of Transportation, for the provision of the above-described services, extending the term of the aforementioned contract to December 31, 2011, according to the above-described terms.

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

Adopted December 8, 2010 by voice vote.

ACT NO. 741-2010 by Mr. Giardini
and Mr. Ellis and Mr. Murphy
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT EXTENSION WITH
NYS DOT FOR COUNTY ROAD NO. 11
FEDERAL-AID REPLACEMENT PROJECT**

Pursuant to Title 23 U.S. Code and
Section 450 of the County Law.

WHEREAS, Act 373-2006 authorized a contract with New York State Department of Transportation (NYS DOT) for the replacement of the County Road No. 11, North Otto Road Bridge over South Branch Cattaraugus Creek, BIN 3322910, in the Town of Otto, Cattaraugus County, PIN 5757.34, the term of which expires December 31, 2010, and

WHEREAS, a no-cost time extension is necessary in order to complete the aforementioned project, 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 New York State Department of Transportation, for the provision of the above-described services, extending the term of the aforementioned contract to December 31, 2011, according to the above-described terms.

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

Adopted December 8, 2010 by voice vote.

ACT NO. 742-2010 by Mr. Giardini
and Mr. Ellis
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
BRADY SYSTEMS FOR TRUCK SCALE MAINTENANCE PROGRAM AND
RESCINDING ACT 201-2010**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 201-2010 authorized a contract with Brady Systems, 811 North Alvord Street, Syracuse, New York 13208-2015, for the purchase of a five-year comprehensive preventative maintenance plan for the Mettler Toledo/7562 PDX steel deck motor truck scales, and

WHEREAS, the Department of Public Works is desirous of terminating the five-year preventative maintenance plan and contracting with Brady Systems for an annual maintenance plan, and

WHEREAS, Brady Systems can provide an annual comprehensive preventative maintenance plan for the aforementioned Mettler Toledo/7562 PDX steel deck motor truck scales for a total cost of \$1,200 per year, and

WHEREAS, sufficient funds are included in the 2011 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 Brady Systems for the provision of the above-described maintenance plan, for a term commencing upon installation of the above-described scales and terminating one year thereafter, according to the above-described terms, and be it further

RESOLVED, that Act 201-2010 be, and hereby is, rescinded.

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

Adopted December 8, 2010 by voice vote.

ACT NO. 743-2010 by Mr. Ellis, Mr. Murphy,
Mr. Vecchiarella and Mr. Ward
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
K.S. LAFORGE EXCAVATING, INC. FOR DEMOLITION AND
REMOVAL/DISPOSAL OF PROPERTY LOCATED ON LEAVENWORTH STREET IN
THE VILLAGE OF CATTARAUGUS AND TRANSFER OF FUNDS
(Contingent Fund - Treasurer)**

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

WHEREAS, the County-owned house located at 78 Leavenworth Street in the Village of Cattaraugus is unsafe and has been condemned, and

WHEREAS, the County is desirous of demolishing the house and cleaning up the site, and

WHEREAS, K.S. LaForge Excavating, Inc., P.O. Box 425, 3090 Trapping Brook Road, Wellsville, New York 14895, can provide for the demolition, removal and site cleanup of 78 Leavenworth Street, in the Village of Cattaraugus, for an amount not to exceed \$18,640, which includes a \$4,000 New York State Department of Labor notification fee, and

WHEREAS, a transfer of funds is necessary in order 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 K.S. LaForge Excavating, Inc., for the provision of the above-described services, for a term commencing December 1, 2010 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.1990.445	Contingent Fund	\$20,640.00
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Increase Appropriation Account:

A.1364.418	Advertising and Repairs	\$20,640.00.
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MS. VICKMAN moved, seconded by Mr. Aiello to waive Rule 12. Carried.

Adopted December 8, 2010 by voice vote.

ACT NO. 744-2010 by Mr. Ellis, Mr. Murphy,
Mr. Vecchiarella and Mr. Ward
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
NORTHEASTERN ENVIRONMENTAL MANAGEMENT FOR AIR MONITORING OF
PROPERTY LOCATED ON LEAVENWORTH STREET IN
THE VILLAGE OF CATTARAUGUS**

Pursuant to Sections 215 and 450 of the County Law.

WHEREAS, the County-owned house located at 78 Leavenworth Street in the Village of Cattaraugus is unsafe and has been condemned, and

WHEREAS, the County is desirous of demolishing the house and cleaning up the site, and

WHEREAS, Northeastern Environmental Management, 25 Van Tassel Way, Bradford, Pennsylvania 16701, can provide the air monitoring services needed during the demolition of 78 Leavenworth Street, in the Village of Cattaraugus, for an amount not to exceed \$500 per day of actual work performed, 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 Northeastern Environmental Management, for the provision of the above-described services, for a term commencing December 1, 2010 and terminating December 31, 2010, according to the above-described terms.

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

Adopted December 8, 2010 by voice vote.

ACT NO. 745-2010 by Mr. Vecchiarella
who asks immediate consideration

**TRANSFER OF FUNDS
(Contingent Fund - Legal Defense of Indigents)**

Pursuant to Sections 363 and 365 of the County Law.

WHEREAS, due to a shortfall in the Legal Defense of Indigents appropriations, a transfer must be made from the Contingent Fund, now, therefore, be it

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

Decrease Appropriation Account:		
A.1990.445	Contingent Fund	\$55,782.00
Increase Appropriation Account:		
A.1172.445	Family Court	\$55,782.00.

MR. WARD moved, seconded by mr. Boser to waive Rule 12. Carried.

Adopted December 8, 2010 by voice vote.

ACT NO. 746-2010 by Ms. Vickman
who asks immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
MEDICAL STAFFING NETWORK FOR
NURSING SERVICES COVERAGE FOR
DEPARTMENT OF NURSING HOMES**

Pursuant to Section 450 of the County Law.

WHEREAS, the Department of Nursing Homes is in need of coverage for licensed practical nurse (LPN) and registered nurse (RN) services for the residents of the Pines Healthcare and Rehabilitation Center-Olean and Machias Campuses, and

WHEREAS, Medical Staffing Network, 2050 South Clinton Street, Rochester, New York 14618, can provide the aforementioned nursing services coverage for an amount as follows:

LPN	Weekday and Weekend	\$36/hour
RN	Weekday and Weekend	\$48/hour
Holiday Pay Rate	Rate of 1 ½,	

and

WHEREAS, sufficient funds are included in the 2011 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 Medical Staffing Network, for the provision of the above-described services, for a term commencing January 1, 2011 to continue in full force and effect at the same rates until amended or terminated by either party hereto, 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.

MR. BOSER moved, seconded by Mrs. Stockman to waive Rule 12. Carried.

Adopted December 8, 2010 by voice vote.

ACT NO. 747-2010 by Ms. Vickman
who asks immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
SIBLEY NURSING PERSONNEL SERVICES FOR
NURSING SERVICES COVERAGE FOR
DEPARTMENT OF NURSING HOMES**

Pursuant to Section 450 of the County Law.

WHEREAS, the Department of Nursing Homes is in need of coverage for licensed practical nurse (LPN), registered nurse (RN) and registered nurse (RN) Charge/Supervisor services for the residents of the Pines Healthcare and Rehabilitation Center-Olean and Machias Campuses, and

WHEREAS, Sibley Nursing Personnel Services, 1655 Elmwood Avenue, Suite 100, Rochester, New York 14620, can provide the aforementioned nursing services coverage for an amount as follows:

LPN	Weekday and Weekend	\$37.75/hour
RN	Weekday and Weekend	\$52.25/hour
RN Charge/Supervisor	Weekday and Weekend	\$59.75/hour
Holiday Pay Rate	Rate of 1½,	

and

WHEREAS, sufficient funds are included in the 2011 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 Sibley Nursing Personnel Services, for the provision of the above-described services, for a term commencing January 1, 2011 to continue in full force and effect at the same rates until amended or terminated by either party hereto, 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.

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

Adopted December 8, 2010 by voice vote.

ACT NO. 748-2010 by Mr. Neal and Mr. Snyder
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
VENTURE FORTHE, INC. FOR HOME HEALTH CARE SERVICES**

Pursuant to Section 3602 of the Public Health Law and
Section 450 of the County Law.

WHEREAS, Act 274-2009 authorized a contract with Venture Forthe, Inc., for the provision of home health care services, the term of which expires December 31, 2010, and

WHEREAS, the County Departments of Health, Social Services and Aging are in need of home care services, and

WHEREAS, Venture Forthe, Inc., 3900 Packard Road, Niagara Falls, New York 14303, can provide home health care services to Cattaraugus County in accordance with the following rate limits and terms:

Level of Care:	rate limits**
Home Attendant/Housekeeper (Personal Care 1)	\$18.55/hr.
Personal Care Aide (Personal Care 2)	\$19.03/hr.
Shared Aide - ¼ hour (Personal Care 1)	\$ 4.64/¼ hr.
Shared Aide - ¼ hour (Personal Care 2)	\$ 4.76/¼ hr.
Certified Home Health Aide	\$19.59/hr.
Licensed Practical Nurse (LPN) (DSS)	\$21.00/hr.
Licensed Practical Nurse (LPN) (Health Dept)	\$26.25/hr.
Registered Nurse (RN) (Health Dept)	\$37.30/hr.
Registered Nurse (RN) (Social Services Dept)	\$26.00/hr.
Nursing Supervision Visit	\$63.50/hr.

**Actual base Medicaid rates as initially established by the State Department of Health to be billed, if lower than caps to all Departments. In addition to the base rate, any recruitment and retention add-on established by the State Department of Health shall be billed to the Department of Social Services only. Cattaraugus County Department of Health has applied for recruitment and retention add-on funds.

Assumptions:

- In the event the initial Medicaid rates for 2011 as established by the State Department of Health exceed the County rate limits set forth above, the Contractor agrees to submit rate revision requests to the NYSDOH and request the rate(s) be lowered to comply with the Cattaraugus County rate limits set forth above.
- Rates billed to the Medicaid Management Information System (MMIS) for the DSS personal care program are subject to any limitations of the MMIS and will reflect the requirements of 18 NYCRR 505.14.

and

WHEREAS, sufficient funds are included in the 2011 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 Venture Forthe, Inc., for the provision of the above-described services for a term commencing January 1, 2011 and terminating December 31, 2011, 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.

MR. WARD moved, seconded by Mr. Ellis to waive Rule 12. Carried.

Adopted December 8, 2010 by voice vote.

ACT NO. 749-2010 by Mr. Neal and Mr. Snyder
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
VNA HOMECARE SERVICES FOR HOME HEALTH CARE SERVICES**

Pursuant to Section 3602 of the Public Health Law and
Section 450 of the County Law.

WHEREAS, the County Departments of Health, Social Services and Aging are in need of home care services, and

WHEREAS, VNA Homecare Services, 2100 Wehrle Drive, Williamsville, New York 14221, can provide home health care services to Cattaraugus County in accordance with the following rate limits and terms:

Level of Care:	rate limits**
Home Attendant/Housekeeper (Personal Care 1)	\$18.55/hr.
Personal Care Aide (Personal Care 2)	\$19.03/hr.
Shared Aide - ¼ hour (Personal Care 1)	\$ 4.64/¼ hr.
Shared Aide - ¼ hour (Personal Care 2)	\$ 4.76/¼ hr.
Certified Home Health Aide	\$19.59/hr.
Licensed Practical Nurse (LPN) (DSS)	\$21.00/hr.
Licensed Practical Nurse (LPN) (Health Dept)	\$26.25/hr.
Registered Nurse (RN) (Health Dept)	\$37.30/hr.
Registered Nurse (RN) (Social Services Dept)	\$26.00/hr.
Nursing Supervision Visit	\$63.50/hr.

**Actual base Medicaid rates as initially established by the State Department of Health to be billed, if lower than caps to all Departments. In addition to the base rate, any recruitment and retention add-on established by the State Department of Health shall be billed to the Department of Social Services only. Cattaraugus County Department of Health has applied for recruitment and retention add-on funds.

Assumptions:

- In the event the initial Medicaid rates for 2011 as established by the State Department of Health exceed the County rate limits set forth above, the Contractor agrees to submit rate revision requests to the NYSDOH and request the rate(s) be lowered to comply with the Cattaraugus County rate limits set forth above.
- Rates billed to the Medicaid Management Information System (MMIS) for the DSS personal care program are subject to any limitations of the MMIS and will reflect the requirements of 18 NYCRR 505.14.

and

WHEREAS, sufficient funds are included in the 2011 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 VNA Homecare Services, for the provision of the above-described services for a term commencing January 1, 2011 and terminating December 31, 2011, 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.

MR. McCLUNE moved, seconded by Mr. Ellis to waive Rule 12. Carried.

Adopted December 8, 2010 by voice vote.

ACT NO. 750-2010 by Mr. Neal and Mr. Snyder
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
OLEAN GENERAL HOSPITAL FOR HEALTH DEPARTMENT
PHYSICAL, OCCUPATIONAL AND SPEECH THERAPY SERVICES**

Pursuant to 10 NYCRR Section 763.3 and Section 450 of the County Law.

WHEREAS, Act 708-2009 authorized the Chair to execute a contract with Olean General Hospital, 535 Main Street, Olean, New York 14760, for the provision of outpatient physical therapy services for patients in the Health Department's Home Care Program, the term of which expires December 31, 2010, and

WHEREAS, the Health Department is desirous of continuing the aforementioned contract, and

WHEREAS, Olean General Hospital can provide physical, occupational and speech therapy services, as follows, which is the same as 2010:

OUTPATIENT

Outpatient Physical Therapy	\$48/standard office visit
	\$21/short office visit
	(less than 15 min.)

HOME VISITS

Physical Therapy Home Visits	\$68/visit
Occupational Therapy Home Visits	\$68/visit
Speech Therapy Home Visits	\$68/visit
Nutritionist	\$68/visit
Nutritionist Evaluations (Physical Therapy, Occupational Therapy or Speech Therapy)	\$70/visit

CONSULTING SERVICES

Qualified Medical Record Practitioner	\$68/hour
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MEETINGS

Attendance at meetings	\$28/hour,
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and

WHEREAS, sufficient funds are included in the 2011 budget to cover the cost of the aforementioned services, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Olean General Hospital, for the provision of the above-described services, for a term commencing January 1, 2011 and terminating December 31, 2011, 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.

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

Adopted December 8, 2010 by voice vote.

ACT NO. 751-2010 by Mr. Neal and Mr. Snyder
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
WYOMING COUNTY DEPARTMENT OF HEALTH FOR
ENVIRONMENTAL LABORATORY TESTING SERVICES**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 720-2009 authorized the Chair to execute a contract with the Wyoming County Department of Health for the provision of environmental laboratory testing services, the term of which expires December 31, 2010, and

WHEREAS, the Wyoming County Department of Health, 5362 Mungers Hill Road, Building A, Silver Springs, New York 14550, is still in need of these services, and

WHEREAS, the Cattaraugus County Department of Health Laboratory can provide the aforementioned environmental laboratory water testing services in accordance with the following fee schedule:

Bacteriological (Presence/Absence)	\$20.00
Bacteriological (Membrane Filter)	\$23.00
Bacteriological (High Dilution)	\$25.00
Fecal Coliform	\$10.00
Nitrate	\$28.00,

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 the Wyoming County Department of Health, for the provision of the above-described environmental laboratory water testing services, for a term commencing January 1, 2011 and terminating December 31, 2011, according to the above-described terms.

MR. WARD moved, seconded by Mr. Marsh to waive Rule 12. Carried.

Adopted December 8, 2010 by voice vote.

ACT NO. 752-2010 by Mr. Neal and Mr. Snyder
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
JAMESTOWN REHAB SERVICES, PT, OT, SLP, PLLC FOR
HEALTH DEPARTMENT HOME HEALTH CARE PROGRAM
THERAPY SERVICES**

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

WHEREAS, Act 702-2009 authorized a contract with Jamestown Rehab Services, PT, OT, SLP, PLLC, 4482 Kathleen Street, Hamburg, New York 14075, for the provision of various therapy services for the patients of the Health Department Home Health Care Program, the term of which expires December 31, 2010, and

WHEREAS, the County Department of Health is desirous of continuing the provision of physical, occupational and speech therapy services, and

WHEREAS, if Jamestown Rehab Services, PT, OT, SLP, PLLC, refuses any physical therapy homecare cases, occupational therapy visits or speech therapy services during the term of the 2011 contract, then the rates for such services shall revert back as follows for the duration of the contract:

Physical Therapy Services	Base Rate of \$68/visit
Occupational Therapy Services	Base Rate of \$68/visit
Speech Therapy Services	Base Rate of \$68/visit
Physical Therapy Assistant Services	Base Rate of \$45/visit,

and

WHEREAS, Jamestown Rehab Services, PT, OT, SLP, PLLC, has agreed to provide physical, occupational and speech therapy services to Cattaraugus County Health Department patients at the following rates:

Service	2010 Rate	2011 Rate
Physical Therapist	\$70/visit	\$70/visit
Occupational Therapist	\$70/visit	\$70/visit
Speech Therapist	\$70/visit	\$70/visit
Physical Therapy Assistant	\$55/visit	\$55/visit
Attendance at Meetings	\$28/hour	\$28/hour
Evaluations	\$70/visit	\$70/visit
PT only admission visit	\$80/visit	\$80/visit
Recruitment & Retention (to be determined by NYSDOH),		

and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Jamestown Rehab Services, PT, OT, SLP, PLLC, for the provision of the above-described services, for a term commencing January 1, 2011 and terminating December 31, 2011, according to the above-described terms, and be it further

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

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

Adopted December 8, 2010 by voice vote.

ACT NO. 753-2010 by Mr. Neal and Mr. Snyder
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH
CATTARAUGUS-ALLEGANY WORKFORCE INVESTMENT BOARD, INC. FOR
SUMMER YOUTH EMPLOYMENT PROGRAMS**

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

WHEREAS, Act 362-2010 authorized a contract with the Cattaraugus-Allegany Workforce Investment Board, Inc. (WIB), for the Summer Youth Employment program, the term of which expired September 30, 2010, and

WHEREAS, the County Department of Social Services is desirous of extending the term of the aforementioned contract to March 31, 2011, with no increase in the amount, 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 Cattaraugus-Allegany Workforce Investment Board, Inc., for the provision of the above-described services, for a term commencing May 1, 2010 and terminating March 31, 2011, according to the above-described terms.

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

Adopted December 8, 2010 by voice vote.

ACT NO. 754-2010 by Human Services Committee:

Mr. Snyder, Mr. Neal, Mr. Aiello,
Mrs. Stockman, Ms. Vickman, Mr. Nenno and Mr. Ward
who ask immediate consideration

**ABOLISHING ONE POSITION OF COMPUTER OPERATOR AND
ONE POSITION OF KEYBOARD SPECIALIST AND
CREATING TWO POSITIONS OF ELIGIBILITY WORKER IN
DEPARTMENT OF SOCIAL SERVICES AND
ESTABLISHING COMPENSATION FOR SAME
(SOCIAL SERVICES)**

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

WHEREAS, the Department of Social Services is desirous of restructuring its organization, which will lead to more efficient and economical services to its clients, and

WHEREAS, this restructuring requires the abolition of a Keyboard Specialist and Computer Operator and the creation of two Eligibility Workers, and

WHEREAS, this reorganization will provide for an increase in services to clients at little increase in cost, and

WHEREAS, the New Position Duties Statements have been submitted to the Cattaraugus County Civil Service Commission, which has approved and certified the titles as in accordance with Section 22 of the Civil Service Law, now, therefore, be it

RESOLVED, that effective 11:59 p.m. December 18, 2010, there are hereby abolished one position of Keyboard Specialist and one position of Computer Operator in the Department of Social Services, and be it further

RESOLVED, that effective December 19, 2010, at 12:00 a.m., there are hereby created two positions of Eligibility Worker, in the Department of Social Services, to be compensated at Grade 14 (\$15.66 - \$17.26 per hour), General Bargaining Unit.

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

Adopted December 8, 2010 by voice vote.

ACT NO. 755-2010 by Mr. Neal and Mr. Snyder
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
JAMESTOWN PSYCHIATRIC, P.C., FOR DEPARTMENT OF COMMUNITY SERVICES
MEDICAL DIRECTOR SERVICES**

Pursuant to 14 NYCRR Section 587.8(d)(3) and (i),
Section 41.07 of the Mental Hygiene Law and
Section 450 of the County Law.

WHEREAS, Act 166-2010 authorized a contract with Isrir Abbasi, M.D., 560 West Third Street, Jamestown, New York 14701, for the provision of medical director services to oversee the provision of medical services in the Department of Community Services mental health clinics, the term of which expires December 31, 2010, and

WHEREAS, Dr. Abbasi would like payments for his services to be made to his corporation Jamestown Psychiatric, P.C., and

WHEREAS, a contract is necessary with Jamestown Psychiatric, P.C., in order to make payments to it for services rendered, and

WHEREAS, effective May 1, 2010, Jamestown Psychiatric, P.C., 560 West Third Street, Jamestown, New York 14701, shall provide the services of medical director for the Department of Community Services mental health clinics for an amount of \$10,666, to be paid in monthly installments of \$1,333.33, and

WHEREAS, sufficient funds are included in the 2010 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 Jamestown Psychiatric, P.C., for the provision of the above-described services, for a term commencing May 1, 2010 and terminating December 31, 2010, according to the above-described terms.

MR. HEBDON moved, seconded by Mr. Burrell to waive Rule 12. Carried.

Adopted December 8, 2010 by voice vote.

ACT NO. 756-2010 by Mr. Neal and Mr. Snyder
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
HEALTHCARE SOLUTIONS WNY, LLC FOR
DEPARTMENT OF COMMUNITY SERVICES BILLING AND ACCOUNTS
RECEIVABLE MANAGEMENT SERVICES**

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 in need of billing-related services for its clinic operations, and

WHEREAS, Healthcare Solutions WNY, LLC, Apple Tree Business Park, 2875 Union Road, Suite 8, Cheektowaga, New York 14227, can provide the billing and accounts receivable management services for a total amount not to exceed \$134,000, as follows:

<u>Service</u>	<u>Fees</u>
Billing and Accounts Receivable Management of <u>current</u> claims (from contract date with Healthcare Solutions WNY, LLC)	5.5% of cash receipts, including co-payments, co-insurance and deductibles. This will be converted to a per claim figure on the billing agreement.
Accounts Receivable Management of all <u>outstanding claims</u> (for dates of service prior to contract date)	8.0% of cash receipts, including co-payments, co-insurance and deductibles collected. This will remain a percentage of collections.,

WHEREAS, sufficient funds are included in the 2011 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 Healthcare Solutions WNY, LLC, for the provision of the above-described services, for a term commencing January 1, 2011 and terminating December 31, 2011, according to the above-described terms.

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

Adopted December 8, 2010 by voice vote.

ACT NO. 757-2010 by Mr. McLarney
who asks immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
TOSKI, SCHAEFER & CO., P.C. FOR
DEFERRED COMPENSATION AUDITING SERVICES**

Pursuant to 9 NYCRR Section 9005.1 and
Section 210 of the County Law.

WHEREAS, Act 476-2009 authorized a contract with Toski, Schaefer & Co., P.C. for purposes of auditing the Cattaraugus County Deferred Compensation Plan, the term of which expired December 31, 2009, and

WHEREAS, it is necessary that the County have its Deferred Compensation Plan audited by an independent auditor in order to be in compliance with New York State Finance Law, and

WHEREAS, the firm of Toski, Schaefer & Co., P.C., 555 International Drive, Williamsville, New York has been recommended to audit the County's Deferred Compensation Plan for an amount as follows:

Plan Year December 31, 2009	Not to exceed \$4,000,
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and

WHEREAS, the Hartford, Inc., will reimburse the County for the cost of the audit for an amount not to exceed \$4,000 for each of the Plan years, 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 firm of Toski, Schaefer & Co., P.C. for the provision of conducting the 2009 audit of the Deferred Compensation Plan for a term commencing December 1, 2010 and terminating December 31, 2010.

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

Adopted December 8, 2010 by voice vote.

ACT NO. 758-2010 by Mr. McLarney and Mr. Boser
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
SOL E POXY, INC. FOR EXPANSION OF OPERATIONS**

Pursuant to Section 99-h of the State Finance Law and
Section 450 of the County Law.

WHEREAS, Sol E Poxy, Inc., has purchased Henkel-Loctite Specialty Materials and proposes to move its existing operations to the new facility, purchase new machinery and equipment and expand its operations, and

WHEREAS, Sol E Poxy, Inc., is in need of \$100,000 to help defray costs of the aforementioned expansion, and

WHEREAS, the County has \$100,000 in its economic development program, using casino funds for economic development projects in the County, and

WHEREAS, it is proposed that the County loan to Sol E Poxy, Inc., the sum of \$100,000, as follows:

- 50% of the loan being eligible to be forgiven on August 30, 2011, provided that Sol E Poxy, Inc., is employing at least forty-four (44) people at its facility on that date;
- 25% on August 30, 2012, provided that Sol E Poxy, Inc., is employing at least forty-eight (48) people at its facility on that date; and
- 25% on August 30, 2013, provided that Sol E Poxy, Inc., is employing at least fifty-two (52) people at its facility on that date,

and

WHEREAS, sufficient funds are included in the economic development fund from casino proceeds for this project, 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 Sol E Poxy, Inc., for a term commencing December 1, 2010 and terminating December 31, 2013, according to the above-described terms.

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

Adopted December 8, 2010 by voice vote.

ACT NO. 759-2010 by Mr. Marsh and Mr. Padlo
who ask immediate consideration

**AUTHORIZING COUNTY CLERK TO REQUEST RETENTION OF
ADDITIONAL EXPENSES FOR MORTGAGE TAX RECORDING**

Pursuant to Section 262 of the Tax Law.

WHEREAS, Act 490-2005 authorized the County Clerk to request retention of \$8,466.79 a month for mortgage tax recording, and

WHEREAS, the County Clerk's Office would be entitled to increased funds for its expenses, if the County Legislature requested the New York State Tax Commission for such an increase, and

WHEREAS, the Tax Commission has requested that Cattaraugus County provide the Commission with the amount that the County desires to retain for those expenses, now, therefore, be it

RESOLVED, that Cattaraugus County hereby requests that \$10,493.33 per month be retained by the County for the following necessary expenditures for mortgage tax recording:

Personnel Costs	\$108,328.20
Non-Personnel Costs	\$ 17,598.96
Total Annual Costs	\$125,927.16,

and be it further

RESOLVED, that the Clerk of the Legislature is hereby directed to forward certified copies of this resolution to the New York State Tax Commission and the New York State Department of Audit and Control.

MR. WARD moved, seconded by Mrs. Stockman to waive Rule 12. Carried.

Adopted December 8, 2010 by voice vote.

ACT NO. 760-2010 by Mr. Marsh and Mr. Padlo
and Mrs. Stockman and Mr. Hebdon¹
who ask immediate consideration

**EXTENDING THREE POSITIONS OF INDEX CLERK IN
OFFICE OF COUNTY CLERK
WHICH WERE FILLED ON A TEMPORARY BASIS**

Pursuant to Sections 204 and 205 of the County Law and
Sections 22 and 64 of the Civil Service Law.

WHEREAS, the Office of the County Clerk has received New York State grant funding for purposes of scanning and indexing older deed records, and

WHEREAS, scanning has been accomplished by an outside vendor, and

WHEREAS, these scanned documents will still require additional indexing, which will require the addition of three temporary Index Clerk positions, and

WHEREAS, Civil Service Law provides for the creation of temporary positions for a period not to exceed six months, except in certain situations wherein the period of time may be extended for a period not to exceed eighteen months, and

WHEREAS, the New Position Duties Statement has been submitted to the Cattaraugus County Civil Service Commission, which has approved and certified the title as Index Clerk in accordance with Section 22 of the Civil Service Law, now, therefore, be it

RESOLVED, that effective January 1, 2011, there are hereby extended three temporary positions of Index Clerk in the Office of the County Clerk to be compensated at Grade 14-1 (\$12.13 per hour), temporary salary schedule, and be it further

RESOLVED, that effective July 30, 2011, these positions shall automatically be abolished, 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.

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

¹ The following Legislators requested their names be listed as additional sponsors: "Mrs. Stockman and Mr. Hebdon".

Adopted December 8, 2010 by voice vote.

ACT NO. 761-2010 by Mr. O'Brien and Mr. Vecchiarella
who ask immediate consideration

**ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
(County Administrator)**

Pursuant to Sections 363 and 366 of the County Law.

WHEREAS, the County has received American Recovery and Reinvestment Act of 2009 funding that can be used for capital projects, now, therefore, be it

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

Increase Estimated Revenue Accounts:

A.4489	ARRA Medicaid Stimulus Aid	\$906,353.00
H.2810	Transfer from General Fund	\$906,353.00

Increase Appropriation Accounts:

A.9522.954	Transfer to Capital Project Fund	\$906,353.00
H.1997.210	Telephone System Upgrade	\$256,713.00
H.1997.238	Tax Collection Software	\$225,000.00
H.3197.201	Law Enforcement Vehicles	\$ 49,000.00
H.5198.201	DPW Equipment	\$375,640.00.

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

Adopted December 8, 2010 by voice vote.

ACT NO. 762-2010 by Mr. Neal and Mr. Snyder
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
OLEAN GENERAL HOSPITAL FOR HEALTH DEPARTMENT
LABORATORY SERVICES**

Pursuant to Section 2406 of the Public Health Law and
Section 450 of the County Law.

WHEREAS, the County Health Department is in need of laboratory services, and

WHEREAS, Olean General Hospital, 515 Main Street, Olean, New York 14760, can provide laboratory services for the County Health Department, which includes the provision of services such as collection, testing, and analyzing of specimens and reporting the results to various providers, and

WHEREAS, Olean General Hospital can provide the aforementioned laboratory services in accordance with Olean General Hospital's rate schedule, and

WHEREAS, this program is fee based and funded through private insurances, Medicaid and State Family Planning Grant funds, 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 Olean General Hospital, for the provision of the above-described services, for a term commencing January 1, 2011 to continue in full force and effect until terminated by either party hereto, 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.

MR. WARD moved, seconded by Mr. Nenno to waive Rule 12. Carried.

Adopted December 8, 2010 by voice vote.

ACT NO. 763-2010 by Mr. Neal and Mr. Snyder
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
COMMUNITY CARE OF WESTERN NEW YORK, INC. FOR
HOME HEALTH CARE SERVICES**

Pursuant to Section 3602 of the Public Health Law and
Section 450 of the County Law.

WHEREAS, Act 191-2010 authorized the Chair to execute a contract with Community Care of Western New York, Inc., for the provision of home health care services, the term of which expires December 31, 2010, and

WHEREAS, the Departments of Aging, Health and Social Services are desirous of continuing the aforementioned services, and

WHEREAS, Community Care of Western New York, Inc., 1225 West State Street, Olean, New York 14760, has agreed to provide home health care services to Cattaraugus County, in accordance with the following rate limits and terms:

Level of Care:	2010 rate limits**	2011 rate limits**
Home Attendant/Housekeeper (Personal Care 1)	\$ 18.55/hr.	\$18.55/hr.
Personal Care Aide (Personal Care 2)	\$ 19.03/hr.	\$19.03/hr.
Certified Home Health Aide	\$ 19.59/hr.	\$19.59/hr.
Licensed Practical Nurse (LPN) (DSS)	\$ 21.00/hr.	\$21.00/hr.
Registered Nurse (RN) (Social Services Dept)	\$ 26.00/hr.	\$26.00/hr.
Nursing Supervision Visit	\$ 63.50/visit	\$63.50/visit

**Actual base Medicaid rates as initially established by the State Department of Health to be billed, if lower than caps to all Departments. In addition to the base rate, any recruitment and retention add-on established by the State Department of Health shall be billed to the Department of Social Services only. Cattaraugus County Department of Health has applied for recruitment and retention add-on funds.

Assumptions:

- In the event the initial Medicaid rates for 2011 as established by the State Department of Health exceed the County rate limits set forth above, the Contractor agrees to submit rate revision requests

to the NYSDOH and request the rate(s) be lowered to comply with the Cattaraugus County rate limits set forth above, applicable to the contract period 1/1/11 - 2/28/11.

- Rates billed to the Medicaid Management Information System (MMIS) for the DSS personal care program are subject to any limitations of the MMIS and will reflect the requirements of 18 NYCRR 505.14.,

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 Community Care of Western New York, Inc., for the provision of the above-described services for a term commencing January 1, 2011 and terminating February 28, 2011, according to the above-described terms.

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

Adopted December 8, 2010 by voice vote.

ACT NO. 764-2010 by Mr. Neal and Mr. Snyder
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
QUALITY PSYCHIATRIC SERVICES, PLLC FOR DEPARTMENT OF
COMMUNITY SERVICES PSYCHIATRIC MEDICAL SERVICES**

Pursuant to 14 NYCRR Section 587.8(d)(3) and (i) and
Section 450 of the County Law.

WHEREAS, Act 729-2009 amended by Act 127-2010, authorized a contract with Raja Rao, M.D., for the provision of psychiatric medical services for the Department of Community Services, the term of which expires December 31, 2010, and

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

WHEREAS, Quality Psychiatric Services, PLLC, 1146 East Main Street, Bradford, Pennsylvania 16701, shall provide psychiatric medical services for the Department of Community Services mental health clinic, through Hardish K. Singh, M.D., at a rate of rate of \$135 per hour of direct care for a maximum of 780 hours per year, plus \$50 per hour for travel, not to exceed 6 hours per month, and

WHEREAS, this program is funded through federal, state and local funds, 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 Quality Psychiatric Services, PLLC, for the provision of the above-described psychiatric medical services, for a term commencing January 1, 2011 and terminating December 31, 2011, 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.

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

Adopted December 8, 2010 by voice vote.

ACT NO. 765-2010 by Mr. Giardini
and Mr. Ellis
who ask immediate consideration

**BID ACCEPTANCE FOR
50-CUBIC YARD OPEN TOP CONTAINERS**

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

WHEREAS, the Clerk of the Legislature was authorized to advertise for sealed bids for the purchase of new and unused 50-cubic yard open top containers, according to specifications provided by the Public Works Committee, and

WHEREAS, the only responsible bid received meeting specifications for the purchase of Valley Enterprises/RO50HD 50-cubic yard open top containers, was the bid of United Services Group, Inc., 46 Sager Drive, Rochester, New York 14607, for an amount of \$22,215 for three (3) units, and

WHEREAS, sufficient funds are included in the 2010 budget to cover the costs of the aforementioned equipment, now, therefore, be it

RESOLVED, that the bid of United Services Group, Inc., be, and the same hereby is, accepted, for a term commencing upon the signing of the contract documents and terminating 30 days thereafter, 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.

14 sets of specifications were sent out.

Two bids were received.

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

Adopted December 8, 2010 by voice vote.

ACT NO. 766-2010 by Mr. O'Brien
who asks immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
CITY OF SALAMANCA FOR CASINO PROCEEDS DISTRIBUTION**

Pursuant to Section 99-h of the State Finance Law and
Section 450 of the County Law.

WHEREAS, Act 682-2007 authorized the Chair to execute a contract with the City of Salamanca for the distribution of casino proceeds, the term of which expires December 31, 2010, and

WHEREAS, the contract should be extended for another two years, and

WHEREAS, the distribution formula is the same as under the existing contract, and

WHEREAS, the County and City, as the municipal governments hosting the gaming facility, have agreed on the formula for distribution of the funds payable to the hosting municipality pursuant to Section 99-h of the State Finance Law, as follows:

- .1 First, the City, County and School District shall each be reimbursed for real property tax load shift for the prior fiscal year resulting from all parcels located on the Seneca Nation of Indians Allegany Reservation which are immune, from taxation (those parcels in the City which have a 14300 exemption code on the City current assessment roll), based upon the assessed value of each parcel as it appears on the City current assessment roll as defined in Section 3.5, supra, except the parcels owned by the Seneca Territory Gaming Corporation (Tax Map Numbers 82.021-1-4.1 and 81.028-1-1), on which the real property tax load shift reimbursement shall be based upon the assessment value of those two parcels at the time of the acquisition of those two parcels by the Seneca Territory Gaming Corporation, and the tax rate or rates applicable from time to time, as verified by the State Office of Real Property Services; then
- .2 The City and County shall each be reimbursed for direct costs incurred in connection with services provided to the casino or arising as a result thereof, including bond payments; then
- .3 The School District shall be reimbursed for direct costs incurred in connection with services provided to the casino or arising as a result thereof, excluding costs for capital improvements or repairs; then
- .4 The balance of the annual local revenue share shall be allocated at a ratio of 75% to the City and 25% to the County to be used for economic development opportunities, job expansion programs and support and services of treatment programs for persons suffering from gaming additions.
- .5 If the local share is insufficient to fully reimburse the City, County and School District for the full amount of the real property tax load shift described in Section .1, supra, then the City, County and School District share shall be each reduced on a pro-rata basis.
- .6 If the local share is insufficient to reimburse the City and County for costs in accordance with Section .2, supra, then the distribution shall be reduced on a pro-rata basis.,

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 City of Salamanca, for a term commencing January 1, 2011 and terminating December 31, 2012, according to the above-described terms.

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

MR. VECCHIARELLA moved, seconded by Mr. Ward to table Act No. 766-2010. Carried.

ACT NO. 767-2010 by Mr. Vecchiarella
who asks immediate consideration

**LEVY UPON REAL PROPERTY IN SEVERAL TOWNS
FOR HIGHWAY, HEALTH, GENERAL HOSPITAL AND
SPECIAL DISTRICT FUNDS**

Pursuant to Section 900 of the Real Property Tax Law.

WHEREAS, there has been presented to the County Legislature a duly certified copy of the annual budget of each of the several towns of the County of Cattaraugus for the fiscal year beginning January 1, 2011, now, therefore, be it

RESOLVED, that there shall be, and hereby is, assessed and levied upon and collected from the taxable real property situate in the following towns outside of any incorporated village wholly or partially located therein, the amount indicated for Highway Fund Item 1, and for part town purposes, as specified in the budgets of the respective towns as shown on the items of the general tax levy set forth below, and be it further

RESOLVED, that the amounts to be raised for all other purposes as specified in those annual budgets present shall be, and hereby are, assessed and levied upon and collected from all the taxable property in the towns as shown on the items of the general tax levy set forth below, except as otherwise provided by law, and be it further

RESOLVED, that there shall be, and hereby is, assessed and levied upon and collected from the real property, liable therefore within the respective fire, fire protection, fire alarm and improvement district in the following towns as specified in the respective annual budgets and as shown on the items of the general tax levy set forth below:

TOWN OF ALLEGANY - FOR THE YEAR 2011

<i>TOWN ITEMS</i>	<i>LEVY ITEMS</i>	<i>WARRANT ITEMS</i>
GENERAL FUND	\$712,899.00	
GENERAL-OUTSIDE VILLAGE	0.00	
HIGHWAY-TOWN-WIDE	610,859.00	
HIGHWAY-OUTSIDE VILLAGE	9,217.00	
TOTAL OF TOWN ITEMS		\$1,332,975.00
DS200- DELINQUENT SEWER		3,833.04
DW201- DELINQUENT WATER		3,788.31
SD201- SEWER DISTRICT		0.00
SD203- SEWER DISTRICT		7,865.00
SU201- SEWER/WATER USE		0.00
WD201- WATER DISTRICT		73,301.88
WD203- WATER DISTRICT 3		2,335.31
WD205- FIRST STREET WATER DISTRICT		3,134.81
FD201- FIRE DISTRICT 1		500,000.00
LT201- LIGHT DISTRICT 1		3,000.00
TOTAL PAYMENT TO SUPERVISOR		1,930,233.35

TOWN OF ASHFORD - FOR THE YEAR 2011

<i>TOWN ITEMS</i>	<i>LEVY ITEMS</i>	<i>WARRANT ITEMS</i>
GENERAL FUND	0.00	
GENERAL-OUTSIDE VILLAGE	0.00	
HIGHWAY-TOWN-WIDE	227,139.00	
HIGHWAY-OUTSIDE VILLAGE	0.00	
TOTAL OF TOWN ITEMS		227,139.00
OT221- OMITTED TAX		672.74
FD221- WEST VALLEY FIRE		167,092.54
LD221- ASHFORD LIGHT		2,311.00
LD226- WEST VALLEY LIGHT		9,239.00
TOTAL PAYMENT TO SUPERVISOR		406,454.28

TOWN OF CARROLLTON - FOR THE YEAR 2011

<i>TOWN ITEMS</i>	<i>LEVY ITEMS</i>	<i>WARRANT ITEMS</i>
GENERAL FUND	121,324.00	
GENERAL-OUTSIDE VILLAGE	0.00	
HIGHWAY-TOWN-WIDE	180,296.00	
HIGHWAY-OUTSIDE VILLAGE		
TOTAL OF TOWN ITEMS		301,620.00
DS240- DELINQUENT SEWER		6,162.50
FD240- FIRE DISTRICT		110,888.00
FF242- SEWER FR FTG		5,500.00
SW242- SEWER DIST 1		5,500.00
TOTAL PAYMENT TO SUPERVISOR		429,670.50

TOWN OF COLD SPRING - FOR THE YEAR 2011

<i>TOWN ITEMS</i>	<i>LEVY ITEMS</i>	<i>WARRANT ITEMS</i>
GENERAL FUND	8,499.00	
GENERAL-OUTSIDE VILLAGE	0.00	
HIGHWAY-TOWN-WIDE	63,321.20	
HIGHWAY-OUTSIDE VILLAGE	0.00	
TOTAL OF TOWN ITEMS		71,820.20
RW281- RELEVIED WATER		0.00
FP260- FIRE PROTECTION		38,750.00
TOTAL PAYMENT TO SUPERVISOR		110,570.20

TOWN OF CONEWANGO - FOR THE YEAR 2011

<i>TOWN ITEMS</i>	<i>LEVY ITEMS</i>	<i>WARRANT ITEMS</i>
GENERAL FUND	131,135.00	
GENERAL-OUTSIDE VILLAGE	400.00	
HIGHWAY-TOWN-WIDE	57,338.00	
HIGHWAY-OUTSIDE VILLAGE	85,014.00	
TOTAL OF TOWN ITEMS		273,887.00
RW281- RELEVIED WATER		458.70
FD280- FIRE		77,222.00
FD281- FIRE (CONE/RAND)		0.00
FD282- FIRE (CONE/E RAND)		0.00
LD282- ELLINGTON LIGHT DIST.		618.46
LD283- CONEWANGO LIGHT		2,475.00
FD760- RANDOLPH FIRE DIST.		8,454.24
TOTAL PAYMENT TO SUPERVISOR		363,115.40

TOWN OF DAYTON - FOR THE YEAR 2011

TOWN ITEMS	LEVY ITEMS	WARRANT ITEMS
GENERAL FUND	104,500.00	
GENERAL-OUTSIDE VILLAGE	0.00	
HIGHWAY-TOWN-WIDE	112,350.00	
HIGHWAY-OUTSIDE VILLAGE	42,000.00	
TOTAL OF TOWN ITEMS		258,850.00
FD300- FIRE		50,962.00
FD301- SOUTH DAYTON FIRE DISTRICT		50,396.00
LD300- LIGHT		4,000.00
TOTAL PAYMENT TO SUPERVISOR		364,208.00

TOWN OF EAST OTTO - FOR THE YEAR 2011

TOWN ITEMS	LEVY ITEMS	WARRANT ITEMS
GENERAL FUND	41,807.00	
GENERAL-OUTSIDE VILLAGE	0.00	
HIGHWAY-TOWN-WIDE	365,453.00	
HIGHWAY-OUTSIDE VILLAGE	0.00	
TOTAL OF TOWN ITEMS		407,260.00
FD320- FIRE		45,166.00
FP320- FIRE PROTECTION		9,775.00
LD320- LIGHT		4,000.00
TOTAL PAYMENT TO SUPERVISOR		466,201.00

TOWN OF ELLICOTTVILLE - FOR THE YEAR 2011

TOWN ITEMS	LEVY ITEMS	WARRANT ITEMS
GENERAL FUND	559,569.00	
GENERAL-OUTSIDE VILLAGE	0.00	
HIGHWAY-TOWN-WIDE	64,766.00	
HIGHWAY-OUTSIDE VILLAGE	0.00	
TOTAL OF TOWN ITEMS		624,335.00
DS370- DELINQUENT SEWER		11,880.21
DW361- DELINQUENT WATER		3,623.04
DV369- DISTRICT VALUE		490.00
FD360- ELLICOTTVILLE FIRE		283,178.00
FF367- FRONT FOOTAGE		0.00
SP368- SEWAGE PROPERTY		28,896.00
WB360- WATER BENEFIT		76,656.00
WD361- WATER 1		1,494.00
DD360- Ellicottville Drainage Dist		
TOTAL PAYMENT TO SUPERVISOR		1,030,552.25

TOWN OF FARMERSVILLE - FOR THE YEAR 2011

TOWN ITEMS	LEVY ITEMS	WARRANT ITEMS
GENERAL FUND	205,600.00	
GENERAL-OUTSIDE VILLAGE	0.00	
HIGHWAY-TOWN-WIDE	288,455.00	
HIGHWAY-OUTSIDE VILLAGE	0.00	
TOTAL OF TOWN ITEMS		494,055.00
FD380- FIRE		57,245.00
LD380- LIGHT		3,800.00
TOTAL PAYMENT TO SUPERVISOR		555,100.00

TOWN OF FRANKLINVILLE - FOR THE YEAR 2011

<i>TOWN ITEMS</i>	<i>LEVY ITEMS</i>	<i>WARRANT ITEMS</i>
GENERAL FUND	273,472.00	
GENERAL-OUTSIDE VILLAGE	28,565.00	
HIGHWAY-TOWN-WIDE	281,501.00	
HIGHWAY-OUTSIDE VILLAGE	82,925.00	
TOTAL OF TOWN ITEMS		666,463.00
DW400- DELINQUENT WATER		3,220.56
DS400- DELINQUENT SEWER		0.00
FD400- FIRE DISTRICT		137,000.00
TOTAL PAYMENT TO SUPERVISOR		806,683.56

TOWN OF FREEDOM - FOR THE YEAR 2011

<i>TOWN ITEMS</i>	<i>LEVY ITEMS</i>	<i>WARRANT ITEMS</i>
GENERAL FUND	130,814.00	
GENERAL-OUTSIDE VILLAGE	0.00	
HIGHWAY-TOWN-WIDE	320,800.00	
HIGHWAY-OUTSIDE VILLAGE	0.00	
TOTAL OF TOWN ITEMS		451,614.00
FD421- ARCADE FIRE		46,013.00
FD422- DELEVAN FIRE		9,000.00
FD423- FARMERSVILLE		15,217.00
LD420- LIGHT		2,500.00
TOTAL PAYMENT TO SUPERVISOR		524,344.00

TOWN OF GREAT VALLEY - FOR THE YEAR 2011

<i>TOWN ITEMS</i>	<i>LEVY ITEMS</i>	<i>WARRANT ITEMS</i>
GENERAL FUND	214,731.00	
GENERAL-OUTSIDE VILLAGE	0.00	
HIGHWAY-TOWN-WIDE	403,200.00	
HIGHWAY-OUTSIDE VILLAGE	0.00	
TOTAL OF TOWN ITEMS		617,931.00
DS440- DELINQUENT SEWER		450.00
DS442- DELINQUENT WATER		450.00
SD441- FAIRVIEW LANDS		1,850.00
DS443- DELINQUENT ELLICOTTVILLE SEWER		231.28
DW444- DELINQUENT ELLICOTTVILLE WATER		204.00
FD444- GREAT VALLEY FIRE		95,240.00
FD445- KILLBUCK FIRE		52,272.00
LD444- KILLBUCK LIGHT		6,000.00
SC442- HIGHLAND SEWER #5 & STW CC		0.00
SD440- BONNE VAL SEWER DISTRICT #2		115.00
SD442- HIGHLAND SEWER #5		3,050.00
SW441- SNOWPINE SEWER DISTRICT #1		2,500.00
WB440- SNOWPINE WATER DISTRICT #2		5,700.00
WC443- HIGHLAND WATER #5 & STW CC		0.00
WD442- BONNE VAL WATER DISTRICT #3		14,380.00
WD443- HIGHLAND WATER #4		1,298.00
WD446- KILLBUCK WATER		1,700.00
TOTAL PAYMENT TO SUPERVISOR		803,371.28

TOWN OF HINSDALE - FOR THE YEAR 2011

TOWN ITEMS	LEVY ITEMS	WARRANT ITEMS
GENERAL FUND	42,142.00	
GENERAL-OUTSIDE VILLAGE	0.00	
HIGHWAY-TOWN-WIDE	392,301.00	
HIGHWAY-OUTSIDE VILLAGE	0.00	
TOTAL OF TOWN ITEMS		434,443.00
DW460- DELINQUENT WATER		4,659.93
OT461- OMITTED TAX		1,467.82
FD460- FIRE		115,313.00
WD465- WATER		8,400.00
TOTAL PAYMENT TO SUPERVISOR		564,283.75

TOWN OF HUMPHREY - FOR THE YEAR 2011

TOWN ITEMS	LEVY ITEMS	WARRANT ITEMS
GENERAL FUND	25,783.00	
GENERAL-OUTSIDE VILLAGE	0.00	
HIGHWAY-TOWN-WIDE	234,036.00	
HIGHWAY-OUTSIDE VILLAGE	0.00	
TOTAL OF TOWN ITEMS		259,819.00
FD480- FIRE DISTRICT		71,015.00
TOTAL PAYMENT TO SUPERVISOR		330,834.00

TOWN OF ISCHUA - FOR THE YEAR 2011

TOWN ITEMS	LEVY ITEMS	WARRANT ITEMS
GENERAL FUND	42,340.00	
GENERAL-OUTSIDE VILLAGE	0.00	
HIGHWAY-TOWN-WIDE	69,275.00	
HIGHWAY-OUTSIDE VILLAGE	0.00	
TOTAL OF TOWN ITEMS		111,615.00
SD500- CUBA LAKE SEWER DISTRICT		4,530.00
CD450- CUBA LAKE DISTRICT		2,317.00
FD500- FIRE		52,000.00
LD500- LIGHT		3,200.00
TOTAL PAYMENT TO SUPERVISOR		173,662.00

TOWN OF LEON - FOR THE YEAR 2011

TOWN ITEMS	LEVY ITEMS	WARRANT ITEMS
GENERAL FUND	81,710.00	
GENERAL-OUTSIDE VILLAGE	0.00	
HIGHWAY-TOWN-WIDE	303,941.00	
CEMETERY FUND	8,927.00	
TOTAL OF TOWN ITEMS		394,578.00
OT521- OMITTED TAX		0.00
FD520- FIRE		37,000.00
LD520- LIGHT		2,300.00
TOTAL PAYMENT TO SUPERVISOR		433,878.00

TOWN OF LITTLE VALLEY - FOR THE YEAR 2011

<i>TOWN ITEMS</i>	<i>LEVY ITEMS</i>	<i>WARRANT ITEMS</i>
GENERAL FUND	195,506.00	
GENERAL-OUTSIDE VILLAGE		
HIGHWAY-TOWN-WIDE	188,222.00	
HIGHWAY-OUTSIDE VILLAGE	84,369.00	
TOTAL OF TOWN ITEMS		468,097.00
DS540- DELINQUENT SEWER		395.21
DW540- DELINQUENT WATER		125.55
FD540- FIRE		55,031.00
TOTAL PAYMENT TO SUPERVISOR		523,648.76

TOWN OF LYNDON - FOR THE YEAR 2011

<i>TOWN ITEMS</i>	<i>LEVY ITEMS</i>	<i>WARRANT ITEMS</i>
GENERAL FUND	123,161.00	
GENERAL-OUTSIDE VILLAGE	0.00	
HIGHWAY-TOWN-WIDE	105,260.00	
HIGHWAY-OUTSIDE VILLAGE	0.00	
TOTAL OF TOWN ITEMS		228,421.00
FD560- FIRE		48,800.00
TOTAL PAYMENT TO SUPERVISOR		277,221.00

TOWN OF MACHIAS - FOR THE YEAR 2011

<i>TOWN ITEMS</i>	<i>LEVY ITEMS</i>	<i>WARRANT ITEMS</i>
GENERAL FUND	122,903.00	
GENERAL-OUTSIDE VILLAGE	0.00	
HIGHWAY-TOWN-WIDE	436,493.00	
HIGHWAY-OUTSIDE VILLAGE	0.00	
PUBLIC LIBRARY	1,974.00	
TOTAL OF TOWN ITEMS		561,370.00
DW580- DELINQUENT WATER		19,241.80
FD580- FIRE		129,000.00
LD580- LIGHT		15,000.00
TOTAL PAYMENT TO SUPERVISOR		724,611.80

TOWN OF MANSFIELD - FOR THE YEAR 2011

<i>TOWN ITEMS</i>	<i>LEVY ITEMS</i>	<i>WARRANT ITEMS</i>
GENERAL FUND	70,018.00	
GENERAL-OUTSIDE VILLAGE	0.00	
HIGHWAY-TOWN-WIDE	335,000.00	
HIGHWAY-OUTSIDE VILLAGE	0.00	
TOTAL OF TOWN ITEMS		405,018.00
FD600- FIRE		89,000.00
TOTAL PAYMENT TO SUPERVISOR		494,018.00

TOWN OF NAPOLI - FOR THE YEAR 2011

<i>TOWN ITEMS</i>	<i>LEVY ITEMS</i>	<i>WARRANT ITEMS</i>
GENERAL FUND	59,655.63	
GENERAL-OUTSIDE VILLAGE	0.00	
HIGHWAY-TOWN-WIDE	306,306.77	
HIGHWAY-OUTSIDE VILLAGE	0.00	
TOTAL OF TOWN ITEMS		365,962.40
RW281-RELEVIED WATER		0.00
FD620- FIRE		39,380.00
TOTAL PAYMENT TO SUPERVISOR		405,342.40

TOWN OF NEW ALBION - FOR THE YEAR 2011

<i>TOWN ITEMS</i>	<i>LEVY ITEMS</i>	<i>WARRANT ITEMS</i>
GENERAL FUND	211,500.00	
GENERAL-OUTSIDE VILLAGE	8,535.00	
HIGHWAY-TOWN-WIDE	114,800.00	
HIGHWAY-OUTSIDE VILLAGE	108,000.00	
TOTAL OF TOWN ITEMS		442,835.00
OT641-OMITTED TAX		1,334.68
FD640- FIRE		92,400.00
TOTAL PAYMENT TO SUPERVISOR		536,569.68

TOWN OF OLEAN - FOR THE YEAR 2011

<i>TOWN ITEMS</i>	<i>LEVY ITEMS</i>	<i>WARRANT ITEMS</i>
GENERAL FUND	0.00	
GENERAL-OUTSIDE VILLAGE	0.00	
HIGHWAY-TOWN-WIDE	296,350.00	
HIGHWAY-OUTSIDE VILLAGE	0.00	
TOTAL OF TOWN ITEMS		296,350.00
DS660- DELINQUENT SEWER		0.00
DW660- DELINQUENT WATER		0.00
OT661- OMITTED TAX		0.00
SD660- E OLEAN SEWER DIST		21,526.65
SD662- S OLEAN SEWER DIST		26,618.66
SD663- DUGAN E SEWER DIST		8,024.00
FD667- OLEAN FIRE 1		35,500.00
FD668- WESTONS FIRE		40,067.00
FP661- HINSDALE FIRE PROTECTION		34,687.00
FP662- OLEAN FIRE PROTECTION		5,500.00
FP663- WESTONS FIRE PROTECTION		25,000.00
LD665- HILLCREST LIGHT		850.00
LD669- MCCANN LIGHT		983.00
TOTAL PAYMENT TO SUPERVISOR		495,106.31

TOWN OF OTTO - FOR THE YEAR 2011

<i>TOWN ITEMS</i>	<i>LEVY ITEMS</i>	<i>WARRANT ITEMS</i>
GENERAL FUND	94,956.00	
GENERAL-OUTSIDE VILLAGE	0.00	
HIGHWAY-TOWN-WIDE	439,963.00	
HIGHWAY-OUTSIDE VILLAGE	0.00	
TOTAL OF TOWN ITEMS		534,919.00
DS680- DELINQUENT SEWER		15,350.00
FD680- FIRE		24,740.00
FP680- FIRE PROTECTION		42,600.00
LD680- LIGHT		3,600.00
WD685- WATER		13,700.00
TOTAL PAYMENT TO SUPERVISOR		634,909.00

TOWN OF PERRYSBURG - FOR THE YEAR 2011

<i>TOWN ITEMS</i>	<i>LEVY ITEMS</i>	<i>WARRANT ITEMS</i>
GENERAL FUND	203,500.00	
GENERAL-OUTSIDE VILLAGE	0.00	
HIGHWAY-TOWN-WIDE	221,600.00	
HIGHWAY-OUTSIDE VILLAGE	21,100.00	
TOTAL OF TOWN ITEMS		446,200.00
OT701- OMITTED TAX		0.00
WD700- VERSAILLES WATER DISTRICT		3,525.00
WD701- PROSPECT STREET WATER DISTRICT		11,669.00
WD702- PERRYSBURG CENTRAL WATER		36,594.00
DW701- DELINQUENT PROSPECT WATER		1,334.35
DW700- DELINQUENT VERSAILLES WATER		5,114.51
DW702- DELINQUENT PERRYSBURG CENTRAL WATER		9,404.50
FD702- PERRYSBURG FIRE		94,660.00
LD700- LIGHT		4,500.00
TOTAL PAYMENT TO SUPERVISOR		613,001.36

TOWN OF PERSIA - FOR THE YEAR 2011

<i>TOWN ITEMS</i>	<i>LEVY ITEMS</i>	<i>WARRANT ITEMS</i>
GENERAL FUND	129,818.00	
GENERAL-OUTSIDE VILLAGE	14,752.00	
HIGHWAY-TOWN-WIDE	26,105.00	
HIGHWAY-OUTSIDE VILLAGE	55,050.00	
TOTAL OF TOWN ITEMS		225,725.00
FP724- FIRE PROTECTION 1		10,812.00
FP725- FIRE PROTECTION 2		8,135.00
FP726- FIRE PROTECTION 3		5,500.00
TOTAL PAYMENT TO SUPERVISOR		250,172.00

TOWN OF PORTVILLE - FOR THE YEAR 2011

TOWN ITEMS	LEVY ITEMS	WARRANT ITEMS	
GENERAL FUND		276,931.00	
GENERAL-OUTSIDE VILLAGE		3,812.00	
HIGHWAY-TOWN-WIDE		0.00	
HIGHWAY-OUTSIDE VILLAGE		277,767.00	
TOTAL OF TOWN ITEMS			558,510.00
DS740- DELINQUENT SEWER			2,782.50
SD741- HAPPY HOLLOW SEWER			9,337.88
FD746- PORTVILLE FIRE 1			124,104.70
FD749- WESTONS FIRE 2			120,008.00
LD740- HAPPY HOLLOW LIGHT			2,880.00
LD741- WESTONS LIGHT			4,896.00
TOTAL PAYMENT TO SUPERVISOR			822,519.08

TOWN OF RANDOLPH - FOR THE YEAR 2011

TOWN ITEMS	LEVY ITEMS	WARRANT ITEMS	
GENERAL FUND	171,250.00		
GENERAL-OUTSIDE VILLAGE	0.00		
HIGHWAY-TOWN-WIDE	316,861.00		
HIGHWAY-OUTSIDE VILLAGE	192,290.00		
PUBLIC LIBRARY	20,201.00		
TOTAL OF TOWN ITEMS			700,602.00
DW761- DELINQUENT WATER			814.00
RW281- REL WATER			600.78
FD760- FIRE PROTECTION			153,126.00
TOTAL PAYMENT TO SUPERVISOR			855,142.78

TOWN OF RED HOUSE - FOR THE YEAR 2011

TOWN ITEMS	LEVY ITEMS	WARRANT ITEMS	
GENERAL FUND	12,366.00		
GENERAL-OUTSIDE VILLAGE	0.00		
HIGHWAY-TOWN-WIDE	11,650.00		
COMMUNITY TAX	600.00		
HIGHWAY-OUTSIDE VILLAGE	0.00		
TOTAL OF TOWN ITEMS			24,616.00
FP780- FIRE PROTECTION			14,000.00
TOTAL PAYMENT TO SUPERVISOR			38,616.00

TOWN OF SALAMANCA - FOR THE YEAR 2011

TOWN ITEMS	LEVY ITEMS	WARRANT ITEMS	
GENERAL FUND	69,270.00		
GENERAL-OUTSIDE VILLAGE	0.00		
HIGHWAY-TOWN-WIDE	102,350.00		
HIGHWAY-OUTSIDE VILLAGE	0.00		
TOTAL OF TOWN ITEMS			171,620.00
TOTAL PAYMENT TO SUPERVISOR			171,620.00

TOWN OF SOUTH VALLEY - FOR THE YEAR 2011

<i>TOWN ITEMS</i>	<i>LEVY ITEMS</i>	<i>WARRANT ITEMS</i>
GENERAL FUND	61,000.00	
GENERAL-OUTSIDE VILLAGE	0.00	
HIGHWAY-TOWN-WIDE	76,240.00	
HIGHWAY-OUTSIDE VILLAGE	0.00	
TOTAL OF TOWN ITEMS		137,240.00
FD820- FIRE		0.00
TOTAL PAYMENT TO SUPERVISOR		137,240.00

TOWN OF YORKSHIRE - FOR THE YEAR 2011

<i>TOWN ITEMS</i>	<i>LEVY ITEMS</i>	<i>WARRANT ITEMS</i>
GENERAL FUND	216,342.00	
GENERAL-OUTSIDE VILLAGE	0.00	
HIGHWAY-TOWN-WIDE	313,092.00	
HIGHWAY-OUTSIDE VILLAGE		
TOTAL OF TOWN ITEMS		529,434.00
DW840- DELINQUENT WATER		2,139.24
WD841- WATER DISTRICT #1 (YORKSHIRE)		21,263.20
WD842- WATER DISTRICT #2 (GROVE)		6,058.00
OT841- OMITTED TAX		0.00
FD841- YORKSHIRE FIRE		73,735.00
FP840- FIRE PROTECTION		76,018.00
LD840- LIGHT		5,200.00
TOTAL PAYMENT TO SUPERVISOR		713,847.44

2011 STATE AID FOR TOWNS

Allegany	\$241,200
Ashford	\$114,937
Carrollton	\$112,000
Coldspring	\$ 43,797
Conewango	\$ 93,000
Dayton	\$ 72,500
East Otto	\$ 90,070
Ellicottville	\$173,100
Farmersville	\$ 73,000
Franklinville	\$ 14,454
Freedom	\$ 92,900
Great Valley	\$120,000
Hinsdale	\$ 95,000
Humphrey	\$ 77,800
Ischua	\$ 43,500
Leon	\$109,870
Little Valley	\$ 60,200
Lyndon	\$ 75,200
Machias	\$115,825
Mansfield	\$452,238
Napoli	\$ 86,538
New Albion	\$100,088
Olean (Town)	\$ 83,000
Otto	\$ 93,000
Perrysburg	\$ 56,925
Persia	\$ 52,480
Portville	\$ 37,500

Randolph	\$129,180
Red House	\$ 117
Salamanca (Town)	\$ 12,500
South Valley	\$ 38,100
Yorkshire	\$ 83,200.

MRS. STOCKMAN moved, seconded by Mr. Aiello to waive Rule 12. Carried.

Adopted December 8, 2010 by voice vote.

ACT NO. 768-2010 by Mr. Snyder
who asks immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
GFC BUSINESS SYSTEMS FOR
NON-COUNTY EMPLOYEE PAYROLL SERVICES**

Pursuant to Section 450 of the County Law.

WHEREAS, the County Departments of Social Services and Youth Bureau provide various services through individuals that are not county employees, and

WHEREAS, the aforementioned individuals should not be paid through the County payroll system, as they are not County employees, and

WHEREAS, a contract is necessary with GFC Business Systems in order to pay the aforementioned individuals without going through the County payroll system, and

WHEREAS, GFC Business Systems, 130 South Union Street, Olean, New York 14760, can provide payroll services for non-county employees that have previously been paid through the County payroll system, for an amount of \$15 for each payroll period plus \$.80 per check, and

WHEREAS, additional costs which may be incurred are as follows:

\$5 per payroll for tax computation

\$5 per payroll for direct deposit services

\$2.50 for each W-2 needed

\$.50 each time a new person is added to the payroll list,

and

WHEREAS, sufficient funds are included in the 2011 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 GFC Business Systems, for the provision of the above-described services, for a term commencing January 1, 2011 and terminating December 31, 2011, according to the above-described terms.

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

Adopted December 8, 2010 by voice vote.

ACT NO. 769-2010 by Mr. Aiello, Mr. Burrell, Mr. Ellis, Mr. Marsh,
Mr. McLarney, Mr. Murphy, Mr. Neal,
Mr. O'Brien, Mr. Snyder, Mrs. Stockman, 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 COUNTY EMPLOYEES ON THEIR RETIREMENT

Pursuant to Section 153 of the County Law.

WHEREAS, the following County employees have dedicated many years of service to the County of Cattaraugus in various positions and capacities:

NAME

Terry Arndt
Sharon Bailey
Nancy Barney
Ann Barren
Thomas Bradigan
Kirk Brumagin
Mary Burger
Elizabeth Callen-Pratt
Anthony Capito
Susan Capobianco
Louise DeCerbo
Mary Ellison
Suzanne Garvin
Paul Goodhand
Jill Hill
Donald John
Carol Lainge
Nancy LeFeber
Susan Lorenz
Rebekah Malone
Randy Opferbeck

NAME

Timothy Panton
Sandra Sue Parsons
Sandra Perkins
Jeffrey Phetteplace
Christine Prey
David Raecher
Lillian Rougeau
Ralph Scharf
Jane Shay
Susanne Smith
Margaret Stady
Robert Stark
Patrick Stevens
Michael Swinko
Sandra Tasillo
Kathleen Thrun
John Turek
Helen Watson
Linda Whitton
Gary Wind
Mary Zink

and

WHEREAS, the above-listed County employees are retiring from County service and should be congratulated, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature does hereby express its deepest gratitude to the above-listed County employees for all that they have done for Cattaraugus County, and be it further

RESOLVED, that the Clerk of the Legislature is hereby directed to forward a certified copy of this resolution to each of the above-listed employees.

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

Adopted December 8, 2010 by voice vote.

ACT NO. 770-2010 by Mr. Vecchiarella
who asks immediate consideration

AUTHORIZATION FOR ORGANIZATIONAL MEETING

Pursuant to Section 151 of the County Law.

RESOLVED, that the organizational meeting of the Cattaraugus County Legislature shall be held in the Legislature's Chambers, County Office Building, 303 Court Street, Little Valley, New York on the 5th day of January, 2011, at 3:00 p.m., and be it further

RESOLVED, that the Clerk of the Legislature shall serve upon each member a notice stating the time, place and date of such meeting to organize the Legislature, and that the Chairman will then be elected; such notice shall be in writing and shall be served by mail addressed to each member to his or her last known post office address at least 48 hours before the date of the meeting.

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

Adopted December 8, 2010 by voice vote.

ACT NO. 771-2010 by Mr. Aiello, Mr. Burrell, Mr. Ellis,
Mr. Marsh, Mr. McLarney, Mr. Murphy, Mr. Neal, Mr. O'Brien,
Mr. Snyder, Mrs. Stockman, Mr. Teachman, Mr. Vecchiarella,
Ms. Vickman, Mr. Boser, Mr. Giardini, Mr. Hebdon,
Mr. McClune, Mr. Nenno, Mr. Padlo, Mr. Sprague and Mr. Ward
who ask immediate consideration

CONGRATULATING DAVID J. RIVET ON HIS RETIREMENT

Pursuant to Section 153 of the County Law.

WHEREAS, David J. Rivet began serving Cattaraugus County as Commissioner of Public Works on June 10, 1992 after serving as Deputy Commissioner for five years, and

WHEREAS, Mr. Rivet has served Cattaraugus County for approximately 23 years, and

WHEREAS, during his 23-year tenure, Mr. Rivet managed the consolidated operations of the Highway, Refuse, Weights and Measures and Buildings and Grounds divisions, along with the Onoville Marina, and

WHEREAS, in addition, Mr. Rivet has overseen the maintenance of 398 miles of county roads, 266 bridges, 257 culverts and 465 drainage structures under the jurisdiction of the County, and

WHEREAS, Mr. Rivet has administered various aspects of many projects and events, including:

LV DPW Building Construction
The Pines-Machias Construction
Olean Pines Renovation
Randolph Tornado Recovery
Onoville Marina Docks
Randolph Foundry Project
County Bicentennial Events
Jail Security Project
Transfer Station Operation
Numerous Bridges, Culverts and
Highway Projects,

Stonehouse/Museum Project
Gowanda Flood Recovery
Jail Expansion Project
West Valley Barn Construction
LVCC & Jail Renovations
Onoville Marina Expansion
Legislative Chambers Renovation
Five Points Landfill Project
Farwell Landfill Improvements

and

WHEREAS, Mr. Rivet's many attributes and training include a Bachelor's of Arts in Political Science and Business Administration degrees from the State University of New York at Buffalo in May, 1977, and

WHEREAS, Mr. Rivet's efforts and oversight have earned the County its reputation of having "the best bridges" by the New York State Department of Transportation, and

WHEREAS, during his tenure, a number of projects received awards and recognition which included: 1998 Prize Bridge Competition for Franklinville Bridge No. 31 from the American Institute of Steel Construction Inc. and National Steel Bridge Alliance; "Project of the Year" award from WNY Branch of the American Public Works Association for the DPW Building Project in Little Valley; and 2007 Hot Mix Asphalt Showcase Award from the New York Construction Materials Association for DPW's outstanding efforts and achievements related to Hot Mix Asphalt Construction, and

WHEREAS, Mr. Rivet has served Cattaraugus County on the following boards and committees: Conewango Watershed Commission (Liaison), Americans with Disability Act (Coordinator), Cattaraugus County Planning Board, and Interdepartmental Council, and

WHEREAS, Mr. Rivet is a past president and member of the New York State County Highway Superintendents Association, past member of NYS Association of Municipal Purchasing Officials, a member of the Cattaraugus County Highway Superintendents Association, and has served four years as Village of Cattaraugus trustee, and two years as mayor, and

WHEREAS, Mr. Rivet will be missed by his many friends, colleagues, and the Director of Engineering in Cattaraugus County, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature hereby congratulates David J. Rivet on his retirement and wishes him well in his future endeavors, and be it further

RESOLVED, that the Cattaraugus County Legislature does hereby express its deepest gratitude to Mr. Rivet for all that he has done for Cattaraugus County, and be it further

RESOLVED, that the Clerk of the Legislature is hereby directed to forward a certified copy of this resolution to David J. Rivet.

MR. PADLO moved, seconded by Mr. Vecchiarella to waive Rule 12. Carried.

Adopted December 8, 2010 by voice vote.

ACT NO. 772-2010 by Mr. Aiello, Mr. Burrell, Mr. Ellis, Mr. Marsh, Mr. McLarney, Mr. Murphy, Mr. Neal, Mr. O'Brien, Mr. Snyder, Mrs. Stockman, Mr. Teachman, Mr. Vecchiarella, Ms. Vickman, Mr. Boser, Mr. Giardini, Mr. Hebdon, Mr. McClune, Mr. Nenno, Mr. Padlo, Mr. Sprague and Mr. Ward who ask immediate consideration

CONGRATULATING DENNIS V. TOBOLSKI, ESQ. ON HIS RETIREMENT

Pursuant to Section 153 of the County Law.

WHEREAS, Dennis V. Tobolski began serving Cattaraugus County as County Attorney on July 26, 1978, and

WHEREAS, Mr. Tobolski has served Cattaraugus County for approximately 30 years, and

WHEREAS, during his 30-year tenure, Mr. Tobolski has overseen all of Cattaraugus County's legal issues, including, but not limited to:

- Legislative Resolution Preparation and Research
- Preparation of Legislative Minutes and Indexes
- Contract Preparation
- Civil Litigation
- Tort Litigation
- Tax Foreclosure Proceedings
- Bankruptcy Issues
- Collection of Delinquent Accounts
- Legal Representation for various County Officials
- Judgment and Claims Administration
- Grievances
- Arbitrations
- Real Property Acquisitions and Issues for Highway Projects
- BOCES Student Interns
- Implementation of Various County policies
- Freedom of Information Requests
- Legal Advisor to:
 - o County Ethics Board
 - o Soil and Water Conservation District
 - o Board of Health,

and

WHEREAS, during his service to Cattaraugus County, Mr. Tobolski has overseen the legal aspects of many projects and events, including:

Olean Building Project	Stonehouse/Museum Project
DPW Building Project	Economic Development/Casino funds
Jail Expansion Project	Gowanda Flood Recovery
Machias Nursing Home Project	Randolph Foundry Project
Proposed Farmersville Landfill	County BiCentennial Events
Five Points Landfill Project	Farwell Landfill Project
Fairgrounds	West Valley Demonstration Project
Economic Development Zone	Watershed Projects
Waste-To-Energy Project-	Railroad Issues
Cuba Cheese	Reapportionment Matters
Salamanca/Seneca Nation Lease,	

and

WHEREAS, Mr. Tobolski's many attributes and training include a Bachelor's of Arts Degree from LeMoyne College in May, 1974 and a Juris Doctor Degree from the University of Akron School of Law in June, 1977, and

WHEREAS, Mr. Tobolski is also an avid soccer coach, volunteering his time and expertise on both the high school and college levels, and

WHEREAS, Mr. Tobolski has served Cattaraugus County on the following boards and committees:

Criminal Justice Advisory Committee
 Corporate Compliance Committee
 Records Management Committee,

and

WHEREAS, Mr. Tobolski is a member of the American Bar Association, the New York State Bar Association, the Cattaraugus County Bar Association, and the New York State County Attorney's Association, and

WHEREAS, Mr. Tobolski will be missed by his many friends and colleagues in Cattaraugus County, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature hereby congratulates Dennis V. Tobolski on his retirement and wishes him well in his future endeavors, and be it further

RESOLVED, that the Cattaraugus County Legislature does hereby express its deepest gratitude to Mr. Tobolski for all that he has done for Cattaraugus County, and be it further

RESOLVED, that the Clerk of the Legislature is hereby directed to forward a certified copy of this resolution to Dennis V. Tobolski, Esq.

MR. WARD moved, seconded by Mr. marsh to waive Rule 12. Carried.

Adopted December 8, 2010 by voice vote.

ACT NO. 773-2010 by Mr. Aiello, Mr. Burrell, Mr. Ellis,
Mr. Marsh, Mr. McLarney, Mr. Murphy, Mr. Neal,
Mr. O'Brien, Mr. Snyder, Mrs. Stockman, Mr. Teachman,
Mr. Vecchiarella, Ms. Vickman, Mr. Boser, Mr. Giardini, Mr. Hebdon,
Mr. McClune, Mr. Nenno, Mr. Padlo, Mr. Sprague and Mr. Ward
who ask immediate consideration

MEMORIALS

Pursuant to Section 211 of the County Law.

WHEREAS, death has taken individuals during the years 2009 and 2010 who have heretofore served Cattaraugus County, now, therefore, be it

RESOLVED, that the passing of such individuals be here noted upon the minutes as follows:

Francis Andera	Soil & Water Conservation District Board Member
Don B. Winship	Civil Service Commission Chairman Former Legislator and Chairman
Elsie S. McConnell	Former Deputy Jury Commissioner
Phillip C. Abbott	Museum Board Member
John Kalamanka	Former Sheriff
Vernon Savaree	Former Jury Commissioner
Carolyn Peters	Former Senior Clerk - County Clerk's Office
Susan E. Gram	Director of Nursing Services - The Pines Healthcare and Rehabilitation Center- Olean Campus
Michael P. Nevins	Former District Attorney
Rev. Kenneth N. Snyder	Legislative Chaplain
Jo Ann Menter	Senior Civil Clerk - Sheriff's Office.

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

Adopted December 8, 2010 by voice vote.

**MOTION TO ADJOURN IN MEMORY OF
JO ANN MENTER**

WHEREAS, Jo Ann Menter, 61, passed away on Wednesday, December 1, 2010, in Olean General Hospital, and

WHEREAS, Mrs. Menter was employed by the Cattaraugus County Sheriff's Office, having served in the department for 27 years, most recently as a Senior Civil Clerk, and

WHEREAS, Mrs. Menter was a graduate of Allegany High School, and

WHEREAS, Mrs. Menter was a former member of the Moose Lodge of Bradford, and

WHEREAS, Mrs. Menter is survived by her husband, Joseph Menter; one son, Todd Finch of Greeley Colorado; one daughter, Stacy Hubbard of New Albion; one step-daughter, Tina Kozlowski of Westons Mills; two brothers, Fred Sanderson of Rixford, Pennsylvania, and Jeff Sanderson of Bradford, Pennsylvania; one sister, Sandra Goodliff of Windgate, North Carolina; five grandchildren; many cousins and several nieces and nephews; and

WHEREAS, the loss of her presence will be sadly felt by her many friends and colleagues in Cattaraugus County, now, therefore, Chairman O'Brien hereby

MOVES, that the Cattaraugus County Legislature hereby adjourns, and stands adjourned, in memory of Jo Ann Menter, and this Motion be seconded by the rest of the Legislature, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature hereby adjourns, and stands adjourned, until its next meeting, unless specially convened, in memory of Jo Ann Menter, and be it further

RESOLVED, that the Clerk of the Legislature be, and hereby is, directed to forward a certified copy of this Motion to her husband.

MR. VECCHIARELLA moved, seconded by Mr. Padlo to adjourn until January 5, 2011 at 3:00 p.m. Carried.

Meeting adjourned at 3:50 p.m.

Ann M. Giglio
Journal Clerk