

July 27, 2011

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

The invocation was given by Rev. Kay.

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

MR. MARSH moved, seconded by Mr. Ellis that the minutes of the June 22, 2011 session be approved. Carried.

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COMMUNICATIONS:

New York State Department of State: Letter acknowledging receipt of Local Law Nos. 2-2011 and 3-2011 and the filing of the same.

Senator Young: Letter acknowledging receipt of Act Nos. 243-2011, 249-2011 and 270-2011.

Assembly Member Giglio: Letter acknowledging passage of legislation regarding 1% sales and compensating use tax.

Greene County Legislature: Copy of its Resolution No. 239-11 entitled, Strongly Urging New York State Assembly and Senate to Implement Improved Regulations Dealing with All Sex Offenders and Stricter Monitoring and/or Penalties for those Assigned as Level Two or Level Three Offenders with Offenses Against Children.

New York State Association of Counties: Letter acknowledging receipt of Act No. 270-2011.

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APPOINTMENTS:

Criminal Justice Coordinating Advisory Council
Term to expire December 31, 2011

Nicholas A. DiCerbo, Sr.
Administrator of Assigned Counsel
303 Court Street
Little Valley, New York 14755

Cattaraugus County Planning Board
Terms to expire July 31, 2014

Tina J. Abrams
3543 West Loop Road
Salamanca, New York 14779

Mark Smith
9931 Nashville road
South Dayton, New York 14138

Kameron Brooks
13 Church Street
Randolph, New York 14772

James Valent
5 Fancher Avenue
Salamanca, New York 14779

CHAIRMAN O'BRIEN announced this is the time and place called for a public hearing on the **Act No. 283-2011**, Local Law Number 4 - 2011, A Local Law Amending Local Law Number 3-1982 (Intro Number 6-1982) Regarding County Liability for Highways and Bridges in Cattaraugus County, 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. 283-2011**, Local Law Number 4 - 2011, A Local Law Amending Local Law Number 3-1982 (Intro Number 6-1982) Regarding County Liability for Highways and Bridges in Cattaraugus County, and asked that it be read.

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

CHAIRMAN O'BRIEN requested a Roll Call Vote on Act No. 283-2011, which disclosed as follows:

Ayes: Aiello 0.8772, Boser 1.0094, Burrell 1.0915, Edstrom 0.8772, Ellis 1.0875, Giardini 1.0094, Hebdon 1.0915, Marsh 1.0843, McClune 0.8834, McLarney 1.0632, Murphy 1.0875, Neal 1.0843, Padlo 0.8772, Snyder 0.8772, Sprague 1.0530, Stockman 1.0265, Vecchiarella 0.8834, Vickman 1.0915, Ward 1.0043, O'Brien 1.0632 - 20.1227.

Nays: none.

Act No. 283-2011, having received the majority vote of the Legislature, was declared Adopted.

CHAIRMAN O'BRIEN announced this is the time and place called for a public hearing on the **Act No. 285-2011**, Local Law Number 5 - 2011, A Local Law in Relation to County Liability for Sidewalks, Parking Lots and Other Easement or Right-of-Way Areas, 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. 285-2011**, Local Law Number 5-2011, A Local Law in Relation to County Liability for Sidewalks, Parking Lots and Other Easement or Right-of-Way Areas, and asked that it be read.

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

CHAIRMAN O'BRIEN requested a Roll Call Vote on Act No. 285-2011, which disclosed as follows:

Ayes: Aiello 0.8772, Boser 1.0094, Burrell 1.0915, Edstrom 0.8772, Ellis 1.0875, Giardini 1.0094, Hebdon 1.0915, Marsh 1.0843, McClune 0.8834, McLarney 1.0632, Murphy 1.0875, Neal 1.0843, Padlo 0.8772, Snyder 0.8772, Sprague 1.0530, Stockman 1.0265, Vecchiarella 0.8834, Vickman 1.0915, Ward 1.0043, O'Brien 1.0632 - 20.1227.

Nays: none.

Act No. 285-2011, having received the majority vote of the Legislature, was declared Adopted.

CHAIRMAN O'BRIEN announced this is the time and place called for a public hearing on the **Act No. 297-2011**, Local Law Number 6 - 2011, A Local Law in Relation to the Reapportionment of the County Legislative Districts of the County of Cattaraugus, Reducing the Number of County legislators from 21 to 17, Amending Local Law Number 6-1968 (Intro Number 11-1968) Entitled "A Local Law Establishing a County Legislature for Cattaraugus County as Required by Order of the New York State Supreme Court" and Repealing Local Law Number 7-1992 (Intro Number 6-1992), and that anyone wishing to speak for or against this local law, may now do so.

Mr. Gerard LeFeber asked that the legislators put aside partisan ways and put forth the best plan for years to come. Mr. Leo Nenno spoke against the plan because the Town of Olean is not part of the District which contains the City of Olean. The Town of Olean is unified with the City of Olean and they should be left together. Legislator Mark Ward spoke against the plan. He suggested tabling it and discussing it further. He also stated that the Democrat legislators will vote against the proposed plan and will bring this issue up during November elections.

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

CHAIRMAN O'BRIEN called up **Act No. 297-2011**, Local Law Number 6-2011, A Local Law in Relation to the Reapportionment of the County Legislative Districts of the County of Cattaraugus, Reducing the Number of County legislators from 21 to 17, Amending Local Law Number 6-1968 (Intro Number 11-1968) Entitled "A Local Law Establishing a County Legislature for Cattaraugus County as Required by Order of the New York State Supreme Court" and Repealing Local Law Number 7-1992 (Intro Number 6-1992), and asked that it be read.

Approved by 5 members of the Finance Committee and 4 members of the County Operations Committee.

CHAIRMAN O'BRIEN requested a Roll Call Vote on Act No. 297-2011, which disclosed as follows:

Ayes: Aiello 0.8772, Burrell 1.0915, Edstrom 0.8772, Ellis 1.0875, Marsh 1.0843, McLarney 1.0632, Murphy 1.0875, Neal 1.0843, Snyder 0.8772, Stockman 1.0265, Vecchiarella 0.8834, Vickman 1.0915, O'Brien 1.0632 - 13.1945.

Nays: Boser 1.0094, Giardini 1.0094, Hebdon 1.0915, McClune 0.8834, Padlo 0.8772, Sprague 1.0530, Ward 1.0043 - 6.9282.

Act No. 297-2011, having received the majority vote of the Legislature, was declared Adopted.

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CHAIRMAN O'BRIEN called up **Act No. 224-2011**, Authorizing County Administrator to Solicit Proposals for Consultant Services to Assist in Evaluation Options for Operation, Management, and/or Sale of Skilled Nursing Facilities, and asked that it be read.

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

Adopted July 27, 2011 by voice vote.

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ACT NO. 314-2011 by Mr. O'Brien

APPOINTMENT TO BOARD OF HEALTH

Pursuant to Section 343 of the Public Health Law.

RESOLVED, that the following individual is appointed to the Board of Health to fill the unexpired term of Curtis Perkins to expire December 31, 2011:

Constance Walker
3608 West Yorkshire Road
Chaffee, New York 14030,

and be it further

RESOLVED, that the Clerk of the Legislature is hereby directed to forward a certified copy of this resolution to the Cattaraugus County Board of Health.

Referred to the Finance Committee and the Human Services Committee.

ACT NO. 315-2011 by Mr. O'Brien

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

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

RESOLVED, that the following individual shall be a Cattaraugus County voting member on the Chautauqua, Cattaraugus, Allegany and Steuben Southern Tier Extension Railroad Authority for a term to expire September 12, 2014:

Michael Brisky
36 South Main Street
P.O. Box 141
Franklinville, New York 14737,

and be it further

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

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

Adopted July 27, 2011 by voice vote.

ACT NO. 316-2011 by Mr. O'Brien

**APPOINTMENT TO COMMUNITY SERVICES BOARD AND
APPOINTMENT TO COMMUNITY SERVICES BOARD MENTAL
RETARDATION/DEVELOPMENTAL DISABILITIES SUBCOMMITTEE
(now known as the Community Services Board People with
Developmental Disabilities Subcommittee)**

Pursuant to Section 41.11 of the Mental Hygiene Law.

RESOLVED, that the following individual is appointed to the Community Services Board with a term to expire December 31, 2013:

Kevin D. Watkins, MD, MPH
3236 Cranberry Road
Olean, New York 14760
(replacing Cathleen Wright, who resigned),

and be it further

RESOLVED, that the following individual is appointed to the Community Services Board Mental Retardation/Developmental Disabilities Subcommittee (now known as the Community Services Board People with Developmental Disabilities Subcommittee) with a term to expire December 31, 2012:

Dodi McIntyre
124 North Eleventh Street
Olean, New York 14760.

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

Adopted July 27, 2011 by voice vote.

ACT NO. 317-2011 by Mr. Giardini
and Mr. Ellis

**BID ACCEPTANCE FOR PURCHASE OF NATURAL GAS
(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 natural gas for the County Center building, the DPW Facility in Little Valley and the Pines Healthcare and Rehabilitation Center in Machias, according to specifications provided by the Public Works Committee, and

WHEREAS, Energy Enterprises, Inc., energy consultant for the County, has reviewed the bids submitted as well as the performance history of the bidders and has recommended that the County accept the bid of National Fuel Resources, Inc., 165 Lawrence Bell Drive, Suite 120, Williamsville, New York 14221-7817, for Method #3 - Firm Index Based Pricing with Trigger Option (Two Year Commitment), as follows:

Basis Pricing shall be the difference between the monthly NYMEX, Henry Hub settlement price, as reported in the Wall Street Journal and the total price to the LDC. Each month this non-changing basis will be added to the appropriate monthly NYMEX settlement figure or the fixed NYMEX upon fixing.

Basis including shrinkage, upstream transportation, margin, etc. \$0.6180/Dth

The price can be fixed anytime during the contract term at the current NYMEX + Basis. Notice will be given to the marketer by noon of the day which the price shall be fixed.,

now, therefore, be it

RESOLVED, that the bid of National Fuel Resources, Inc., be, and the same hereby is, accepted for a term commencing September 1, 2011 and terminating August 31, 2013, 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.

Eight sets of specifications were sent out.

Two bids were received meeting specifications.

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

Adopted July 27, 2011 by voice vote.

ACT NO. 318-2011 by Mr. Giardini
and Mr. Ellis, Mr. McLarney and Mr. O'Brien

**BID ACCEPTANCE FOR 2011 BRIDGE DECK OVERLAY PROGRAM
(Ischua Bridge No. 35)**

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 2011 Bridge Deck Overlay Project located at Ischua Bridge No. 35, according to specifications provided by the Public Works Committee, and

WHEREAS, the lowest responsible bid received meeting specifications for the 2011 Bridge Deck Overlay Project located at Ischua Bridge No. 35, was the bid of L. C. Whitford Co., Inc., 164 North Main Street, Wellsville, New York 14895, for an amount of \$72,188.00, to be paid by the County periodically on a percent of completion basis as determined by the Department of Public Works, and

WHEREAS, the aforementioned project is pending waiting for NYSDOT approval, and

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

RESOLVED, that the bid of L. C. Whitford Co., Inc., be, and the same hereby is, accepted, for a term commencing upon the signing of the contract documents with a contract termination date of September 30, 2011, 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.

Three sets of specifications were sent out.

Three bids were received that meet specifications.

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

Adopted July 27, 2011 by voice vote.

ACT NO. 319-2011 by Mr. Giardini
and Mr. Ellis, Mr. Murphy and Mr. Vecchiarella
and Mr. Burrell and Ms. Vickman¹

**BID ACCEPTANCE FOR SECURITY AND CONTROL SYSTEM IMPROVEMENTS-COUNTY JAIL
(GENERAL CONTRACTOR)
(Department of Public Works)**

Pursuant to Section 103 of the General Municipal Law and
Sections 215, 408 and 408-a of the County Law.

WHEREAS, the Clerk of the Legislature was authorized to advertise for sealed bids for the General Contractor portion of the Security and Control System Improvements at the County Jail, according to specifications provided by the Public Works Committee, and

WHEREAS, the lowest acceptable Base Bid received meeting specifications was the bid of Maximum Security Products Corp., 3 Schoolhouse Lane, Waterford, New York 12188, in the amount of \$668,900.00, plus Alternate #4 (additional work in rooms A114, A154, A155, A159, A274) in the amount of \$38,900.00, for a total amount of \$707,800.00, to be paid by the County periodically on a percent of completion basis as determined by the Department of Public Works, for a term commencing upon Notice to Proceed and terminating 378 calendar days to substantial completion with an additional 60 days to final completion, and

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

RESOLVED, that the aforementioned bid 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.

Eighteen sets of specifications were sent out.

Three bids were received.

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

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

Adopted July 27, 2011 by voice vote.

ACT NO. 320-2011 by Mr. Giardini
and Mr. Ellis, Mr. Murphy and Mr. Vecchiarella
and Mr. Burrell and Ms. Vickman¹

**BID ACCEPTANCE FOR SECURITY AND CONTROL SYSTEM IMPROVEMENTS-COUNTY JAIL
(PLUMBING AND FIRE PROTECTION CONSTRUCTION)
(Department of Public Works)**

Pursuant to Section 103 of the General Municipal Law and
Sections 215, 408 and 408-a of the County Law.

WHEREAS, the Clerk of the Legislature was authorized to advertise for sealed bids for the Plumbing and Fire Protection Construction portion of the Security and Control System Improvements at the County Jail, according to specifications provided by the Public Works Committee, and

WHEREAS, the lowest acceptable Base Bid received meeting specifications was the bid of John W. Danforth Co., 300 Colvin Woods Parkway, Tonawanda, New York 14150, in the amount of \$79,000.00, plus Alternate #4 (additional work in rooms A147, A148, A154, A155, A274) in the amount of \$4,000.00, for a total amount of \$83,000.00, to be paid by the County periodically on a percent of completion basis as determined by the Department of Public Works, for a term commencing upon Notice to Proceed and terminating 378 calendar days to substantial completion with an additional 60 days to final completion, and

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

RESOLVED, that the aforementioned bid 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.

Eighteen sets of specifications were sent out.

Two bids were received.

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

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

Adopted July 27, 2011 by voice vote.

ACT NO. 321-2011 by Mr. Giardini
and Mr. Ellis, Mr. Murphy and Mr. Vecchiarella
and Mr. Burrell and Ms. Vickman¹

**BID ACCEPTANCE FOR SECURITY AND CONTROL SYSTEM IMPROVEMENTS-COUNTY JAIL
(MECHANICAL CONSTRUCTION)
(Department of Public Works)**

Pursuant to Section 103 of the General Municipal Law and
Sections 215, 408 and 408-a of the County Law.

WHEREAS, the Clerk of the Legislature was authorized to advertise for sealed bids for the Mechanical Construction portion of the Security and Control System Improvements at the County Jail, according to specifications provided by the Public Works Committee, and

WHEREAS, the lowest acceptable Base Bid received meeting specifications was the bid of John W. Danforth Co., 300 Colvin Woods Parkway, Tonawanda, New York 14150, in the amount of \$167,000.00, plus Alternate #4 (additional work in rooms A147, A148, A154, A155, A274) in the amount of \$129,000.00, for a total amount of \$296,000.00, to be paid by the County periodically on a percent of completion basis as determined by the Department of Public Works, for a term commencing upon Notice to Proceed and terminating 378 calendar days to substantial completion with an additional 60 days to final completion, and

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

RESOLVED, that the aforementioned bid 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.

Eighteen sets of specifications were sent out.

One bid was received.

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

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

Adopted July 27, 2011 by voice vote.

ACT NO. 322-2011 by Mr. Giardini
and Mr. Ellis, Mr. Murphy and Mr. Vecchiarella
and Mr. Burrell and Ms. Vickman¹

**BID ACCEPTANCE FOR SECURITY AND CONTROL SYSTEM IMPROVEMENTS-COUNTY JAIL
(ELECTRICAL/SECURITY CONTROL CONSTRUCTION)
(Department of Public Works)**

Pursuant to Section 103 of the General Municipal Law and
Sections 215, 408 and 408-a of the County Law.

WHEREAS, the Clerk of the Legislature was authorized to advertise for sealed bids for the Electrical/Security Control Construction portion of the Security and Control System Improvements at the County Jail, according to specifications provided by the Public Works Committee, and

WHEREAS, the lowest acceptable Base Bid received meeting specifications was the bid of Kel-Kur Electric, Inc., 5364 Little Road, Cuba, New York 14727, in the amount of \$171,000.00, plus the following four alternates:

Alternate #1-1 (electronic security and
communication system)

\$762,000.00

Alternate #2-1 (electronic security card access control system and watchtour system)	\$ 52,200.00
Alternate #3-1 (electronic security building supervisory alarms)	\$ 8,950.00
Alternate #4 (additional work in rooms A114, A116, A147, A154, A155 A159, A246A, A274A, A274)	\$ 5,725.00

for a total amount of \$999,875.00, to be paid by the County periodically on a percent of completion basis as determined by the Department of Public Works, for a term commencing upon Notice to Proceed and terminating 378 calendar days to substantial completion with an additional 60 days to final completion, and

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

RESOLVED, that the aforementioned bid 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.

Eighteen sets of specifications were sent out.

Two bids were received.

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

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

Adopted July 27, 2011 by voice vote.

ACT NO. 323-2011 by Mr. Giardini
and Mr. Ellis
and Mr. Burrell and Ms. Vickman¹

**BID ACCEPTANCE FOR SEPTIC TANK, OIL SEPARATOR TANK AND
GREASE/WATER TANK CLEANING SERVICES IN
VARIOUS LOCATIONS THROUGHOUT COUNTY
(Department of Public Works)**

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

WHEREAS, the Clerk of the Legislature was authorized to advertise for sealed bids for the provision of septic tank, oil separator tank and grease/water tank cleaning services in various locations throughout the County, according to specifications provided by the Public Works Committee, and

WHEREAS, the only bid received meeting specifications was the bid of Zuech's Environmental Services, Inc., 8300 Route 98 North, Franklinville, New York 14737, for the following amounts:

Oil Traps:	
Allegany Highway Facility	\$ 750.00

Franklinville Highway Facility	\$ 750.00
Five Points Highway Facility	\$ 750.00
Cattaraugus County DPW, LV	\$ 750.00
Markhams Highway Facility	\$ 750.00
Randolph Highway Facility	\$ 750.00
West Valley Highway Facility	\$ 750.00
Grease Traps:	
Cattaraugus County Jail	\$ 275.00
Nursing Homes-Machias Campus	\$3,540.00
Septic Tank:	
Nursing Homes-Machias Campus	\$ 620.00
Circulating Tank (per 1,000 gallons)	
Nursing Homes-Machias Campus	\$ 145.00/1,000 gallons
Miscellaneous Services	\$ 175.00/hour,

and

WHEREAS, Zuech's Environmental Services, Inc., shall provide the aforementioned services for a term commencing September 1, 2011 and terminating August 31, 2013, with the option to renew for an additional two (2) year period, at the same terms and conditions, at the sole discretion of the County, and

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

RESOLVED, that the aforementioned bid 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.

One bid was received.

Approved by 8 members of the Finance Committee, 8 members of the Public Works Committee, 6 members of the Senior Services Committee and 7 members of the Public Safety Committee.

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

Adopted July 27, 2011 by voice vote.

ACT NO. 324-2011 by Mr. Giardini
and Mr. Ellis

**REJECTING CERTAIN DEPARTMENT OF PUBLIC WORKS BIDS
FOR FIRE SUPPRESSION SYSTEMS
(Department of Public Works)**

Pursuant to Section 103 of the General Municipal Law.

WHEREAS, the Department of Public Works advertised for sealed bids for the purchase and installation of two (2) fire suppression systems, according to bid specifications and general information provided by the Public Works Committee, and

WHEREAS, the only bid received for the aforementioned services, which was opened on June 7, 2011, should be rejected and rebid due to the price being more than what was budgeted, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature hereby rejects the bid received for the purchase and installation of two (2) fire suppression systems, which was opened on June 7, 2011, and hereby authorizes the fire suppression systems to be rebid.

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

Adopted July 27, 2011 by voice vote.

ACT NO. 325-2011 by Mr. Giardini
and Mr. Ellis
and Mr. Sprague¹

**REJECTING CERTAIN DEPARTMENT OF PUBLIC WORKS BIDS FOR
CEMENT BOARD REPLACEMENT FOR PINES HEALTHCARE AND
REHABILITATION CENTER - MACHIAS CAMPUS
(Department of Public Works)**

Pursuant to Section 103 of the General Municipal Law.

WHEREAS, the Department of Public Works advertised for sealed bids for the cement board replacement at The Pines Healthcare and Rehabilitation Center - Machias Campus, according to bid specifications and general information provided by the Public Works Committee, and

WHEREAS, the only bid received for the aforementioned services, which was opened on June 21, 2011, should be rejected and rebid due to the price exceeding the amount budgeted, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature hereby rejects the bid received for the cement board replacement at The Pines Healthcare and Rehabilitation Center - Machias Campus, which was opened on June 21, 2011, and hereby authorizes the cement board replacement to be rebid.

Approved by 8 members of the Finance Committee, 5 members of the Public Works Committee and 5 members of the Senior Services Committee.

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

Adopted July 27, 2011 by voice vote.

ACT NO. 326-2011 by Mr. Giardini
and Mr. Ellis

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
WENDEL DUCHSCHERER ARCHITECTS & ENGINEERS FOR
LITTLE VALLEY COUNTY CENTER CHIMNEY LINER DESIGN**

Pursuant to Section 450 of the County Law.

WHEREAS, the masonry chimney system at the County Building in Little Valley is in need of repair, and

WHEREAS, Wendel Duchscherer Architects & Engineers, 140 John James Audubon Parkway, Suite 201, Buffalo, New York 14228, can provide the necessary design services associated with the installation of a metal anti-corrosive liner for the chimney system, for a lump sum amount of \$12,500.00, plus reimbursable expenses, 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 Wendel Duchscherer Architects & Engineers, for the provision of the above-described services, for a term commencing July 21, 2011 and terminating December 31, 2012, according to the above-described terms.

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

Adopted July 27, 2011 by voice vote.

ACT NO. 327-2011 by Mr. Giardini
and Mr. Ellis

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
OCCUPATIONAL HEALTH SERVICES, PLLC FOR
DRUG AND ALCOHOL TESTING FOR
COMMERCIAL MOTOR VEHICLE DRIVERS**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 456-2008 authorized a contract with Gwen E. Bruno d/b/a Occupational Health Services, PLLC, 187-189 Center Street, Salamanca, New York 14779, for the provision of drug and alcohol testing services, the term of which expires August 31, 2011, and

WHEREAS, the County Department of Public Works has solicited proposals from nine (9) companies for the provision of drug and alcohol testing for commercial motor vehicle drivers, and

WHEREAS, the lowest proposal was received by Gwen E. Bruno d/b/a Occupational Health Services, PLLC, for amount as follows:

Setup Fee:	\$100.00 per year
Random Drug Testing:	
Per Test	\$ 52.00
Random Alcohol Testing:	
Per Test	\$ 26.00
Mileage (on-site testing)	\$ 0.50/mile/site visit

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 Gwen E. Bruno d/b/a Occupational Health Services, PLLC, for the provision of the above-described services, for a term commencing September 1, 2011 and terminating August 31, 2014, according to the above-described terms. State bid does not meet the County's needs.

Nine sets of specifications were sent out.
Two proposals were received.

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

Adopted July 27, 2011 by voice vote.

ACT NO. 328-2011 by Mr. Giardini
and Mr. Ellis

**AUTHORIZING THE CHAIR TO EXECUTE SETTLEMENT AGREEMENT WITH
JAMES HARDIE BUILDING PRODUCTS FOR WARRANTY CLAIM FOR
HARDIEPLANK® MATERIAL AT
PINES HEALTHCARE AND REHABILITATION CENTER - MACHIAS CAMPUS**

Pursuant to Section 450 of the County Law.

WHEREAS, the County Department of Public Works has a warranty claim against James Hardie Building Products, 927 Lake Road, Medina, Ohio 44256, regarding the Hardieplank® materials supplied for the Pines Healthcare and Rehabilitation Center - Machias Campus, and

WHEREAS, an agreement has been reached regarding the aforementioned claim, and

WHEREAS, in fulfillment of its warranty obligation, James Hardie Building Products will arrange for the delivery of the following to a location designated by the County:

- 2400 square feet of 8.25" Cedarmill Hardie Lap Siding,
- 2200 square feet of 6.25" Cedarmill Hardie Lap Siding,
- 1000 linear feet of 4" James Hardie primed XLD Trim,
- 980 linear feet of 6" James Hardie Primed XLD Trim,
- 790 linear feet of 8" James Hardie primed XLD Trim,
- 250 linear feet of 12" James Hardie primed XLD Trim,

and

WHEREAS, a Settlement Agreement should be executed which outlines the agreement between the County and James Hardie Building Products, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a Settlement Agreement, on behalf of Cattaugus County, with James Hardie Building Products, for settlement of the warranty claim for Hardieplank® materials supplied for the Pines Healthcare and Rehabilitation Center - Machias Campus, according to the above-described terms, and such further conditions as are approved by the County Attorney.

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

Adopted July 27, 2011 by voice vote.

ACT NO. 329-2011 by Mr. Giardini
and Mr. Ellis

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH
SWBR ARCHITECTS FOR
HARDIEPLANK® CORRECTIONS PROJECT AT
PINES HEALTHCARE AND REHABILITATION CENTER - MACHIAS CAMPUS**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 262-2010 authorized a contract with SWBR Architects, 387 East Main Street, Rochester, New York 14604-2197, for the provision of architectural and engineering services are necessary for the HardiePlank® corrections project at the Pines Healthcare and Rehabilitation Center - Machias Campus, the term of which expires December 31, 2011, and

WHEREAS, additional construction administration services for the proposed HardiePlank corrections at the Pines Healthcare and Rehabilitation Center - Machias Campus are needed, and

WHEREAS, SWBR Architects can provide the aforementioned additional architectural and engineering services, for an amount not to exceed \$14,400.00 (based on 18 visits x 8 hours per visit x \$100/hour average rate), plus mileage in the amount of \$1,600.00 (based on 18 trips x approximately 87 miles x 2 (roundtrip) x \$.50 per mile), to be paid on a percent of completion basis as invoiced, 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 Cattaugus County, with SWBR Architects for the provision of the above-described services, for a term commencing July 28, 2011 and terminating December 31, 2011, according to the above-described terms.

Referred to the Finance Committee, the Public Works Committee and the Senior Services Committee.

ACT NO. 330-2011 by Mr. Giardini
and Mr. Ellis

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
WENDEL DUCHSCHERER ARCHITECTS & ENGINEERS FOR
EXTERIOR LIGHTING IMPROVEMENTS DESIGN AND ROOF REPLACEMENT STUDY
AT PINES HEALTHCARE AND REHABILITATION CENTER - OLEAN CAMPUS**

Pursuant to Sections 215 and 450 of the County Law.

WHEREAS, due to the results of the needs assessment which was conducted at the Pines Healthcare and Rehabilitation Center - Olean Campus, it has been determined that the following capital improvements are necessary and should be completed:

- Exterior Lighting Improvements Design - includes new street and sidewalk lighting from the West State Street curb to the main entrance door, new parking lot lighting, lighting replacements at all building exit doors and at the receiving

area, and building mounted lighting which illuminates the rear grounds of the facility;

- Roof Replacement Study/Recommendation - includes a study of the roof with recommendations for proceeding in a cost effective and timely manner,

and

WHEREAS, the firm of Wendel Duchscherer Architects & Engineers, 140 John James Audubon Parkway, Suite 201, Buffalo, New York 14228, can provide the engineering services necessary for the above-described capital improvements for an amount of \$24,250, plus disbursements, as follows:

- | | |
|-------------------------|--------------------------|
| ▪ Lighting Improvements | \$19,250.00 |
| ▪ Roofing Study | \$ 5,000.00 |
| ▪ Reimbursables | not to exceed \$ 500.00, |

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 Wendel Duchscherer Architects & Engineers, for the provision of the above-described services, for a term commencing July 26, 2011 and terminating December 31, 2011, according to the above-described terms.

Referred to the Finance Committee.

ACT NO. 331-2011 by Mr. Burrell and Mr. Ward

REFUNDING BOND RESOLUTION DATED JULY 27, 2011.

A RESOLUTION AUTHORIZING THE ISSUANCE PURSUANT TO SECTION 90.10 OF THE LOCAL FINANCE LAW OF REFUNDING BONDS OF THE COUNTY OF CATTARAUGUS, NEW YORK, TO BE DESIGNATED SUBSTANTIALLY "PUBLIC IMPROVEMENT REFUNDING (SERIAL) BONDS", AND PROVIDING FOR OTHER MATTERS IN RELATION THERETO AND THE PAYMENT OF THE BONDS TO BE REFUNDED THEREBY

WHEREAS, the County of Cattaraugus, New York (hereinafter, the "County") heretofore issued \$14,811,762 Public Improvement (Serial) Bonds, Series 2002A, pursuant to a bond determination certificate dated September 26, 2002 (the "2002A Bond Certificate"), to finance the cost of the Pines Healthcare and Rehabilitation Center, such Public Improvement (Serial) Bonds, Series 2002A, being dated September 15, 2002 with remaining maturities on September 15 in the years 2011 through 2032, both inclusive (the "2002A Refunded Bonds"), and

WHEREAS, the County also heretofore issued \$6,037,225 Public Improvement (Serial) Bonds, Series 2002B pursuant to a bond determination certificate dated September 26, 2002 (the "2002B Bond Certificate") to finance the cost of various improvements in and for said County as further described in the 2002B Bond Certificate, such Public Improvement (Serial) Bonds, Series 2002B, being dated September 15, 2002 with remaining maturities on September 15 in each of the years 2011 through 2017, both inclusive (the "2002B Refunded Bonds" and together with the 2002A Refunded Bonds, the "Refunded Bonds"), and

WHEREAS, it would be in the public interest to refund all or a portion of the remaining outstanding principal balance of the Refunded Bonds

by the issuance of refunding bonds pursuant to Section 90.10 of the Local Finance Law, and

WHEREAS, such refunding will only be undertaken if it results in present value savings in debt service as required by Section 90.10 of the Local Finance Law, now, therefore, be it

RESOLVED, by the County Legislature of the County of Cattaraugus, New York, as follows:

Section 1. For the object or purpose of refunding the outstanding principal balance of the Refunded Bonds as more fully set forth in the Refunding Financial Plan (hereinafter defined), including providing moneys which, together with the interest earned from the investment of certain of the proceeds of the refunding bonds herein authorized, shall be sufficient to pay (i) the principal amount of such Refunded Bonds, (ii) the aggregate amount of unmatured interest payable on such Refunded Bonds to and including the date on which the Refunded Bonds which are callable are to be called prior to their respective maturities in accordance with the refunding financial plan, as hereinafter defined, (iii) the costs and expenses incidental to the issuance of the refunding bonds herein authorized, including the development of the refunding financial plan, as hereinafter defined, costs and expenses of executing and performing the terms and conditions of the escrow contract or contracts, as hereinafter defined, and fees and charges of the escrow holder or holders, as hereinafter mentioned, (iv) the redemption premium to be paid on such Refunded Bonds which are to be called prior to their respective maturities, and (v) the premium or premiums for a policy or policies of municipal bond insurance or cost or costs of other credit enhancement facility or facilities, for the refunding bonds herein authorized, or any portion thereof, there are hereby authorized to be issued not exceeding \$15,000,000 refunding serial bonds of the County pursuant to the provisions of Section 90.10 of the Local Finance Law (the "Refunding Bonds"), it being anticipated that the amount of Refunding Bonds actually to be issued will be approximately \$13,960,000, as provided in Section 4 hereof. The Refunding Bonds described herein are hereby authorized to be consolidated for purposes of sale in one or more refunding serial bond issues. The Refunding Bonds shall each be designated substantially "PUBLIC IMPROVEMENT REFUNDING (SERIAL) BOND" together with such series designation and year as is appropriate on the date of sale thereof, shall be of the denomination of \$5,000 or any integral multiple thereof (except for any odd denominations, if necessary) not exceeding the principal amount of each respective maturity, shall be numbered with the prefix R-11 (or R with the last two digits of the year in which the Refunding Bonds are issued as appropriate) followed by a dash and then from 1 upward, shall be dated on such dates, and shall mature annually on such dates in such years, bearing interest semi-annually on such dates, at the rate or rates of interest per annum, as may be necessary to sell the same, all as shall be determined by the County Treasurer pursuant to Section 4 hereof. It is hereby further determined that (a) such Refunding Bonds may be issued in series, (b) such Refunding Bonds may be sold at a discount in the manner authorized by paragraph a of Section 57.00 of the Local Finance Law pursuant to subdivision 2 of paragraph f of Section 90.10 of the Local Finance Law, and (c) such Refunding Bonds may be issued as a single consolidated issue. It is hereby further determined that such Refunding Bonds may be issued to refund all, or any portion of, the Refunded Bonds, subject to approval by the State Comptroller.

Section 2. The Refunding Bonds may be subject to redemption prior to maturity upon such terms as the County Treasurer shall prescribe, which terms shall be in compliance with the requirements of Section 53.00 (b) of the

Local Finance Law. If less than all of the Refunding Bonds of any maturity are to be redeemed, the particular refunding bonds of such maturity to be redeemed shall be selected by the County by lot in any customary manner of selection as determined by the County Treasurer. Notice of such call for redemption shall be given by mailing such notice to the registered owners not less than thirty (30) days prior to such date and as otherwise provided in Securities and Exchange Commission Release No. 34-23856, as the same may be amended from time to time. Notice of redemption having been given as aforesaid, the bonds so called for redemption shall, on the date for redemption set forth in such call for redemption, become due and payable, together with interest to such redemption date, and interest shall cease to be paid thereon after such redemption date.

The Refunding Bonds shall be issued in registered form and shall not be registrable to bearer or convertible into bearer coupon form. In the event said Refunding Bonds are issued in non-certificated form, such bonds, when issued, shall be initially issued in registered form in denominations such that one bond shall be issued for each maturity of bonds and shall be registered in the name of Cede & Co., as nominee of The Depository Trust Company, New York, New York ("DTC"), which will act as securities depository for the bonds in accordance with the Book-Entry-Only system of DTC. In the event that either DTC shall discontinue the Book-Entry-Only system or the County shall terminate its participation in such Book-Entry-Only system, such bonds shall thereafter be issued in certificated form of the denomination of \$5,000 each or any integral multiple thereof (except for any odd denominations, if necessary) not exceeding the principal amount of each respective maturity. In the case of non-certificated Refunding Bonds, principal of and interest on the bonds shall be payable by check or draft mailed by the Fiscal Agent (as hereinafter defined) to DTC, or to its nominee, Cede & Co., while the bonds are registered in the name of Cede & Co. in accordance with such Book-Entry-Only System. Principal shall only be payable upon surrender of the bonds at the principal corporate trust office of such Fiscal Agent (or at the office of the County Treasurer as Fiscal Agent as hereinafter provided).

In the event said Refunding Bonds are issued in certificated form, principal of and interest on the Refunding Bonds shall be payable by check or draft mailed by the Fiscal Agent (as hereinafter defined) to the registered owners of the Refunding Bonds as shown on the registration books of the County maintained by the Fiscal Agent (as hereinafter defined), as of the close of business on the fifteenth day of the calendar month or first business day of the calendar month preceding each interest payment date as appropriate and as provided in a certificate of the County Treasurer providing for the details of the Refunding Bonds. Principal shall only be payable upon surrender of bonds at the principal corporate trust office of a bank or trust company or banks or trust companies located or authorized to do business in the State of New York, as shall hereafter be designated by the County Treasurer as fiscal agent of the County for the Refunding Bonds (collectively the "Fiscal Agent").

Refunding Bonds in certificated form may be transferred or exchanged at any time prior to maturity at the principal corporate trust office of the Fiscal Agent for bonds of the same maturity of any authorized denomination or denominations in the same aggregate principal amount.

Principal and interest on the Refunding Bonds will be payable in lawful money of the United States of America.

The County Treasurer, as County Treasurer of the County, is hereby authorized and directed to enter into an agreement or agreements containing such terms and conditions as he shall deem proper with the Fiscal Agent, for the purpose of having such bank or trust company or banks or trust companies

act, in connection with the Refunding Bonds, as the Fiscal Agent for said County, to perform the services described in Section 70.00 of the Local Finance Law, and to execute such agreement or agreements on behalf of the County, regardless of whether the Refunding Bonds are initially issued in certificated or non-certificated form.

The County Treasurer is hereby further delegated all powers of this County Legislature with respect to agreements for credit enhancement, derived from and pursuant to Section 168.00 of the Local Finance Law, for said Refunding Bonds, including, but not limited to the determination of the provider of such credit enhancement facility or facilities and the terms and contents of any agreement or agreements related thereto.

The Refunding Bonds shall be executed in the name of the County by the manual or facsimile signature of the County Treasurer, and its corporate seal shall be imprinted thereon. In the event of facsimile signature, the Refunding Bonds shall be authenticated by the manual signature of an authorized officer or employee of the Fiscal Agent. The Refunding Bonds shall contain the recital required by subdivision 4 of paragraph j of Section 90.10 of the Local Finance Law and the recital of validity clause provided for in Section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the County Treasurer shall determine. It is hereby determined that it is to the financial advantage of the County not to impose and collect from registered owners of the Refunding Bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the Fiscal Agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the Fiscal Agent.

Section 3. It is hereby determined that:

(a) the maximum amount of the Refunding Bonds authorized to be issued pursuant to this resolution does not exceed the limitation imposed by subdivision 1 of paragraph b of Section 90.10 of the Local Finance Law;

(b) the maximum period of probable usefulness permitted by law at the time of the issuance of the Refunded Bonds for each object or purpose for which such Refunded Bonds were issued is as specified the Bond Certificates which are incorporated herein by reference;

(c) the last installment of the Refunding Bonds will mature not later than the expiration of the respective period of probable usefulness of the objects or purposes for which said Refunded Bonds were issued in accordance with the provisions of subdivision 1 of paragraph c of Section 90.10 of the Local Finance Law;

(d) the estimated present value of the total debt service savings anticipated as a result of the issuance of the Refunding Bonds, computed in accordance with the provisions of subdivision 2 of paragraph b of Section 90.10 of the Local Finance Law, with regard to the Refunded Bonds is as shown in the Refunding Financial Plan described in Section 4 hereof.

Section 4. The financial plan for the refunding authorized by this resolution (the "Refunding Financial Plan"), showing the sources and amounts of all moneys required to accomplish such refunding, the estimated present value of the total debt service savings and the basis for the computation of the aforesaid estimated present value of total debt service savings, are set forth in Exhibit A attached hereto and made a part of this resolution. The Refunding Financial Plan has been prepared based upon the assumption that the Refunding Bonds will be issued in two series, and that the Refunding Bonds will mature, be of such terms, and bear interest as set forth on Exhibit A attached hereto and made a part of this resolution. This County Legislature

recognizes that the Refunding Bonds may be issued in one or more series, and for only portions thereof, that the amount of the Refunding Bonds, maturities, terms, and interest rate or rates borne by the Refunding Bonds to be issued by the County will most probably be different from such assumptions and that the Refunding Financial Plan will also most probably be different from that attached hereto as Exhibit A. The County Treasurer is hereby authorized and directed to determine the amount of the Refunding Bonds to be issued, the date or dates of such bonds and the date or dates of issue, maturities and terms thereof, the provisions relating to the redemption of Refunding Bonds prior to maturity, whether the Refunding Bonds will be insured by a policy or policies of municipal bond insurance or otherwise enhanced by a credit enhancement facility or facilities, whether the Refunding Bonds shall be sold at a discount in the manner authorized by paragraph e of Section 57.00 of the Local Finance Law, and the rate or rates of interest to be borne thereby, whether the Refunding Bonds shall be issued having substantially level or declining annual debt service and all matters related thereto, and to prepare, or cause to be provided, a final Refunding Financial Plan for the Refunding Bonds and all powers in connection therewith are hereby delegated to the County Treasurer; provided, that the terms of the Refunding Bonds to be issued, including the rate or rates of interest borne thereby, shall comply with the requirements of Section 90.10 of the Local Finance Law. The County Treasurer shall file a copy of his certificate determining the details of the Refunding Bonds and the final Refunding Financial Plan with the Clerk of the County Legislature not later than ten (10) days after the delivery of the Refunding Bonds, as herein provided.

Section 5. The County Treasurer is hereby authorized and directed to enter into an escrow contract or contracts (collectively the "Escrow Contract") with a bank or trust company, or with banks or trust companies, located and authorized to do business in this State as said County Treasurer shall designate (collectively the "Escrow Holder") for the purpose of having the Escrow Holder act, in connection with the Refunding Bonds, as the escrow holder to perform the services described in Section 90.10 of the Local Finance Law.

Section 6. The faith and credit of said County of Cattaraugus, New York, are hereby irrevocably pledged to the payment of the principal of and interest on the Refunding Bonds as the same become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year.

There shall be annually levied on all the taxable real property in said County a tax sufficient to pay the principal of and interest on such Refunding Bonds as the same become due and payable.

Section 7. All of the proceeds from the sale of the Refunding Bonds, including the premium, if any, but excluding accrued interest thereon, shall immediately upon receipt thereof be placed in escrow with the Escrow Holder for the Refunded Bonds. Accrued interest on the Refunding Bonds shall be paid to the County to be expended to pay interest on the Refunding Bonds. Such proceeds as are deposited in the escrow deposit fund to be created and established pursuant to the Escrow Contract, whether in the form of cash or investments, or both, inclusive of any interest earned from the investment thereof, shall be irrevocably committed and pledged to the payment of the principal of and interest on the Refunded Bonds in accordance with Section 90.10 of the Local Finance Law, and the holders, from time to time, of the Refunded Bonds shall have a lien upon such moneys held by the Escrow Holder. Such pledge and lien shall become valid and binding upon the issuance of the

Refunding Bonds and the moneys and investments held by the Escrow Holder for the Refunded Bonds in the escrow deposit fund shall immediately be subject thereto without any further act. Such pledge and lien shall be valid and binding as against all parties having claims of any kind in tort, contract or otherwise against the County irrespective of whether such parties have notice thereof.

Section 8. Notwithstanding any other provision of this resolution, so long as any of the Refunding Bonds shall be outstanding, the County shall not use, or permit the use of, any proceeds from the sale of the Refunding Bonds in any manner which would cause the Refunding Bonds to be an "arbitrage bond" as defined in Section 148 of the Internal Revenue Code of 1986, as amended, and, to the extent applicable, the Regulations promulgated by the United States Treasury Department thereunder.

Section 9. In accordance with the provisions of Section 53.00 and of paragraph h of Section 90.10 of the Local Finance Law, in the event such bonds are refunded, the County hereby elects to call in and redeem each Refunded Bond which the County Treasurer shall determine to be refunded at the earliest call date available. The sum to be paid therefor on such redemption date shall be the par value thereof plus the redemption premium, as provided in the Refunded Bond Certificate, and the accrued interest to such redemption date. The Escrow Agent for the Refunding Bonds is hereby authorized and directed to cause notice of such call for redemption to be given in the name of the County in the manner and within the times provided in the Refunded Bond Certificate. Such notice of redemption shall be in substantially the form attached to the Escrow Contract. Upon the issuance of the Refunding Bonds, the election to call in and redeem the callable Refunded Bonds and the direction to the Escrow Agent to cause notice thereof to be given as provided in this paragraph shall become irrevocable, provided that this paragraph may be amended from time to time as may be necessary in order to comply with the publication requirements of paragraph a of Section 53.00 of the Local Finance Law, or any successor law thereto.

Section 10. The County Treasurer and all other officers, employees and agents of the County are hereby authorized and directed for and on behalf of the County to execute and deliver all certificates and other documents, perform all acts and do all things required or contemplated to be executed, performed or done by this resolution or any document or agreement approved hereby.

Section 11. All other matters pertaining to the terms and issuance of the Refunding Bonds shall be determined by the County Treasurer and all powers in connection thereof are hereby delegated to the County Treasurer.

Section 12. The validity of the Refunding Bonds may be contested only if:

1. Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or

2. The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

3. Such obligations are authorized in violation of the provisions of the Constitution.

Section 13. A summary of this resolution, which takes effect immediately, shall be published in the official newspaper of said County, together with a

notice of the Clerk of the Legislature in substantially the form provided in Section 81.00 of the Local Finance Law.

Approved by 8 members of the Finance Committee.

Adopted unanimously July 27, 2011 by voice vote.

EXHIBIT A

PRELIMINARY REFUNDING FINANCIAL PLAN

COUNTY OF CATTARAUGUS, NEW YORK

Cattaraugus County, New York**Refunding****Total Issue Sources And Uses**

Dated 08/12/2011 | Delivered 08/12/2011

	Refunding of Series 2002A	Refunding of Series 2002B	Issue Summary
Sources Of Funds			
Par Amount of Bonds	\$11,465,000.00	\$2,495,000.00	\$13,960,000.00
Reoffering Premium	579,911.00	179,681.45	759,592.45
Total Sources	\$12,044,911.00	\$2,674,681.45	\$14,719,592.45
Uses Of Funds			
Total Underwriter's Discount	61,361.29	9,610.51	70,971.80
Costs of Issuance	57,489.26	12,510.74	70,000.00
Gross Bond Insurance Premium	54,621.81	9,000.77	63,622.58
Deposit to Net Cash Escrow Fund	11,867,165.22	2,644,038.11	14,511,203.33
Rounding Amount	4,273.42	(478.68)	3,794.74
Total Uses	\$12,044,911.00	\$2,674,681.45	\$14,719,592.45

CATTARAUGUS Refunding 6-2 | Issue Summary | 6/27/2011 | 2:36 PM

Cattaraugus County, New York**Refunding****Pricing Summary**

Maturity	Type of Bond	Coupon	Yield	Maturity Value	Price	Dollar Price
09/15/2011	Serial Coupon	2.500%	0.630%	1,010,000.00	100.170%	1,011,717.00
09/15/2012	Serial Coupon	2.500%	0.730%	790,000.00	101.920%	805,168.00
09/15/2013	Serial Coupon	3.000%	0.970%	805,000.00	104.192%	838,745.60
09/15/2014	Serial Coupon	3.250%	1.290%	820,000.00	105.920%	868,544.00
09/15/2015	Serial Coupon	3.500%	1.630%	815,000.00	107.371%	875,073.65
09/15/2016	Serial Coupon	5.000%	1.850%	810,000.00	115.237%	933,419.70
09/15/2017	Serial Coupon	5.000%	2.210%	815,000.00	115.817%	943,908.55
09/15/2018	Serial Coupon	5.000%	2.550%	490,000.00	115.800%	567,420.00
09/15/2019	Serial Coupon	5.000%	2.860%	490,000.00	115.358%	565,254.20
09/15/2020	Serial Coupon	5.000%	3.100%	495,000.00	114.950%	569,002.50
09/15/2021	Serial Coupon	5.000%	3.280%	520,000.00	114.672%	596,294.40
09/15/2022	Serial Coupon	4.250%	3.510%	525,000.00	106.240% c	557,760.00
09/15/2023	Serial Coupon	4.250%	3.720%	525,000.00	104.422% c	548,215.50
09/15/2024	Serial Coupon	4.250%	3.920%	545,000.00	102.725% c	559,851.25
09/15/2025	Serial Coupon	4.250%	4.120%	545,000.00	101.061% c	550,782.45
09/15/2026	Serial Coupon	4.250%	4.230%	540,000.00	100.159% c	540,858.60
09/15/2027	Serial Coupon	4.250%	4.310%	565,000.00	99.305%	561,073.25
09/15/2028	Serial Coupon	4.500%	4.390%	560,000.00	100.885% c	564,956.00
09/15/2029	Serial Coupon	4.500%	4.470%	560,000.00	100.237% c	561,327.20
09/15/2030	Serial Coupon	4.500%	4.560%	580,000.00	99.236%	575,568.80
09/15/2031	Serial Coupon	4.500%	4.650%	580,000.00	98.051%	568,695.80
09/15/2032	Serial Coupon	4.500%	4.750%	575,000.00	96.688%	555,956.00
Total	-	-	-	\$13,960,000.00	- -	\$14,719,592.45

Bid Information

Par Amount of Bonds	\$13,960,000.00
Reoffering Premium or (Discount)	759,592.45
Gross Production	\$14,719,592.45
Total Underwriter's Discount (0.508%)	\$(70,971.80)
Bid (104.933%)	14,648,620.65
Total Purchase Price	\$14,648,620.65
Bond Year Dollars	\$133,569.67
Average Life	9.568 Years
Average Coupon	4.4336840%
Net Interest Cost (NIC)	3.9181324%
True Interest Cost (TIC)	3.7621651%

Cattaraugus County, New York

Refunding

Debt Service Schedule

Date	Principal	Coupon	Interest	Total P+I	Fiscal Total
08/12/2011	-	-	-	-	-
09/15/2011	1,010,000.00	2.500%	52,406.98	1,062,406.98	-
12/31/2011	-	-	-	-	1,062,406.98
03/15/2012	-	-	273,231.25	273,231.25	-
09/15/2012	790,000.00	2.500%	273,231.25	1,063,231.25	-
12/31/2012	-	-	-	-	1,336,462.50
03/15/2013	-	-	263,356.25	263,356.25	-
09/15/2013	805,000.00	3.000%	263,356.25	1,068,356.25	-
12/31/2013	-	-	-	-	1,331,712.50
03/15/2014	-	-	251,281.25	251,281.25	-
09/15/2014	820,000.00	3.250%	251,281.25	1,071,281.25	-
12/31/2014	-	-	-	-	1,322,562.50
03/15/2015	-	-	237,956.25	237,956.25	-
09/15/2015	815,000.00	3.500%	237,956.25	1,052,956.25	-
12/31/2015	-	-	-	-	1,290,912.50
03/15/2016	-	-	223,693.75	223,693.75	-
09/15/2016	810,000.00	5.000%	223,693.75	1,033,693.75	-
12/31/2016	-	-	-	-	1,257,387.50
03/15/2017	-	-	203,443.75	203,443.75	-
09/15/2017	815,000.00	5.000%	203,443.75	1,018,443.75	-
12/31/2017	-	-	-	-	1,221,887.50
03/15/2018	-	-	183,068.75	183,068.75	-
09/15/2018	490,000.00	5.000%	183,068.75	673,068.75	-
12/31/2018	-	-	-	-	856,137.50
03/15/2019	-	-	170,818.75	170,818.75	-
09/15/2019	490,000.00	5.000%	170,818.75	660,818.75	-
12/31/2019	-	-	-	-	831,637.50
03/15/2020	-	-	158,568.75	158,568.75	-
09/15/2020	495,000.00	5.000%	158,568.75	653,568.75	-
12/31/2020	-	-	-	-	812,137.50
03/15/2021	-	-	146,193.75	146,193.75	-
09/15/2021	520,000.00	5.000%	146,193.75	666,193.75	-
12/31/2021	-	-	-	-	812,387.50
03/15/2022	-	-	133,193.75	133,193.75	-
09/15/2022	525,000.00	4.250%	133,193.75	658,193.75	-
12/31/2022	-	-	-	-	791,387.50
03/15/2023	-	-	122,037.50	122,037.50	-
09/15/2023	525,000.00	4.250%	122,037.50	647,037.50	-
12/31/2023	-	-	-	-	769,075.00
03/15/2024	-	-	110,881.25	110,881.25	-
09/15/2024	545,000.00	4.250%	110,881.25	655,881.25	-
12/31/2024	-	-	-	-	766,762.50
03/15/2025	-	-	99,300.00	99,300.00	-
09/15/2025	545,000.00	4.250%	99,300.00	644,300.00	-
12/31/2025	-	-	-	-	743,600.00
03/15/2026	-	-	87,718.75	87,718.75	-
09/15/2026	540,000.00	4.250%	87,718.75	627,718.75	-
12/31/2026	-	-	-	-	715,437.50
03/15/2027	-	-	76,243.75	76,243.75	-
09/15/2027	565,000.00	4.250%	76,243.75	641,243.75	-
12/31/2027	-	-	-	-	717,487.50
03/15/2028	-	-	64,237.50	64,237.50	-
09/15/2028	560,000.00	4.500%	64,237.50	624,237.50	-
12/31/2028	-	-	-	-	688,475.00
03/15/2029	-	-	51,637.50	51,637.50	-
09/15/2029	560,000.00	4.500%	51,637.50	611,637.50	-
12/31/2029	-	-	-	-	663,275.00
03/15/2030	-	-	39,037.50	39,037.50	-
09/15/2030	580,000.00	4.500%	39,037.50	619,037.50	-
12/31/2030	-	-	-	-	658,075.00
03/15/2031	-	-	25,987.50	25,987.50	-
09/15/2031	580,000.00	4.500%	25,987.50	605,987.50	-
12/31/2031	-	-	-	-	631,975.00
03/15/2032	-	-	12,937.50	12,937.50	-
09/15/2032	575,000.00	4.500%	12,937.50	587,937.50	-
12/31/2032	-	-	-	-	600,875.00
Total	\$13,960,000.00	-	\$5,922,056.98	\$19,882,056.98	-

Yield Statistics

Bond Year Dollars	\$133,569.67
Average Life	9.568 Years
Average Coupon	4.4336840%
Net Interest Cost (NIC)	3.9181324%
True Interest Cost (TIC)	3.7621651%
Bond Yield for Arbitrage Purposes	3.7455917%
All Inclusive Cost (AIC)	3.8868723%

IRS Form 8038

Net Interest Cost	3.7319291%
Weighted Average Maturity	9.398 Years

CATTARAUGUS Refunding 6-2 | Issue Summary | 6/27/2011 | 2:36 PM

Cattaraugus County, New York
Refunding

Debt Service Comparison

Date	Total P+I	Net New D/S	Old Net D/S	Savings	Fiscal Total
08/12/2011	-	-	-	-	-
09/15/2011	1,062,406.98	1,062,406.98	1,104,187.51	41,780.53	-
12/31/2011	-	-	-	-	41,780.53
03/15/2012	273,231.25	273,231.25	289,000.01	15,768.76	-
09/15/2012	1,063,231.25	1,063,231.25	1,089,000.01	25,768.76	-
12/31/2012	-	-	-	-	41,537.52
03/15/2013	263,356.25	263,356.25	273,812.51	10,456.26	-
09/15/2013	1,068,356.25	1,068,356.25	1,098,812.51	30,456.26	-
12/31/2013	-	-	-	-	40,912.52
03/15/2014	251,281.25	251,281.25	257,968.76	6,687.51	-
09/15/2014	1,071,281.25	1,071,281.25	1,107,968.76	36,687.51	-
12/31/2014	-	-	-	-	43,375.02
03/15/2015	237,956.25	237,956.25	241,421.88	3,465.63	-
09/15/2015	1,052,956.25	1,052,956.25	1,091,421.88	38,465.63	-
12/31/2015	-	-	-	-	41,931.26
03/15/2016	223,693.75	223,693.75	224,593.76	900.01	-
09/15/2016	1,033,693.75	1,033,693.75	1,074,593.76	40,900.01	-
12/31/2016	-	-	-	-	41,800.02
03/15/2017	203,443.75	203,443.75	207,531.25	4,087.50	-
09/15/2017	1,018,443.75	1,018,443.75	1,057,531.25	39,087.50	-
12/31/2017	-	-	-	-	43,175.00
03/15/2018	183,068.75	183,068.75	190,234.38	7,165.63	-
09/15/2018	673,068.75	673,068.75	690,234.38	17,165.63	-
12/31/2018	-	-	-	-	24,331.26
03/15/2019	170,818.75	170,818.75	179,734.38	8,915.63	-
09/15/2019	660,818.75	660,818.75	679,734.38	18,915.63	-
12/31/2019	-	-	-	-	27,831.26
03/15/2020	158,568.75	158,568.75	168,984.38	10,415.63	-
09/15/2020	653,568.75	653,568.75	668,984.38	15,415.63	-
12/31/2020	-	-	-	-	25,831.26
03/15/2021	146,193.75	146,193.75	157,984.38	11,790.63	-
09/15/2021	666,193.75	666,193.75	682,984.38	16,790.63	-
12/31/2021	-	-	-	-	28,581.26
03/15/2022	133,193.75	133,193.75	146,171.88	12,978.13	-
09/15/2022	658,193.75	658,193.75	671,171.88	12,978.13	-
12/31/2022	-	-	-	-	25,956.26
03/15/2023	122,037.50	122,037.50	134,359.38	12,321.88	-
09/15/2023	647,037.50	647,037.50	659,359.38	12,321.88	-
12/31/2023	-	-	-	-	24,643.76
03/15/2024	110,881.25	110,881.25	122,218.75	11,337.50	-
09/15/2024	655,881.25	655,881.25	672,218.75	16,337.50	-
12/31/2024	-	-	-	-	27,675.00
03/15/2025	99,300.00	99,300.00	109,500.00	10,200.00	-
09/15/2025	644,300.00	644,300.00	659,500.00	15,200.00	-
12/31/2025	-	-	-	-	25,400.00
03/15/2026	87,718.75	87,718.75	96,781.25	9,062.50	-
09/15/2026	627,718.75	627,718.75	646,781.25	19,062.50	-
12/31/2026	-	-	-	-	28,125.00
03/15/2027	76,243.75	76,243.75	83,718.75	7,475.00	-
09/15/2027	641,243.75	641,243.75	658,718.75	17,475.00	-
12/31/2027	-	-	-	-	24,950.00
03/15/2028	64,237.50	64,237.50	70,062.50	5,825.00	-
09/15/2028	624,237.50	624,237.50	645,062.50	20,825.00	-
12/31/2028	-	-	-	-	26,650.00
03/15/2029	51,637.50	51,637.50	56,406.25	4,768.75	-
09/15/2029	611,637.50	611,637.50	631,406.25	19,768.75	-
12/31/2029	-	-	-	-	24,537.50
03/15/2030	39,037.50	39,037.50	42,750.00	3,712.50	-
09/15/2030	619,037.50	619,037.50	642,750.00	23,712.50	-
12/31/2030	-	-	-	-	27,425.00
03/15/2031	25,987.50	25,987.50	28,500.00	2,512.50	-
09/15/2031	605,987.50	605,987.50	628,500.00	22,512.50	-
12/31/2031	-	-	-	-	25,025.00
03/15/2032	12,937.50	12,937.50	14,250.00	1,312.50	-
09/15/2032	587,937.50	587,937.50	614,250.00	26,312.50	-
12/31/2032	-	-	-	-	27,625.00
Total	\$19,882,056.98	\$19,882,056.98	\$20,571,156.41	\$689,099.43	-

PV Analysis Summary (Net to Net)

Gross PV Debt Service Savings	504,022.10
Net PV Cashflow Savings @ 3.697%(EHC)	504,022.10
Contingency or Rounding Amount	3,794.74
Net Present Value Benefit	\$507,816.84
Net PV Benefit / \$14,075,000 Refunded Principal	3.608%
Net PV Benefit / \$15,960,000 Refunding Principal	3.638%

Refunding Bond Information

Refunding Date	8/12/2011
Refunding Delivery Date	8/12/2011

CATTARAUGUS Refunding 6-2 | Issue Summary | 6/27/2011 | 2:36 PM

Cattaraugus County, New York**Refunding****Escrow Fund Cashflow**

Date	Principal	Rate	Zero Coupon	Reinvestment	Receipts	Disbursements	Cash Balance
08/12/2011	-	-	-	-	937.51	-	937.51
08/31/2011	14,511,000.00	-	(14,511,936.00)	-	(936.00)	-	1.51
09/15/2011	-	-	-	14,511,936.00	14,511,936.00	14,511,937.51	-
Total	\$14,511,000.00	-	(14,511,936.00)	\$14,511,936.00	\$14,511,937.51	\$14,511,937.51	-

Investment Parameters

Investment Model [PV, GIC, or Securities]	Securities
Default investment yield target	Unrestricted

Cash Deposit	937.51
Cost of Investments Purchased with Bond Proceeds	14,510,265.82
Total Cost of Investments	\$14,511,203.33

Target Cost of Investments at bond yield	\$14,462,600.86
Actual positive or (negative) arbitrage	(48,602.47)

Yield to Receipt	0.0552017%
Yield for Arbitrage Purposes	3.7498332%

State and Local Government Series (SLGS) rates for	6/01/2011
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Cattaraugus County, New York

Refunding

Escrow Summary Cost

Maturity	Type	Coupon	Yield	Price	Par Amount	Principal Cost	+Accrued Interest	= Total Cost
Escrow								
08/31/2011	STRIPS-I	-	0.098%	99-994940	14,511,000	14,510,265.81	-	14,510,265.81
Subtotal		-	-	-	\$14,511,000	\$14,510,265.81	-	\$14,510,265.81
Total		-	-	-	\$14,511,000	\$14,510,265.81	-	\$14,510,265.81

Escrow

Cash Deposit	937.51
Cost of Investments Purchased with Bond Proceeds	14,510,265.82
Total Cost of Investments	\$14,511,203.33

Delivery Date	8/12/2011
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Cattaraugus County, New York**Refunding****Total Refunded Debt Service**

DATE	CATTARAUGUS 2002A	CATTARAUGUS 2002 B	TOTAL P+I	Fiscal Total
09/15/2011	707,265.63	396,921.88	1,104,187.51	-
12/31/2011	-	-	-	1,104,187.51
03/15/2012	247,984.38	41,015.63	289,000.01	-
09/15/2012	697,984.38	391,015.63	1,089,000.01	-
12/31/2012	-	-	-	1,378,000.02
03/15/2013	238,703.13	35,109.38	273,812.51	-
09/15/2013	688,703.13	410,109.38	1,098,812.51	-
12/31/2013	-	-	-	1,372,625.02
03/15/2014	229,421.88	28,546.88	257,968.76	-
09/15/2014	704,421.88	403,546.88	1,107,968.76	-
12/31/2014	-	-	-	1,365,937.52
03/15/2015	219,625.00	21,796.88	241,421.88	-
09/15/2015	694,625.00	396,796.88	1,091,421.88	-
12/31/2015	-	-	-	1,332,843.76
03/15/2016	209,828.13	14,765.63	224,593.76	-
09/15/2016	684,828.13	389,765.63	1,074,593.76	-
12/31/2016	-	-	-	1,299,187.52
03/15/2017	200,031.25	7,500.00	207,531.25	-
09/15/2017	675,031.25	382,500.00	1,057,531.25	-
12/31/2017	-	-	-	1,265,062.50
03/15/2018	190,234.38	-	190,234.38	-
09/15/2018	690,234.38	-	690,234.38	-
12/31/2018	-	-	-	880,468.76
03/15/2019	179,734.38	-	179,734.38	-
09/15/2019	679,734.38	-	679,734.38	-
12/31/2019	-	-	-	859,468.76
03/15/2020	168,984.38	-	168,984.38	-
09/15/2020	668,984.38	-	668,984.38	-
12/31/2020	-	-	-	837,968.76
03/15/2021	157,984.38	-	157,984.38	-
09/15/2021	682,984.38	-	682,984.38	-
12/31/2021	-	-	-	840,968.76
03/15/2022	146,171.88	-	146,171.88	-
09/15/2022	671,171.88	-	671,171.88	-
12/31/2022	-	-	-	817,343.76
03/15/2023	134,359.38	-	134,359.38	-
09/15/2023	659,359.38	-	659,359.38	-
12/31/2023	-	-	-	793,718.76
03/15/2024	122,218.75	-	122,218.75	-
09/15/2024	672,218.75	-	672,218.75	-
12/31/2024	-	-	-	794,437.50
03/15/2025	109,500.00	-	109,500.00	-
09/15/2025	659,500.00	-	659,500.00	-
12/31/2025	-	-	-	769,000.00
03/15/2026	96,781.25	-	96,781.25	-
09/15/2026	646,781.25	-	646,781.25	-
12/31/2026	-	-	-	743,562.50
03/15/2027	83,718.75	-	83,718.75	-
09/15/2027	658,718.75	-	658,718.75	-
12/31/2027	-	-	-	742,437.50
03/15/2028	70,062.50	-	70,062.50	-
09/15/2028	645,062.50	-	645,062.50	-
12/31/2028	-	-	-	715,125.00
03/15/2029	56,406.25	-	56,406.25	-
09/15/2029	631,406.25	-	631,406.25	-
12/31/2029	-	-	-	687,812.50
03/15/2030	42,750.00	-	42,750.00	-
09/15/2030	642,750.00	-	642,750.00	-
12/31/2030	-	-	-	685,500.00
03/15/2031	28,500.00	-	28,500.00	-
09/15/2031	628,500.00	-	628,500.00	-
12/31/2031	-	-	-	657,000.00
03/15/2032	14,250.00	-	14,250.00	-
09/15/2032	614,250.00	-	614,250.00	-
12/31/2032	-	-	-	628,500.00
Total	\$17,651,765.73	\$2,919,390.68	\$20,571,156.41	-

Yield Statistics

Base date for Avg. Life & Avg. Coupon Calculation	8/12/2011
Average Life	9.719 Years
Average Coupon	4.5673858%
Weighted Average Maturity (Par Basis)	9.719 Years

Refunding Bond Information

Refunding Dated Date	8/12/2011
Refunding Delivery Date	8/12/2011

CATTARAUGUS Refunding 5-2 | Issue Summary | 6/27/2011 | 2:56 PM

Cattaraugus County, New York

Refunding

Summary Of Bonds Refunded

Issue	Maturity	Type	of Bond	Coupon	Maturity Value	Call Date	Call Price
Dated 9/15/2002 Delivered 9/15/2002							
CATTARAUGUS 2002A	09/15/2011	Serial	Coupon	4.125%	450,000	-	-
CATTARAUGUS 2002A	09/15/2012	Serial	Coupon	4.125%	450,000	09/15/2011	101.000%
CATTARAUGUS 2002A	09/15/2013	Serial	Coupon	4.125%	450,000	09/15/2011	101.000%
CATTARAUGUS 2002A	09/15/2014	Serial	Coupon	4.125%	475,000	09/15/2011	101.000%
CATTARAUGUS 2002A	09/15/2015	Serial	Coupon	4.125%	475,000	09/15/2011	101.000%
CATTARAUGUS 2002A	09/15/2016	Serial	Coupon	4.125%	475,000	09/15/2011	101.000%
CATTARAUGUS 2002A	09/15/2017	Serial	Coupon	4.125%	475,000	09/15/2011	101.000%
CATTARAUGUS 2002A	09/15/2018	Serial	Coupon	4.200%	500,000	09/15/2011	101.000%
CATTARAUGUS 2002A	09/15/2019	Serial	Coupon	4.300%	500,000	09/15/2011	101.000%
CATTARAUGUS 2002A	09/15/2020	Serial	Coupon	4.400%	500,000	09/15/2011	101.000%
CATTARAUGUS 2002A	09/15/2021	Serial	Coupon	4.500%	525,000	09/15/2011	101.000%
CATTARAUGUS 2002A	09/15/2022	Serial	Coupon	4.500%	525,000	09/15/2011	101.000%
CATTARAUGUS 2002A	09/15/2023	Serial	Coupon	4.625%	525,000	09/15/2011	101.000%
CATTARAUGUS 2002A	09/15/2024	Serial	Coupon	4.625%	550,000	09/15/2011	101.000%
CATTARAUGUS 2002A	09/15/2025	Serial	Coupon	4.625%	550,000	09/15/2011	101.000%
CATTARAUGUS 2002A	09/15/2026	Serial	Coupon	4.750%	550,000	09/15/2011	101.000%
CATTARAUGUS 2002A	09/15/2027	Serial	Coupon	4.750%	575,000	09/15/2011	101.000%
CATTARAUGUS 2002A	09/15/2028	Serial	Coupon	4.750%	575,000	09/15/2011	101.000%
CATTARAUGUS 2002A	09/15/2029	Serial	Coupon	4.750%	575,000	09/15/2011	101.000%
CATTARAUGUS 2002A	09/15/2030	Serial	Coupon	4.750%	600,000	09/15/2011	101.000%
CATTARAUGUS 2002A	09/15/2031	Serial	Coupon	4.750%	600,000	09/15/2011	101.000%
CATTARAUGUS 2002A	09/15/2032	Serial	Coupon	4.750%	600,000	09/15/2011	101.000%
Subtotal	-	-	-	-	\$11,500,000	-	-
Dated 9/15/2002 Delivered 9/15/2002							
CATTARAUGUS 2002 B	09/15/2011	Serial	Coupon	3.375%	350,000	-	-
CATTARAUGUS 2002 B	09/15/2012	Serial	Coupon	3.375%	350,000	09/15/2011	101.000%
CATTARAUGUS 2002 B	09/15/2013	Serial	Coupon	3.500%	375,000	09/15/2011	101.000%
CATTARAUGUS 2002 B	09/15/2014	Serial	Coupon	3.600%	375,000	09/15/2011	101.000%
CATTARAUGUS 2002 B	09/15/2015	Serial	Coupon	3.750%	375,000	09/15/2011	101.000%
CATTARAUGUS 2002 B	09/15/2016	Serial	Coupon	3.875%	375,000	09/15/2011	101.000%
CATTARAUGUS 2002 B	09/15/2017	Serial	Coupon	4.000%	375,000	09/15/2011	101.000%
Subtotal	-	-	-	-	\$2,575,000	-	-
Total	-	-	-	-	\$14,075,000	-	-

Cattaraugus County, New York

Refunding of Series 2002A

Sources & Uses

Dated 08/12/2011 | Delivered 08/12/2011

Sources Of Funds

Par Amount of Bonds	\$11,465,000.00
Reoffering Premium	579,911.00

Total Sources	\$12,044,911.00
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Uses Of Funds

Total Underwriter's Discount (0.535%)	61,361.29
Costs of Issuance	57,489.26
Gross Bond Insurance Premium (32.0 bp)	54,621.81
Deposit to Net Cash Escrow Fund	11,867,165.22
Rounding Amount	4,273.42

Total Uses	\$12,044,911.00
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Cattaraugus County, New York**Refunding of Series 2002A****Pricing Summary**

Maturity	Type of Bond	Coupon	Yield	Maturity Value	Price	Dollar Price
09/15/2011	Serial Coupon	2.500%	0.630%	635,000.00	100.170%	636,079.50
09/15/2012	Serial Coupon	2.500%	0.730%	450,000.00	101.920%	458,640.00
09/15/2013	Serial Coupon	3.000%	0.970%	445,000.00	104.192%	463,654.40
09/15/2014	Serial Coupon	3.250%	1.290%	465,000.00	105.920%	492,528.00
09/15/2015	Serial Coupon	3.500%	1.630%	460,000.00	107.371%	493,906.60
09/15/2016	Serial Coupon	5.000%	1.850%	455,000.00	115.237%	524,328.35
09/15/2017	Serial Coupon	5.000%	2.210%	460,000.00	115.817%	532,758.20
09/15/2018	Serial Coupon	5.000%	2.550%	490,000.00	115.800%	567,420.00
09/15/2019	Serial Coupon	5.000%	2.860%	490,000.00	115.358%	565,254.20
09/15/2020	Serial Coupon	5.000%	3.100%	495,000.00	114.950%	569,002.50
09/15/2021	Serial Coupon	5.000%	3.280%	520,000.00	114.672%	596,294.40
09/15/2022	Serial Coupon	4.250%	3.510%	525,000.00	106.240% c	557,760.00
09/15/2023	Serial Coupon	4.250%	3.720%	525,000.00	104.422% c	548,215.50
09/15/2024	Serial Coupon	4.250%	3.920%	545,000.00	102.725% c	559,851.25
09/15/2025	Serial Coupon	4.250%	4.120%	545,000.00	101.061% c	550,782.45
09/15/2026	Serial Coupon	4.250%	4.230%	540,000.00	100.159% c	540,858.60
09/15/2027	Serial Coupon	4.250%	4.310%	565,000.00	99.305%	561,073.25
09/15/2028	Serial Coupon	4.500%	4.390%	560,000.00	100.885% c	564,956.00
09/15/2029	Serial Coupon	4.500%	4.470%	560,000.00	100.237% c	561,327.20
09/15/2030	Serial Coupon	4.500%	4.560%	580,000.00	99.236%	575,568.80
09/15/2031	Serial Coupon	4.500%	4.650%	580,000.00	98.051%	568,695.80
09/15/2032	Serial Coupon	4.500%	4.750%	575,000.00	96.688%	555,956.00
Total	-	-	-	\$11,465,000.00	-	\$12,044,911.00

Bid Information

Par Amount of Bonds	\$11,465,000.00
Reoffering Premium or (Discount)	579,911.00
Gross Production	\$12,044,911.00
 Total Underwriter's Discount (0.535%)	\$(61,361.29)
Bid (104.523%)	11,983,549.71
 Total Purchase Price	\$11,983,549.71
 Bond Year Dollars	\$125,890.96
Average Life	10.980 Years
Average Coupon	4.4517218%
 Net Interest Cost (NIC)	4.0398179%
True Interest Cost (TIC)	3.9075896%

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Cattaraugus County, New York

Refunding of Series 2002A

Debt Service Schedule

Date	Principal	Coupon	Interest	Total P+I	Fiscal Total
08/12/2011	-	-	-	-	-
09/15/2011	635,000.00	2.500%	44,327.71	679,327.71	-
12/31/2011	-	-	-	-	679,327.71
03/15/2012	-	-	233,850.00	233,850.00	-
09/15/2012	450,000.00	2.500%	233,850.00	683,850.00	-
12/31/2012	-	-	-	-	917,700.00
03/15/2013	-	-	228,225.00	228,225.00	-
09/15/2013	445,000.00	3.000%	228,225.00	673,225.00	-
12/31/2013	-	-	-	-	901,450.00
03/15/2014	-	-	221,550.00	221,550.00	-
09/15/2014	465,000.00	3.250%	221,550.00	686,550.00	-
12/31/2014	-	-	-	-	908,100.00
03/15/2015	-	-	213,993.75	213,993.75	-
09/15/2015	460,000.00	3.500%	213,993.75	673,993.75	-
12/31/2015	-	-	-	-	887,987.50
03/15/2016	-	-	205,943.75	205,943.75	-
09/15/2016	455,000.00	5.000%	205,943.75	660,943.75	-
12/31/2016	-	-	-	-	866,887.50
03/15/2017	-	-	194,568.75	194,568.75	-
09/15/2017	460,000.00	5.000%	194,568.75	654,568.75	-
12/31/2017	-	-	-	-	849,137.50
03/15/2018	-	-	183,068.75	183,068.75	-
09/15/2018	490,000.00	5.000%	183,068.75	673,068.75	-
12/31/2018	-	-	-	-	856,137.50
03/15/2019	-	-	170,818.75	170,818.75	-
09/15/2019	490,000.00	5.000%	170,818.75	660,818.75	-
12/31/2019	-	-	-	-	831,637.50
03/15/2020	-	-	158,568.75	158,568.75	-
09/15/2020	495,000.00	5.000%	158,568.75	653,568.75	-
12/31/2020	-	-	-	-	812,137.50
03/15/2021	-	-	146,193.75	146,193.75	-
09/15/2021	520,000.00	5.000%	146,193.75	666,193.75	-
12/31/2021	-	-	-	-	812,387.50
03/15/2022	-	-	133,193.75	133,193.75	-
09/15/2022	525,000.00	4.250%	133,193.75	658,193.75	-
12/31/2022	-	-	-	-	791,387.50
03/15/2023	-	-	122,037.50	122,037.50	-
09/15/2023	525,000.00	4.250%	122,037.50	647,037.50	-
12/31/2023	-	-	-	-	769,075.00
03/15/2024	-	-	110,881.25	110,881.25	-
09/15/2024	545,000.00	4.250%	110,881.25	655,881.25	-
12/31/2024	-	-	-	-	766,762.50
03/15/2025	-	-	99,300.00	99,300.00	-
09/15/2025	545,000.00	4.250%	99,300.00	644,300.00	-
12/31/2025	-	-	-	-	743,600.00
03/15/2026	-	-	87,718.75	87,718.75	-
09/15/2026	540,000.00	4.250%	87,718.75	627,718.75	-
12/31/2026	-	-	-	-	715,437.50
03/15/2027	-	-	76,243.75	76,243.75	-
09/15/2027	565,000.00	4.250%	76,243.75	641,243.75	-
12/31/2027	-	-	-	-	717,487.50
03/15/2028	-	-	64,237.50	64,237.50	-
09/15/2028	560,000.00	4.500%	64,237.50	624,237.50	-
12/31/2028	-	-	-	-	688,475.00
03/15/2029	-	-	51,637.50	51,637.50	-
09/15/2029	560,000.00	4.500%	51,637.50	611,637.50	-
12/31/2029	-	-	-	-	663,275.00
03/15/2030	-	-	39,037.50	39,037.50	-
09/15/2030	580,000.00	4.500%	39,037.50	619,037.50	-
12/31/2030	-	-	-	-	658,075.00
03/15/2031	-	-	25,987.50	25,987.50	-
09/15/2031	580,000.00	4.500%	25,987.50	605,987.50	-
12/31/2031	-	-	-	-	631,975.00
03/15/2032	-	-	12,937.50	12,937.50	-
09/15/2032	575,000.00	4.500%	12,937.50	587,937.50	-
12/31/2032	-	-	-	-	600,875.00
Total	\$11,465,000.00	-	\$5,604,315.21	\$17,069,315.21	-

Yield Statistics

Bond Year Dollars	\$125,890.96
Average Life	10.980 Years
Average Coupon	4.4517218%
Net Interest Cost (NIC)	4.0398179%
True Interest Cost (TIC)	3.9075896%
Bond Yield for Arbitrage Purposes	3.7455917%
All Inclusive Cost (AIC)	4.0217010%

IRS Form 8038

Net Interest Cost	3.8701252%
Weighted Average Maturity	10.778 Years

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Cattaraugus County, New York
Refunding of Series 2002A

Debt Service Comparison

Date	Total P+I	Net New D/S	Old Net D/S	Savings	Fiscal Total
08/12/2011	-	-	-	-	-
09/15/2011	679,327.71	679,327.71	707,265.63	27,937.92	-
12/31/2011	-	-	-	-	27,937.92
03/15/2012	233,850.00	233,850.00	247,984.38	14,134.38	-
09/15/2012	683,850.00	683,850.00	697,984.38	14,134.38	-
12/31/2012	-	-	-	-	28,268.76
03/15/2013	228,225.00	228,225.00	238,703.13	10,478.13	-
09/15/2013	673,225.00	673,225.00	688,703.13	15,478.13	-
12/31/2013	-	-	-	-	25,956.26
03/15/2014	221,550.00	221,550.00	229,421.88	7,871.88	-
09/15/2014	686,550.00	686,550.00	704,421.88	17,871.88	-
12/31/2014	-	-	-	-	25,743.76
03/15/2015	213,993.75	213,993.75	219,625.00	5,631.25	-
09/15/2015	673,993.75	673,993.75	694,625.00	20,631.25	-
12/31/2015	-	-	-	-	26,262.50
03/15/2016	205,943.75	205,943.75	209,828.13	3,884.38	-
09/15/2016	660,943.75	660,943.75	684,828.13	23,884.38	-
12/31/2016	-	-	-	-	27,768.76
03/15/2017	194,568.75	194,568.75	200,031.25	5,462.50	-
09/15/2017	654,568.75	654,568.75	675,031.25	20,462.50	-
12/31/2017	-	-	-	-	25,925.00
03/15/2018	183,068.75	183,068.75	190,234.38	7,165.63	-
09/15/2018	673,068.75	673,068.75	690,234.38	17,165.63	-
12/31/2018	-	-	-	-	24,331.26
03/15/2019	170,818.75	170,818.75	179,734.38	8,915.63	-
09/15/2019	660,818.75	660,818.75	679,734.38	18,915.63	-
12/31/2019	-	-	-	-	27,831.26
03/15/2020	158,568.75	158,568.75	168,984.38	10,415.63	-
09/15/2020	653,568.75	653,568.75	668,984.38	15,415.63	-
12/31/2020	-	-	-	-	25,831.26
03/15/2021	146,193.75	146,193.75	157,984.38	11,790.63	-
09/15/2021	666,193.75	666,193.75	682,984.38	16,790.63	-
12/31/2021	-	-	-	-	28,581.26
03/15/2022	133,193.75	133,193.75	146,171.88	12,978.13	-
09/15/2022	658,193.75	658,193.75	671,171.88	12,978.13	-
12/31/2022	-	-	-	-	25,956.26
03/15/2023	122,037.50	122,037.50	134,359.38	12,321.88	-
09/15/2023	647,037.50	647,037.50	659,359.38	12,321.88	-
12/31/2023	-	-	-	-	24,643.76
03/15/2024	110,881.25	110,881.25	122,218.75	11,337.50	-
09/15/2024	655,881.25	655,881.25	672,218.75	16,337.50	-
12/31/2024	-	-	-	-	27,675.00
03/15/2025	99,300.00	99,300.00	109,500.00	10,200.00	-
09/15/2025	644,300.00	644,300.00	659,500.00	15,200.00	-
12/31/2025	-	-	-	-	25,400.00
03/15/2026	87,718.75	87,718.75	96,781.25	9,062.50	-
09/15/2026	627,718.75	627,718.75	646,781.25	19,062.50	-
12/31/2026	-	-	-	-	28,125.00
03/15/2027	76,243.75	76,243.75	83,718.75	7,475.00	-
09/15/2027	641,243.75	641,243.75	658,718.75	17,475.00	-
12/31/2027	-	-	-	-	24,950.00
03/15/2028	64,237.50	64,237.50	70,062.50	5,825.00	-
09/15/2028	624,237.50	624,237.50	645,062.50	20,825.00	-
12/31/2028	-	-	-	-	26,650.00
03/15/2029	51,637.50	51,637.50	56,406.25	4,768.75	-
09/15/2029	611,637.50	611,637.50	631,406.25	19,768.75	-
12/31/2029	-	-	-	-	24,537.50
03/15/2030	39,037.50	39,037.50	42,750.00	3,712.50	-
09/15/2030	619,037.50	619,037.50	642,750.00	23,712.50	-
12/31/2030	-	-	-	-	27,425.00
03/15/2031	25,987.50	25,987.50	28,500.00	2,512.50	-
09/15/2031	605,987.50	605,987.50	628,500.00	22,512.50	-
12/31/2031	-	-	-	-	25,025.00
03/15/2032	12,937.50	12,937.50	14,250.00	1,312.50	-
09/15/2032	587,937.50	587,937.50	614,250.00	26,312.50	-
12/31/2032	-	-	-	-	27,625.00
Total	\$17,069,315.21	\$17,069,315.21	\$17,651,765.73	\$582,450.52	-

PV Analysis Summary (Net to Net)

Gross PV Debt Service Savings	403,753.33
Net PV Cashflow Savings @ 3.846%(EIC)	403,753.33
Contingency or Rounding Amount	4,273.42
Net Present Value Benefit	\$408,026.75
Net PV Benefit / \$11,500,000 Refunded Principal	3.548%
Net PV Benefit / \$11,465,000 Refunding Principal	3.559%

Refunding Bond Information

Refunding Dated Date	8/12/2011
Refunding Delivery Date	8/12/2011
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Cattaraugus County, New York

Refunding of Series 2002A

Escrow Fund Cashflow

Date	Principal	Rate	Zero Coupon	Reinvestment	Receipts	Disbursements	Cash Balance
08/12/2011	-	-	-	-	765.63	-	765.63
08/31/2011	11,867,000.00	-	(11,867,765.00)	-	(765.00)	-	0.63
09/15/2011	-	-	-	11,867,765.00	11,867,765.00	11,867,765.63	-
Total	\$11,867,000.00	-	(11,867,765.00)	\$11,867,765.00	\$11,867,765.63	\$11,867,765.63	-

Investment Parameters

Investment Model [PV, GIC, or Securities]	Securities
Default investment yield target	Unrestricted

Cash Deposit	765.63
Cost of Investments Purchased with Bond Proceeds	11,866,399.59
Total Cost of Investments	\$11,867,165.22
Target Cost of Investments at bond yield	\$11,827,418.45
Actual positive or (negative) arbitrage	(39,746.77)
Yield to Receipt	0.0552020%
Yield for Arbitrage Purposes	3.7498332%

Cattaraugus County, New York

Refunding of Series 2002A

Escrow Summary Cost

Maturity	Type	Coupon	Yield	Price	Par Amount	Principal Cost	+Accrued Interest	= Total Cost
Escrow								
08/31/2011	STRIPS-I	-	0.098%	99.994940	11,867,000	11,866,399.59	-	11,866,399.59
Subtotal		-	-	-	\$11,867,000	\$11,866,399.59	-	\$11,866,399.59
Total		-	-	-	\$11,867,000	\$11,866,399.59	-	\$11,866,399.59

Escrow

Cash Deposit	765.63
Cost of Investments Purchased with Bond Proceeds	11,866,399.59
Total Cost of Investments	\$11,867,165.22

Delivery Date	8/12/2011
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Cattaraugus County, New York

Refunding of Series 2002A

Total Refunded Debt Service

DATE	CATTARAUGUS 2002A	TOTAL P+I	Fiscal Total
09/15/2011	707,265.63	707,265.63	-
12/31/2011	-	-	707,265.63
03/15/2012	247,984.38	247,984.38	-
09/15/2012	697,984.38	697,984.38	-
12/31/2012	-	-	945,968.76
03/15/2013	238,703.13	238,703.13	-
09/15/2013	688,703.13	688,703.13	-
12/31/2013	-	-	927,406.26
03/15/2014	229,421.88	229,421.88	-
09/15/2014	704,421.88	704,421.88	-
12/31/2014	-	-	933,843.76
03/15/2015	219,625.00	219,625.00	-
09/15/2015	694,625.00	694,625.00	-
12/31/2015	-	-	914,250.00
03/15/2016	209,828.13	209,828.13	-
09/15/2016	684,828.13	684,828.13	-
12/31/2016	-	-	894,656.26
03/15/2017	200,031.25	200,031.25	-
09/15/2017	675,031.25	675,031.25	-
12/31/2017	-	-	875,062.50
03/15/2018	190,234.38	190,234.38	-
09/15/2018	690,234.38	690,234.38	-
12/31/2018	-	-	880,468.76
03/15/2019	179,734.38	179,734.38	-
09/15/2019	679,734.38	679,734.38	-
12/31/2019	-	-	859,468.76
03/15/2020	168,984.38	168,984.38	-
09/15/2020	668,984.38	668,984.38	-
12/31/2020	-	-	837,968.76
03/15/2021	157,984.38	157,984.38	-
09/15/2021	682,984.38	682,984.38	-
12/31/2021	-	-	840,968.76
03/15/2022	146,171.88	146,171.88	-
09/15/2022	671,171.88	671,171.88	-
12/31/2022	-	-	817,343.76
03/15/2023	134,359.38	134,359.38	-
09/15/2023	659,359.38	659,359.38	-
12/31/2023	-	-	793,718.76
03/15/2024	122,218.75	122,218.75	-
09/15/2024	672,218.75	672,218.75	-
12/31/2024	-	-	794,437.50
03/15/2025	109,500.00	109,500.00	-
09/15/2025	659,500.00	659,500.00	-
12/31/2025	-	-	769,000.00
03/15/2026	96,781.25	96,781.25	-
09/15/2026	646,781.25	646,781.25	-
12/31/2026	-	-	743,562.50
03/15/2027	83,718.75	83,718.75	-
09/15/2027	658,718.75	658,718.75	-
12/31/2027	-	-	742,437.50
03/15/2028	70,062.50	70,062.50	-
09/15/2028	645,062.50	645,062.50	-
12/31/2028	-	-	715,125.00
03/15/2029	56,406.25	56,406.25	-
09/15/2029	631,406.25	631,406.25	-
12/31/2029	-	-	687,812.50
03/15/2030	42,750.00	42,750.00	-
09/15/2030	642,750.00	642,750.00	-
12/31/2030	-	-	685,500.00
03/15/2031	28,500.00	28,500.00	-
09/15/2031	628,500.00	628,500.00	-
12/31/2031	-	-	657,000.00
03/15/2032	14,250.00	14,250.00	-
09/15/2032	614,250.00	614,250.00	-
12/31/2032	-	-	628,500.00
Total	\$17,651,765.73	\$17,651,765.73	-

Yield Statistics

Base date for Avg. Life & Avg. Coupon Calculation	8/12/2011
Average Life	11.192 Years
Average Coupon	4.6165292%
Weighted Average Maturity (Par Basis)	11.192 Years

Refunding Bond Information

Refunding Dated Date	8/12/2011
Refunding Delivery Date	8/12/2011

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Cattaraugus County, New York

Refunding of Series 2002A

Summary Of Bonds Refunded

Issue	Maturity	Type	of Bond	Coupon	Maturity Value	Call Date	Call Price
Dated 9/15/2002 Delivered 9/15/2002							
CATTARAUGUS 2002A	09/15/2011	Serial	Coupon	4.125%	450,000	-	-
CATTARAUGUS 2002A	09/15/2012	Serial	Coupon	4.125%	450,000	09/15/2011	101.000%
CATTARAUGUS 2002A	09/15/2013	Serial	Coupon	4.125%	450,000	09/15/2011	101.000%
CATTARAUGUS 2002A	09/15/2014	Serial	Coupon	4.125%	475,000	09/15/2011	101.000%
CATTARAUGUS 2002A	09/15/2015	Serial	Coupon	4.125%	475,000	09/15/2011	101.000%
CATTARAUGUS 2002A	09/15/2016	Serial	Coupon	4.125%	475,000	09/15/2011	101.000%
CATTARAUGUS 2002A	09/15/2017	Serial	Coupon	4.125%	475,000	09/15/2011	101.000%
CATTARAUGUS 2002A	09/15/2018	Serial	Coupon	4.200%	500,000	09/15/2011	101.000%
CATTARAUGUS 2002A	09/15/2019	Serial	Coupon	4.300%	500,000	09/15/2011	101.000%
CATTARAUGUS 2002A	09/15/2020	Serial	Coupon	4.400%	500,000	09/15/2011	101.000%
CATTARAUGUS 2002A	09/15/2021	Serial	Coupon	4.500%	525,000	09/15/2011	101.000%
CATTARAUGUS 2002A	09/15/2022	Serial	Coupon	4.500%	525,000	09/15/2011	101.000%
CATTARAUGUS 2002A	09/15/2023	Serial	Coupon	4.625%	525,000	09/15/2011	101.000%
CATTARAUGUS 2002A	09/15/2024	Serial	Coupon	4.625%	550,000	09/15/2011	101.000%
CATTARAUGUS 2002A	09/15/2025	Serial	Coupon	4.625%	550,000	09/15/2011	101.000%
CATTARAUGUS 2002A	09/15/2026	Serial	Coupon	4.750%	550,000	09/15/2011	101.000%
CATTARAUGUS 2002A	09/15/2027	Serial	Coupon	4.750%	575,000	09/15/2011	101.000%
CATTARAUGUS 2002A	09/15/2028	Serial	Coupon	4.750%	575,000	09/15/2011	101.000%
CATTARAUGUS 2002A	09/15/2029	Serial	Coupon	4.750%	575,000	09/15/2011	101.000%
CATTARAUGUS 2002A	09/15/2030	Serial	Coupon	4.750%	600,000	09/15/2011	101.000%
CATTARAUGUS 2002A	09/15/2031	Serial	Coupon	4.750%	600,000	09/15/2011	101.000%
CATTARAUGUS 2002A	09/15/2032	Serial	Coupon	4.750%	600,000	09/15/2011	101.000%
Subtotal	-	-	-	-	\$11,500,000	-	-
Total	-	-	-	-	\$11,500,000	-	-

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Cattaraugus County, New York

Refunding of Series 2002B

Sources & Uses

Dated 08/12/2011 | Delivered 08/12/2011

Sources Of Funds

Par Amount of Bonds	\$2,495,000.00
Reoffering Premium	179,681.45

Total Sources	\$2,674,681.45
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Uses Of Funds

Total Underwriter's Discount (0.385%)	9,610.51
Costs of Issuance	12,510.74
Gross Bond Insurance Premium (32.0 bp)	9,000.77
Deposit to Net Cash Escrow Fund	2,644,038.11
Rounding Amount	(478.68)

Total Uses	\$2,674,681.45
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CATTARAUGUS Refunding 6-2 | Refunding of Series 2002B | 6/27/2011 | 2:36 PM

Cattaraugus County, New York

Refunding of Series 2002B

Pricing Summary

Maturity	Type of Bond	Coupon	Yield	Maturity Value	Price	Dollar Price
09/15/2011	Serial Coupon	2.500%	0.630%	375,000.00	100.170%	375,637.50
09/15/2012	Serial Coupon	2.500%	0.730%	340,000.00	101.920%	346,528.00
09/15/2013	Serial Coupon	3.000%	0.970%	360,000.00	104.192%	375,091.20
09/15/2014	Serial Coupon	3.250%	1.290%	355,000.00	105.920%	376,016.00
09/15/2015	Serial Coupon	3.500%	1.630%	355,000.00	107.371%	381,167.05
09/15/2016	Serial Coupon	5.000%	1.850%	355,000.00	115.237%	409,091.35
09/15/2017	Serial Coupon	5.000%	2.210%	355,000.00	115.817%	411,150.35
Total	-	-	-	\$2,495,000.00	-	\$2,674,681.45

Bid Information

Par Amount of Bonds	\$2,495,000.00
Reoffering Premium or (Discount)	179,681.45
Gross Production	\$2,674,681.45
Total Underwriter's Discount (0.385%)	\$(9,610.51)
Bid (106.816%)	2,665,070.94
Total Purchase Price	\$2,665,070.94
Bond Year Dollars	\$7,678.71
Average Life	3.078 Years
Average Coupon	4.1379586%
Net Interest Cost (NIC)	1.9231207%
True Interest Cost (TIC)	1.8128484%

CATTARAUGUS Refunding 6-2 | Refunding of Series 2002B | 6/27/2011 | 2:36 PM

Cattaraugus County, New York

Refunding of Series 2002B

Debt Service Schedule

Date	Principal	Coupon	Interest	Total P+I	Fiscal Total
08/12/2011	-	-	-	-	-
09/15/2011	375,000.00	2.500%	8,079.27	383,079.27	-
12/31/2011	-	-	-	-	383,079.27
03/15/2012	-	-	39,381.25	39,381.25	-
09/15/2012	340,000.00	2.500%	39,381.25	379,381.25	-
12/31/2012	-	-	-	-	418,762.50
03/15/2013	-	-	35,131.25	35,131.25	-
09/15/2013	360,000.00	3.000%	35,131.25	395,131.25	-
12/31/2013	-	-	-	-	430,262.50
03/15/2014	-	-	29,731.25	29,731.25	-
09/15/2014	355,000.00	3.250%	29,731.25	384,731.25	-
12/31/2014	-	-	-	-	414,462.50
03/15/2015	-	-	23,962.50	23,962.50	-
09/15/2015	355,000.00	3.500%	23,962.50	378,962.50	-
12/31/2015	-	-	-	-	402,925.00
03/15/2016	-	-	17,750.00	17,750.00	-
09/15/2016	355,000.00	5.000%	17,750.00	372,750.00	-
12/31/2016	-	-	-	-	390,500.00
03/15/2017	-	-	8,875.00	8,875.00	-
09/15/2017	355,000.00	5.000%	8,875.00	363,875.00	-
12/31/2017	-	-	-	-	372,750.00
Total	\$2,495,000.00	-	\$317,741.77	\$2,812,741.77	-

Yield Statistics

Bond Year Dollars	\$7,678.71
Average Life	3.078 Years
Average Coupon	4.1379586%
Net Interest Cost (NIC)	1.9231207%
True Interest Cost (TIC)	1.8128484%
Bond Yield for Arbitrage Purposes	3.7455917%
All Inclusive Cost (AIC)	2.0904459%

IRS Form 8038

Net Interest Cost	1.6229093%
Weighted Average Maturity	3.181 Years

CATTARAUGUS Refunding 6-2 | Refunding of Series 2002B | 6/27/2011 | 2:36 PM

Cattaraugus County, New York

Refunding of Series 2002B

Debt Service Comparison

Date	Total P+I	Net New D/S	Old Net D/S	Savings	Fiscal Total
08/12/2011	-	-	-	-	-
09/15/2011	383,079.27	383,079.27	396,921.88	13,842.61	-
12/31/2011	-	-	-	-	13,842.61
03/15/2012	39,381.25	39,381.25	41,015.63	1,634.38	-
09/15/2012	379,381.25	379,381.25	391,015.63	11,634.38	-
12/31/2012	-	-	-	-	13,268.76
03/15/2013	35,131.25	35,131.25	35,109.38	(21.87)	-
09/15/2013	395,131.25	395,131.25	410,109.38	14,978.13	-
12/31/2013	-	-	-	-	14,956.26
03/15/2014	29,731.25	29,731.25	28,546.88	(1,184.37)	-
09/15/2014	384,731.25	384,731.25	403,546.88	18,815.63	-
12/31/2014	-	-	-	-	17,631.26
03/15/2015	23,962.50	23,962.50	21,796.88	(2,165.62)	-
09/15/2015	378,962.50	378,962.50	396,796.88	17,834.38	-
12/31/2015	-	-	-	-	15,668.76
03/15/2016	17,750.00	17,750.00	14,765.63	(2,984.37)	-
09/15/2016	372,750.00	372,750.00	389,765.63	17,015.63	-
12/31/2016	-	-	-	-	14,031.26
03/15/2017	8,875.00	8,875.00	7,500.00	(1,375.00)	-
09/15/2017	363,875.00	363,875.00	382,500.00	18,625.00	-
12/31/2017	-	-	-	-	17,250.00
Total	\$2,812,741.77	\$2,812,741.77	\$2,919,390.68	\$106,648.91	-

PV Analysis Summary (Net to Net)

Gross PV Debt Service Savings	101,052.37
Net PV Cashflow Savings @ 1.690%(EIC)	101,052.37
Contingency or Rounding Amount	(478.68)
Net Present Value Benefit	\$100,573.69
Net PV Benefit / \$2,575,000 Refunded Principal	3.906%
Net PV Benefit / \$2,495,000 Refunding Principal	4.031%

Refunding Bond Information

Refunding Dated Date	8/12/2011
Refunding Delivery Date	8/12/2011

CATTARAUGUS Refunding 6-2 | Refunding of Series 2002B | 6/27/2011 | 2:36 PM

Cattaraugus County, New York

Refunding of Series 2002B

Escrow Fund Cashflow

Date	Principal	Rate	Zero Coupon	Reinvestment	Receipts	Disbursements	Cash Balance
08/12/2011	-	-	-	-	171.88	-	171.88
08/31/2011	2,644,000.00	-	(2,644,171.00)	-	(171.00)	-	0.88
09/15/2011	-	-	-	2,644,171.00	2,644,171.00	2,644,171.88	-
Total	\$2,644,000.00	-	(2,644,171.00)	\$2,644,171.00	\$2,644,171.88	\$2,644,171.88	-

Investment Parameters

Investment Model [PV, GIC, or Securities]	Securities
Default investment yield target	Unrestricted

Cash Deposit	171.88
Cost of Investments Purchased with Bond Proceeds	2,643,866.23
Total Cost of Investments	\$2,644,038.11
Target Cost of Investments at bond yield	\$2,635,182.41
Actual positive or (negative) arbitrage	(8,855.70)
Yield to Receipt	0.0552007%
Yield for Arbitrage Purposes	3.7498332%

CATTARAUGUS Refunding 6-2 | Refunding of Series 2002B | 6/27/2011 | 2:36 PM

Cattaraugus County, New York

Refunding of Series 2002B

Escrow Summary Cost

Maturity	Type	Coupon	Yield	Price	Par Amount	Principal Cost	+Accrued Interest	= Total Cost
Escrow								
08/31/2011	STRIPS-I	-	0.098%	99-.994940	2,644,000	2,643,866.23	-	2,643,866.23
Subtotal		-	-	-	\$2,644,000	\$2,643,866.23	-	\$2,643,866.23
Total		-	-	-	\$2,644,000	\$2,643,866.23	-	\$2,643,866.23

Escrow

Cash Deposit	171.88
Cost of Investments Purchased with Bond Proceeds	2,643,866.23
Total Cost of Investments	\$2,644,038.11

Delivery Date	8/12/2011
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CATTARAUGUS Refunding 6-2 | Refunding of Series 2002B | 6/27/2011 | 2:36 PM

Cattaraugus County, New York**Refunding of Series 2002B****Total Refunded Debt Service**

DATE	CATTARAUGUS 2002 B	TOTAL P+I	Fiscal Total
09/15/2011	396,921.88	396,921.88	-
12/31/2011	-	-	396,921.88
03/15/2012	41,015.63	41,015.63	-
09/15/2012	391,015.63	391,015.63	-
12/31/2012	-	-	432,031.26
03/15/2013	35,109.38	35,109.38	-
09/15/2013	410,109.38	410,109.38	-
12/31/2013	-	-	445,218.76
03/15/2014	28,546.88	28,546.88	-
09/15/2014	403,546.88	403,546.88	-
12/31/2014	-	-	432,093.76
03/15/2015	21,796.88	21,796.88	-
09/15/2015	396,796.88	396,796.88	-
12/31/2015	-	-	418,593.76
03/15/2016	14,765.63	14,765.63	-
09/15/2016	389,765.63	389,765.63	-
12/31/2016	-	-	404,531.26
03/15/2017	7,500.00	7,500.00	-
09/15/2017	382,500.00	382,500.00	-
12/31/2017	-	-	390,000.00
Total	\$2,919,390.68	\$2,919,390.68	-

Yield Statistics

Base date for Avg. Life & Avg. Coupon Calculation	8/12/2011
Average Life	3.140 Years
Average Coupon	3.7851789%
Weighted Average Maturity (Par Basis)	3.140 Years

Refunding Bond Information

Refunding Dated Date	8/12/2011
Refunding Delivery Date	8/12/2011

CATTARAUGUS Refunding 6-2 | Refunding of Series 2002B | 6/27/2011 | 2:36 PM

Cattaraugus County, New York

Refunding of Series 2002B

Summary Of Bonds Refunded

Issue	Maturity	Type	of Bond	Coupon	Maturity Value	Call Date	Call Price
Dated 9/15/2002 Delivered 9/15/2002							
CATTARAUGUS 2002 B	09/15/2011	Serial	Coupon	3.375%	350,000	-	-
CATTARAUGUS 2002 B	09/15/2012	Serial	Coupon	3.375%	350,000	09/15/2011	101.000%
CATTARAUGUS 2002 B	09/15/2013	Serial	Coupon	3.500%	375,000	09/15/2011	101.000%
CATTARAUGUS 2002 B	09/15/2014	Serial	Coupon	3.600%	375,000	09/15/2011	101.000%
CATTARAUGUS 2002 B	09/15/2015	Serial	Coupon	3.750%	375,000	09/15/2011	101.000%
CATTARAUGUS 2002 B	09/15/2016	Serial	Coupon	3.875%	375,000	09/15/2011	101.000%
CATTARAUGUS 2002 B	09/15/2017	Serial	Coupon	4.000%	375,000	09/15/2011	101.000%
Subtotal	-	-	-	-	\$2,575,000	-	-
Total	-	-	-	-	\$2,575,000	-	-

CATTARAUGUS Refunding 6-2 | Refunding of Series 2002B | 6/27/2011 | 2:36 PM

ACT NO. 332-2011 by Mr. Snyder and Mrs. Stockman
and Ms. Edstrom and Ms. Vickman¹

**AMENDING ACT 265-2011 REGARDING CONTRACT WITH
EVERYWOMAN OPPORTUNITY CENTER, INC. FOR DEPARTMENT OF
SOCIAL SERVICES TANF SERVICES GRANT FUNDING**

Pursuant to Public Law 104-1993 and
Section 450 of the County Law.

WHEREAS, Act 265-2011 authorized a contract with Everywoman Opportunity Center, Inc., 132 North Union Street, Suite 107, Olean, New York 14760, for the provision of comprehensive pre-employment related and supportive services to TANF-eligible recipients and 200% TANF-eligible recipients, the term of which expires September 12, 2012, and

WHEREAS, Act 265-2011 should be amended to reflect a revised amount and term, now, therefore, be it

RESOLVED, that Act 265-2011 be, and hereby is, amended as follows:

- In the Third Whereas, delete: "\$18,750.00" and replace with: "\$15,000.00", and
- In the First Resolved, delete: "July 1, 2011" and replace with: "October 1, 2011".

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

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

Adopted July 27, 2011 by voice vote.

ACT NO. 333-2011 by Ms. Vickman and Mr. McClune

**AMENDING ACT 271-2011 REGARDING CONTRACTS WITH
VARIOUS ENTITIES FOR DEPARTMENT OF
NURSING HOMES ANCILLARY SERVICES**

Pursuant to Section 4405 of the Public Health Law and
Section 450 of the County Law.

WHEREAS, Act 271-2011 authorized contracts for reimbursement for Department of Nursing Homes skilled nursing services for individuals enrolled with Independent Health Association, Inc., and each of its subsidiaries and affiliates, for the Pines Healthcare and Rehabilitation Center - Machias Campus, and

WHEREAS, contracts are also necessary with Independent Health Association, Inc., and each of its subsidiaries and affiliates, for the Pines Healthcare and Rehabilitation Center - Olean Campus, and

WHEREAS, Independent Health Association, Inc., 511 Farber Lakes Drive, Buffalo, New York 14221, and each of its subsidiaries and affiliates, has increased the Skilled Nursing Facility Services reimbursement at the Pines Healthcare and Rehabilitation Center - Olean Campus to an amount of \$242 per diem effective April 1, 2011, now, therefore, be it

RESOLVED, that Act 271-2011 be, and hereby is, amended as follows: In the Second and Third Whereas paragraphs and in the Resolved paragraph, replace: "Center" with "Centers" and delete: "-Machias Campus".

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

Adopted July 27, 2011 by voice vote.

ACT NO. 334-2011 by Mr. O'Brien and Mr. Vecchiarella

**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.901.1990.0000.40601	Contingent Fund	\$150,000.00
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Increase Appropriation Accounts:

A.117.1171.1171.40401	Misdemeanor/Violations	\$ 50,000.00
A.117.1171.1172.40401	Family Court	\$ 50,000.00
A.117.1171.1174.40401	Appeals	\$ 50,000.00.

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

Adopted July 27, 2011 by voice vote.

ACT NO. 335-2011 by Mr. Marsh
and Mr. Neal and Mr. Sprague¹

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
SUBCON INDUSTRIES, INC. FOR
SHREDDING SERVICES AND TRANSFER OF FUNDS
(Contingent Fund - Records Manager)**

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

WHEREAS, the County Records Manager is in need of shredding services for obsolete boxed records which are stored at the County's records storage area, and

WHEREAS, Subcon Industries, Inc., 338 North 15th Street, Olean, New York 14760, can provide the necessary shredding services for an amount of \$.13 per pound or \$4.16 per box, for a total amount of \$6,240.00, and

WHEREAS, a transfer of funds is necessary 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 Subcon Industries, Inc., for the provision of the above-described services, for a term commencing August 1, 2011 and terminating August 30, 2011, 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.901.1990.0000.40601	Contingent Fund	\$6,240.00
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Increase Appropriation Account:

A.146.1460.0000.41626	Shredding Services	\$6,240.00.
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Approved by 8 members of the Finance Committee and 6 members of the County Operations Committee.

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

Adopted July 27, 2011 by voice vote.

ACT NO. 336-2011 by Mr. Marsh and Mr. Teachman

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

Pursuant to Sections 208 and 450 of the County Law.

WHEREAS, Act 448-2005, as amended by Acts 487-2008 and 602-2009, authorized a contract with James B. Schwab Co., Inc., 223 West Main Street, P.O. Box 6, Falconer, New York 14733-0006, for the provision of photocopiers for Cattaraugus County, the term of which expired September 30, 2010, and

WHEREAS, the Department of Information Services is desirous of extending the term of the aforementioned contract for a period to terminate December 31, 2011, and

WHEREAS, James B. Schwab Co., Inc., has agreed to continue providing office photocopiers to the County, according to specifications provided by the Department of Information Services, at a rate of \$0.0165 per copy until December 31, 2011, 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 James B. Schwab Co., Inc., for the provision of the above-described equipment, for a term commencing October 1, 2010 and terminating December 31, 2011, according to the above-described terms.

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

Adopted July 27, 2011 by voice vote.

ACT NO. 337-2011 by Development & Agriculture Committee:
 Mr. McLarney, Mr. Boser, Mr. Burrell, Mr. Ellis,
 Mr. Snyder, Mr. Vecchiarella and Mr. Giardini
and Mr. Sprague¹

**AUTHORIZING THE CHAIR TO EXECUTE GRANT DOCUMENTS WITH
 NEW YORK STATE OFFICE OF COMMUNITY RENEWAL FOR
 COMMUNITY DEVELOPMENT BLOCK GRANT AND ADJUSTING VARIOUS
 APPROPRIATION AND REVENUE ACCOUNTS
 (Department of Economic Development, Planning and Tourism)**

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

WHEREAS, Act 217-2011 authorized the Chair to apply for funding through the New York State Office of Community Renewal for the Microenterprise Program Small Cities Funding, and

WHEREAS, the Department of Economic Development, Planning and Tourism has been awarded a grant in the maximum amount of \$200,000.00, and

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

WHEREAS, various appropriation and revenue accounts must be adjusted in order to accommodate the aforementioned grant funding, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute grant documents, on behalf of Cattaraugus County, with the New York State Office of Community Renewal, in order to receive the NYS Community Development Block grant, according to the above-described terms, and be it further

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

Increase Estimated Revenue Account:

A.642.6422.6426.4789.02 NYS CDBG Program	\$200,000.00
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Increase Appropriation Account:

A.642.6422.6426.40815 NYS CDBG Program	\$200,000.00.
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Approved by 8 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. Sprague".

Adopted July 27, 2011 by voice vote.

ACT NO. 338-2011 by Mr. McLarney and Mr. Boser

**AUTHORIZING APPLICATION FOR TOURISM PROMOTION AND
 DESIGNATING GRANT ADMINISTRATOR**

Pursuant to Section 164 of the Economic Development Law.

WHEREAS, Act 427-2010 authorized an application for tourism promotion and designated the grant administrator, and

WHEREAS, the New York State Tourist Promotion Act provides that the Commissioner of Economic Development may, upon application, match the funds expended by tourist promotion agencies and provide other assistance to local organizations for the promotion of tourist travel, resorts, and vacation businesses of the State of New York, and

WHEREAS, before an application for matching funds for the promotion of tourism can be submitted, it is required that the Cattaraugus County Legislature designate a tourist promotion agency to make such application and to receive grants for the purposes specified in the law, and

WHEREAS, Cattaraugus County should contribute a local share of \$70,000.00 in Fiscal Year 2012 to leverage additional funds from the New York State I Love New York Matching Funds Program, now, therefore, be it

RESOLVED, that the Cattaraugus County Department of Economic Development, Planning and Tourism, is hereby authorized and directed to submit all the required applications and other documents, on behalf of Cattaraugus County, necessary for the purpose of receiving these funds, and be it further

RESOLVED, that the Cattaraugus County Department of Economic Development, Planning and Tourism, is hereby authorized and directed to receive grants from the State of New York for, and on behalf of, Cattaraugus County for the purposes herein specified, and be it further

RESOLVED, that the Cattaraugus County Department of Economic Development, Planning and Tourism is hereby designated as the administrator of these funds, and be it further

RESOLVED, that the Cattaraugus County Department of Economic Development, Planning and Tourism is authorized to apply for state matching funds up to \$500,000 for the program year October 1, 2011 through September 30, 2012, and be it further

RESOLVED, that if the application for such funding is approved, then the Cattaraugus County Department of Economic Development, Planning and Tourism shall submit the grant agreement to the Legislature for approval and appropriation prior to the commencement of any work, and be it further

RESOLVED, that the Clerk of the Legislature is hereby directed to forward a certified copy of this resolution to the Commissioner of Economic Development of the State of New York, and the Marketing Manager, Matching Funds, New York State Department of Economic Development.

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

Adopted July 27, 2011 by voice vote.

ACT NO. 339-2011 by Mr. Marsh and Mr. Teachman
and Mrs. Stockman and Mr. Sprague¹

**ESTABLISHING COMPENSATION FOR ELECTION INSPECTORS,
ELECTION CHAIRS, ELECTION INSPECTOR COORDINATORS AND
POLLING SITE COORDINATORS FOR 2011 and 2012 ELECTIONS**

Pursuant to Section 3-420 of the Election Law.

WHEREAS, the Election Consolidation and Improvement Act of 2005 requires that the County Legislature establish the compensation for Election Inspectors, Election Chairs and Election Coordinators, effective January 1, 2006, and

WHEREAS, the Commissioners of the Board of Elections recommend the following compensation schedule for the 2011 and 2012 Elections:

<u>Service</u>	<u>Election Inspectors</u>	<u>Election Chairs</u>	<u>Election Inspector Return Supplies</u>	<u>Election Inspector Coordinators</u>	<u>Polling Site Coordinators</u>
Training	\$25-\$40* per day	\$25-\$40* per day		\$25-\$40* per day	--
Presidential Primary Election	\$155 per day	\$10 extra	\$10 extra	\$155 per day	\$30/machine & \$10 additional machine
Primary Election	\$100 per day	\$10 extra	\$10 extra	\$100** per day	\$30/machine & \$10 additional machine
General Election	\$155 per day	\$10 extra	\$10 extra	\$155** per day	\$30/machine & \$10 additional machine
Special Election	\$145 per day	\$10 extra	\$10 extra	\$145** per day	\$30/machine & \$10 additional machine
Test Decking Voting Machines	\$9 per hour				
Local Day Registration	\$9 per hour				

*per meeting, depending on length of training session

**this fee may be paid where polling sites have been consolidated and contain four or more election districts

Note: whoever returns voting supplies to the County Board of Elections following elections and local day registrations will be reimbursed @ \$.50 per mile,

and

WHEREAS, sufficient funds are included in the 2011 Board of Elections budget to cover these costs, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature hereby establishes the above-described payment schedule for the above-described individuals for elections in Cattaraugus County during the years 2011 and 2012.

Approved by 8 members of the Finance Committee, 6 members of the County Operations Committee and 5 members of the Labor Relations Committee.

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

Adopted July 27, 2011 by voice vote.

ACT NO. 340-2011 by Mr. Vecchiarella

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
NYS DEPARTMENT OF CORRECTIONAL SERVICES FOR
INMATE FOOD PRODUCTS**

Pursuant to Sections 170 and 184 of the Correction Law and
Section 450 of the County Law.

WHEREAS, the Sheriff's Office is desirous of providing wholesome foods to its inmate population in an economical manner, and

WHEREAS, the New York State Department of Correctional Services, through its Office of Nutritional Services (NYSDOCS), can provide food products to the Cattaraugus County Jail for the purpose of feeding the County's inmate population, for an amount in accordance with NYSDOCS pricing list, plus a delivery fee of \$.50 per mile for any additional mileage incurred by NYSDOCS, and any additional tolls incurred by NYSDOCS will be added to weekly invoices, 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 New York State Department of Correctional Services, Office of Nutritional Services, for the provision of the above-described services, for a term commencing September 1, 2011 and terminating August 31, 2016, according to the above-described terms.

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

Adopted July 27, 2011 by voice vote.

ACT NO. 341-2011 by Mr. Vecchiarella

**AUTHORIZING THE CHAIR TO EXECUTE GRANT DOCUMENTS WITH
NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES FOR
VIDEO TELECONFERENCING EQUIPMENT GRANT AND ADJUSTING VARIOUS
APPROPRIATION AND REVENUE ACCOUNTS
(Sheriff's Office)**

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

WHEREAS, Act 183-2011 authorized the Chair to apply for funding through the New York State Division of Criminal Justice Services Edward Byrne Memorial Justice Assistance Grant Program for the purchase of video conferencing equipment for the County Jail, and

WHEREAS, the County Sheriff's Office has been awarded a grant in the amount of \$30,000.00 for the purchase of the aforementioned video conferencing equipment for the County jail, and

WHEREAS, a contract is necessary in order to receive the aforementioned funding, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute grant documents, on behalf of Cattaraugus

County, with the New York State Division of Criminal Justice Services Edward Byrne Memorial Justice Assistance Grant Program, in order to accept and receive the aforementioned funding, according to the above-described terms, and be it further

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

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

Increase Estimated Revenue Account:

A.311.3652.0000.4320.11	Video Conferencing Program	\$30,000.00
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Increase Appropriation Accounts:

A.311.3652.0000.20008	Tools & Equipment	\$19,785.00
A.311.3652.0000.45401	Small Equipment/Tools	\$ 4,356.00
A.311.3652.0000.45202	Equipment Repair/Maintenance	\$ 5,859.00.

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

Adopted July 27, 2011 by voice vote.

ACT NO. 342-2011 by Mr. Snyder and Mrs. Stockman

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH
SOUTHERN TIER CREDIT CENTER, INC. FOR
COLLECTION SERVICES FOR VARIOUS COUNTY DEPARTMENTS**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 397-2010 authorized a contract with Southern Tier Credit Center, Inc., 112 Main Street, 2nd Floor, P.O. Box 118, Hornell, New York 14843, for the provision of collection services for the County Health Department, the term of which expires December 31, 2011, and

WHEREAS, the Department of Community Services is in need of collection services for delinquent accounts, and

WHEREAS, it is in the County's best interests to amend the aforementioned contract to include other County departments for the collection of delinquent accounts, and

WHEREAS, Southern Tier Credit Center, Inc., shall provide collection services for various County Departments, on an as-needed basis, for an amount of 33 1/3% of all amounts collected and an amount of 50% of the amounts collected in the event legal action is initiated for such collection, 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 Southern Tier Credit Center, Inc., for the provision of the above-described services for all County departments, for a term commencing July 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.

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

Adopted July 27, 2011 by voice vote.

ACT NO. 343-2011 by Mr. Snyder and Mrs. Stockman
and Ms. Edstrom¹

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
ST. BONAVENTURE UNIVERSITY FOR
COMMUNITY MENTAL HEALTH COUNSELING FIELD INSTRUCTION PROGRAM**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 248-2009 authorized a contract with St. Bonaventure University, 3261 West State Road, St. Bonaventure, New York 14778, for participation in a work study internship program, the term of which expires July 31, 2011, and

WHEREAS, the Department of Community Services is desirous of contracting with St. Bonaventure University for participation in the Community Mental Health Counseling Program for implementation of a field instruction program, at no cost to the County, and

WHEREAS, St. Bonaventure University has agreed to provide interns to the County Department of Community Services for participation in the Community Mental Health Counseling Program, at no cost to the County, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with St. Bonaventure University, for the provision of the above-described work study internship program, for a term commencing August 1, 2011 and terminating July 31, 2013, according to the above-described terms.

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

¹ The following Legislator requested her name be listed as an additional sponsor: "Ms. Edstrom".

Adopted July 27, 2011 by voice vote.

ACT NO. 344-2011 by Mr. Snyder and Mrs. Stockman

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH
DOCUTRAC, INC. FOR DEPARTMENT OF COMMUNITY SERVICES
QUICDOC SOFTWARE LICENSE MAINTENANCE AND
ADJUSTING VARIOUS APPROPRIATION ACCOUNTS
(Department of Community Services)**

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

WHEREAS, Act 439-2007, as amended by Acts 403-2010 and 482-2010, authorized a contract with DocuTrac, Inc., 20140 Scholar Drive, Suite 218, Hagerstown, Maryland 21742, for the purchase of QuicDoc software licenses for

use in the Adult & Child Clinic, and maintenance services, the term of which expires August 31, 2011, and

WHEREAS, maintenance services are required for the existing 51 licenses of QuicDoc software utilized in the Mental Health clinics and PROS programs, and

WHEREAS, DocuTrac, Inc., can provide maintenance services on 51 QuicDoc software licenses for an amount of \$129.60 per license for a total amount of \$6,609.60, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute an amended contract, on behalf of Cattaraugus County, with DocuTrac, Inc., for the provision of the above-described software and services, for a term commencing September 1, 2011 and terminating August 31, 2012, 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.431.4394.0000.45202	Equipment Repair & Maintenance	\$6,609.60
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Increase Appropriation Account:

A.431.4394.0000.45203	Software Licenses & Maintenance	\$6,609.60.
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Approved by 8 members of the Finance Committee and 6 members of the Human Services Committee.

Adopted July 27, 2011 by voice vote.

ACT NO. 345-2011 by Mr. Snyder and Mrs. Stockman

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
OLEAN BUSINESS INSTITUTE FOR WORK STUDY INTERNSHIP PROGRAM**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 130-2009 authorized a contract with Olean Business Institute, 301 North Union Street, Olean, New York 14760, for participation in a work study internship program with Olean Business Institute, the term of which expired December 31, 2010, and

WHEREAS, the County Department of Community Services is desirous of participating in the aforementioned work study internship program, and

WHEREAS, Olean Business Institute has agreed to provide an intern at no cost to the County, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Olean Business Institute, for the provision of the above-described services, for a term commencing August 1, 2011 and terminating July 31, 2013, according to the above-described terms.

Approved by 8 members of the Finance Committee and 5 members of the Human Services Committee.

Adopted July 27, 2011 by voice vote.

ACT NO. 346-2011 by Mr. Snyder and Mrs. Stockman
and Mr. Vecchiarella and Mr. McClune¹

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
SALAMANCA CITY CENTRAL SCHOOL DISTRICT FOR
MENTAL HEALTH SOCIAL WORKER SERVICES**

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

WHEREAS, Act 438-2010, as amended by Act 557-2010, authorized a contract with the Salamanca City Central School District for the provision of a social worker in the Salamanca City Central School District for the provision of mental health services, the term of which expires August 31, 2011, and

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

WHEREAS, a contract with Salamanca City Central School District outlining the mental health services to be provided by the County's Department of Community Services staff social worker is necessary, and

WHEREAS, the Salamanca City Central School District shall provide an office, a phone line and furniture, at no cost to the County, and

WHEREAS, the Salamanca City Central School District shall pay to the Department of Community Services an amount of \$5,000.00 to cover the cost of the aforementioned social worker, 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 Salamanca City Central School District, for the provision of the above-described services, for a term commencing September 1, 2011 and terminating August 31, 2012, according to the above-described terms.

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

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

Adopted July 27, 2011 by voice vote.

ACT NO. 347-2011 by Mr. Snyder and Mrs. Stockman

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
PORTVILLE CENTRAL SCHOOL DISTRICT FOR
MENTAL HEALTH THERAPIST/SOCIAL WORKER**

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

WHEREAS, Act 169-2010 authorized a contract with the Portville Central School District, 500 Elm Street, Portville, New York 14770, for the provision of a mental health therapist/social worker for the provision of mental health services to its students and their families, the term of which expired June 30, 2011, and

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

WHEREAS, the County Department of Community Services can provide up to 130 hours annually of the requested mental health services, and

WHEREAS, the Portville Central School District shall pay the County an amount of \$2,500.00 for the period July 1, 2011 through June 30, 2012, 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 Portville Central School District, for the provision of the above-described services, for a term commencing July 1, 2011 and terminating June 30, 2012, according to the above-described terms.

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

Adopted July 27, 2011 by voice vote.

ACT NO. 348-2011 by Mr. Snyder and Mrs. Stockman

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
NEW YORK STATE OFFICE OF MENTAL HEALTH FOR
ACCESS TO NEW YORK EMPLOYMENT SERVICES SYSTEM (NYESS)**

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 obtaining access to the newly created New York Employment Services System (NYESS), and

WHEREAS, the aforementioned computer employment support system is jointly managed by the NYS Office of Mental Health and the NYS Department of Labor, and will use the existing One Stop Operating System (OSOS) owned and operated by the NYS Department of Labor and a data warehouse owned and operated by the NYS Office of Mental Health, and

WHEREAS, access to the aforementioned computer employment support system is required by the NYS Office of Mental Health as part of the on-going rehabilitation and support component within the PROS program, and

WHEREAS, the Department of Community Services can have access to NYESS at no cost to the County, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with the NYS Office of Mental Health, in order to have access to NYESS, for a term commencing July 27, 2011 to continue in full force and effect until terminated by either party hereto, according to the above-described terms.

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

Adopted July 27, 2011 by voice vote.

ACT NO. 349-2011 by Mr. Snyder and Mrs. Stockman

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH
JAMESTOWN PSYCHIATRIC, P.C., FOR DEPARTMENT OF
COMMUNITY SERVICES MENTAL HEALTH CLINIC 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 726-2010 authorized a contract with Jamestown Psychiatric, P.C., 560 West Third Street, Jamestown, New York 14701, for the provision of mental health clinic services for adults for the Department of Community Services, through an Allied Health Professional, the term of which expires December 31, 2011, and

WHEREAS, Act 288-2011 amended the aforementioned contract to include psychiatric services for children that were previously provided by Hardish K. Singh d/b/a Quality Psychiatric Services, and

WHEREAS, Dr. Oscar Lopez has notified the County that he is no longer able to provide psychiatric services for the County, and

WHEREAS, the Department of Community Services is desirous of amending the contract with Jamestown Psychiatric, P.C., to include the psychiatric services for children that were previously provided by Dr. Oscar Lopez, and

WHEREAS, effective August 15, 2011, Jamestown Psychiatric, P.C., shall provide, in addition to the services it provides pursuant to the aforementioned contract, as amended, psychiatric services for the Department of Community Services mental health clinic, for a total contract amount, which includes the prior contract amount, not to exceed \$291,485.00, through a psychiatrist at a rate of \$165 per direct care hour, or a child psychiatrist at a rate of \$175 per direct care hour, or an Allied Health Professional at a rate of \$110 per direct care hour, for a total number of hours not to exceed 321 hours between the psychiatrist, the child psychiatrist and the Allied Health professional, plus \$50/hr for travel not to exceed 96 hours, and

WHEREAS, payment shall be made to Jamestown Psychiatric, P.C. on a monthly basis in accordance with invoices, as submitted, 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 an amended 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 8 members of the Finance Committee and 6 members of the Human Services Committee.

Adopted July 27, 2011 by voice vote.

ACT NO. 350-2011 by Mr. Snyder and Mrs. Stockman

**AUTHORIZING CERTAIN CHARGE-OFFS OF CERTAIN ACCOUNTS
RECEIVABLE IN THE DEPARTMENT OF COMMUNITY SERVICES**

Pursuant to Section 153 of the County Law.

WHEREAS, the Department of Community Services has accounts receivable related to the Case Management program 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 Community Services, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature hereby authorizes the removal of the debts from the accounts receivable records of the Department of Community Services in an amount of \$38,119.00.

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

Adopted July 27, 2011 by voice vote.

ACT NO. 351-2011 by Mr. Snyder

**APPROVING JCC CAPITAL PROJECTS - JAMESTOWN CAMPUS
(Residence Hall)**

Pursuant to Section 6310(10) of the Education Law.

WHEREAS, two residence halls were opened at the Jamestown Campus of Jamestown Community College (JCC) in 2008, and student demand for beds in the residence halls has far exceeded the available space, and

WHEREAS, the JCC Regional Board of Trustees has approved the construction of a third residence hall at the Jamestown Campus and the County of Chautauqua has approved financing for the project without any additional monetary contribution by the County of Cattaraugus, and

WHEREAS, Section 6310(10) of the Education Law requires that all proposals for the improvement of college facilities adopted by a community college regional board of trustees be approved by the legislative body of all local governments appointing members to such board of trustees, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature hereby approves the aforementioned JCC capital project for construction of a third residence hall at the Jamestown Campus.

Approved by 8 members of the Finance Committee.

Adopted July 27, 2011 by voice vote.

ACT NO. 352-2011 by Mr. Vecchiarella

**AUTHORIZING THE CHAIR TO EXECUTE
CONTRACT WITH ALERE TOXICOLOGY SERVICES, INC. FOR
PROBATION DEPARTMENT DRUG TESTING SERVICES**

Pursuant to Section 257 of the Executive Law and
Section 450 of the County Law.

WHEREAS, Act 483-2006 authorized a contract with Scientific Testing Laboratories, Inc., for the provision of drug and alcohol testing services for the County Probation Department, the term of which expired December 31, 2010, and

WHEREAS, the County Probation Department is in need of drug and alcohol testing services, and

WHEREAS, Alere Toxicology Services, Inc., Department 2545, P.O. Box 122545, Dallas, Texas 75312-2545, can provide the aforementioned drug and alcohol testing services, as follows:

<u>Analysis Type</u>	<u>Price Each*</u>
URINE:	
<i>8-Panel Screen</i>	\$ 7.50
Amphetamines, Barbiturates, Benzodiazepines, Cocaine, Marijuana (THC), Methadone, Opiates and Phencyclidine (PCP)	
Re-Screen - A second screen will be done by a different analytical system for confirmation of all positives	
Add Oxycodone to screen	(per request) \$ 2.35
Add Suboxone to screen	(per request) \$ 5.00
<i>GC/MS @ Level of Quantification (LOQ)</i>	\$20.65
Gas Chromatography/Mass Spectrometry (GC/MS) confirmation for one drug previously screened by Alere	
<i>Rejected Specimen</i>	\$ 5.00

*Price includes: collection supplies, chain of custody, shipping, testing and results reported to authorized person.,

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 Alere Toxicology Services, Inc., 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 8 members of the Finance Committee and 7 members of the Public Safety Committee.

Adopted July 27, 2011 by voice vote.

ACT NO. 353-2011 by Mr. Marsh

**SALE OF TAX TITLE PROPERTIES
(Towns of Franklinville and Randolph)**

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

WHEREAS, Cattaraugus County has tax title to certain properties situate in Cattaraugus County, as described below, and

WHEREAS, the properties were exposed to bid at public auction as required by Rule 40 of the Rules of Order of the Cattaraugus County Legislature, and

WHEREAS, Act 246-2011 authorized the sale of the following described properties to the highest bidder, and

WHEREAS, the highest bidders did not complete the purchases within thirty (30) days, and

WHEREAS, the properties have been offered to the second highest bidders at the highest bid price, and

WHEREAS, the highest bids received for the properties were the bids listed below, and,

WHEREAS, the following second bidders have tendered the full bid price, now, therefore, be it

RESOLVED, that the County Treasurer be, and hereby is, authorized and directed to execute County Treasurer's Deeds conveying the properties to the following individuals at the bid prices listed:

TOWN OF FRANKLINVILLE

<u>Parcel No.</u>	<u>Tax Map No.</u>	<u>Name/Address</u>	<u>Co. Involvement</u>	<u>Bid Amount</u>
114	40.062-3-24	Kenneth J. Salem 4339 Wenrick Hill Rd. Franklinville, NY 14737	\$4,231.78	\$2,500.00

TOWN OF RANDOLPH

<u>Parcel No.</u>	<u>Tax Map No.</u>	<u>Name/Address</u>	<u>Co. Involvement</u>	<u>Bid Amount</u>
379	70.071-4-15	Daniel J. McLaughlin 9 N. Washington St. Randolph, NY 14772	\$4,628.57	\$34,000.00

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

Adopted July 27, 2011 by voice vote.

ACT NO. 354-2011 by Mr. O'Brien
who asks immediate consideration

APPOINTMENT TO BOARD OF HEALTH

Pursuant to Section 343 of the Public Health Law.

RESOLVED, that the following individual is appointed to the Board of Health to fill the unexpired term of Curtis Perkins to expire December 31, 2011:

Richard Haberer
2349 Lyndon Road
Franklinville, New York 14737,

and be it further

RESOLVED, that the Clerk of the Legislature is hereby directed to forward a certified copy of this resolution to the Cattaraugus County Board of Health.

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

Adopted July 27, 2011 by voice vote.

ACT NO. 355-2011 by Mr. Giardini
and Mr. Ellis
who ask immediate consideration

BID ACCEPTANCE FOR PURCHASE OF TWO TANDEM AXLE TRUCKS

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 two (2) 2012 or newer, tandem axle trucks, with dump bodies and snowfighting equipment, according to specifications provided by the Public Works Committee, and

WHEREAS, the lowest responsible bid received meeting specifications for the purchase of two (2) 2012 or newer, tandem axle trucks, with dump bodies and snowfighting equipment, was the bid of Five Star International, Inc., 6100 Wattsburg Road, Erie, Pennsylvania 16509, for an amount of \$353,443.28, less the \$30,000.00 trade-in allowance, for a net cost of \$323,443.28, plus the option of motor with integral speed sensor installed on both spreaders for \$700.00, for a total cost of \$324,143.28, and

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

RESOLVED, that the bid of Five Star International, Inc., be, and the same hereby is, accepted, for a term commencing upon the signing of the contract documents and terminating 200 days after receipt of the order, 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.

10 sets of specifications were sent out.

Five bids from three companies were received.

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

Adopted July 27, 2011 by voice vote. Mr. Hebdon voting no.

ACT NO. 356-2011 by Ms. Vickman and Mr. McClune
who ask immediate consideration

**AUTHORIZING PURCHASE OF VAN FOR MEALS-ON-WHEELS PROGRAM AND
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
(Department of Aging)**

Pursuant to Sections 363 and 366 of the County Law.

WHEREAS, the County Department of Aging has solicited proposals from five (5) companies for the purchase of a van for the Meals-on-Wheels Program, and

WHEREAS, it is recommended that the proposal submitted by Albany Dodge, 770 Central Avenue, Albany, New York 12206, be accepted for the purchase of a 2011 Dodge Grand Caravan Express - Main Street Edition, in the amount of \$20,997.00, and

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

RESOLVED, that the proposal of Albany Dodge be, and the same hereby is, accepted, and be it further

RESOLVED, that the vouchers accordingly certified by the Director of the Department of Aging be audited by the Auditor and paid by the County Treasurer, and be it further

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

Increase Estimated Revenue Account:

A.677.6708.0000.2705.14	Walmart Impact Grant	\$20,997.00
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Increase Appropriation Account:

A.677.6708.0000.20101	Vehicle	\$20,997.00.
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MR. HEBDON moved, seconded by Mr. Sprague to waive Rule 12. Carried.

Adopted July 27, 2011 by voice vote.

ACT NO. 357-2011 by Mr. Vecchiarella
who asks immediate consideration

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

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

WHEREAS, Act 740-2009 authorized a contract with the New York State Division of Probation and Correctional Alternatives for an Alternatives to Incarceration Program for the 2010 program year, the term of which expired December 31, 2010, and

WHEREAS, the Alternatives to Incarceration Program consists of a pre-trial release component with a total 2011 program cost of \$10,595.00, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with New York State Division of Probation and Correctional Alternatives, for the provision of the above-described program, for a term commencing January 1, 2011 and terminating December 31, 2011, according to the above-described terms.

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

Adopted July 27, 2011 by voice vote. Ms. Edstrom absent for vote.

ACT NO. 358-2011 by Mr. Snyder and Mrs. Stockman
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
UNIVERA COMMUNITY HEALTH, INC. FOR
HOME ASSESSMENTS FOR MEDICAID ELIGIBLE RECIPIENTS**

Pursuant to 42 CFR Section 431.53, Section 365(a)(2)(i) of the
Social Services Law, 10 NYCRR Section 505.10 and
Section 450 of the County Law.

WHEREAS, Univera Community Health, Inc., 205 Park Club Lane, Buffalo, New York 14221, is in need of home assessments for their clients, and

WHEREAS, the Department of Social Services can provide the aforementioned home assessments for an amount of \$175.00 per assessment, 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 Univera Community Health, Inc., for the provision of the above-described services, for a term commencing August 1, 2011 and terminating December 31, 2012, according to the above-described terms.

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

Adopted July 27, 2011 by voice vote.

ACT NO. 359-2011 by Mr. Snyder and Mrs. Stockman
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACTS WITH
VARIOUS SCHOOL DISTRICTS FOR
PRE-SCHOOL HANDICAPPED TRANSPORTATION SERVICES**

Pursuant to 8 NYCRR Part 4410 and Section 450 of the County Law.

WHEREAS, Act 229-2010 authorized contracts with various school districts for the provision of pre-school handicapped transportation services, the terms of which expired June 30, 2011, and

WHEREAS, transportation services are required for pre-school children with handicapping conditions within the County of Cattaraugus, and

WHEREAS, various school districts in Cattaraugus County have agreed to provide the aforementioned transportation services at the rate of \$3.40 per mile per day, plus \$7.25 per hour per bus for an aide, on a case-by-case basis, when deemed necessary with proof of documentation in the child's IEP requiring such aide, and

WHEREAS, the aforementioned services shall be provided in accordance with the provisions of Section 103 of the General Municipal Law and Section 4410 of the Education Law, and

WHEREAS, this program is 59.5% state funded and 40.5% locally funded, 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 school districts, for the provision of the above-described transportation services, for a term commencing July 1, 2011 and terminating June 30, 2012, according to the above-described terms.

MS. EDSTROM moved, seconded by Mrs. Stockman to waive Rule 12. Carried.

Adopted July 27, 2011 by voice vote.

ACT NO. 360-2011 by Mr. Snyder and Mrs. Stockman
and Mr. Vecchiarella and Mr. McClune¹
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
SALAMANCA CITY CENTRAL SCHOOL DISTRICT FOR
PRE-SCHOOL HANDICAPPED TRANSPORTATION SERVICES**

Pursuant to 8 NYCRR Part 4410 and
Section 450 of the County Law.

WHEREAS, Act 230-2010 authorized a contract with the Salamanca City Central School District for the provision of transportation services for preschool children with handicapping conditions, children living within the Salamanca City Central School District who attend classes at a BOCES preschool special education class at Prospect Elementary school, the term of which expired June 30, 2011, and

WHEREAS, the Salamanca City Central School District has agreed to continue providing the aforementioned services at a rate of \$3.70 per mile per day, plus \$7.25 per hour per bus for an aide, on a case-by-case basis, when deemed necessary with proof of documentation in the child's IEP requiring such aide, and

WHEREAS, these services shall be provided in accordance with the provisions of Section 103 of the General Municipal Law and Section 4410 of the Education Law, and

WHEREAS, these services are 59.5% State and 40.5% County 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 Salamanca City Central School District for the provision of

the above-described pre-school handicapped transportation services, for a term commencing July 1, 2011 and terminating June 30, 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.

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

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

Adopted July 27, 2011 by voice vote.

ACT NO. 361-2011 by Mr. Snyder and Mrs. Stockman
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACTS WITH
VARIOUS HANDICAPPED EDUCATION PROVIDERS FOR
YOUTH BUREAU CHILDREN WITH SPECIAL NEEDS PROGRAM**

Pursuant to Section 236 of the Family Court Act and
Section 450 of the County Law.

WHEREAS, Act 232-2010 authorized contracts with various handicapped education providers for the provision of educational and evaluation services for various County preschool-aged children with special needs, the terms of which expired June 30, 2011, and

WHEREAS, the Family Court Act mandates that the County provide payment for the educational and evaluation services which are approved by the Court, and

WHEREAS, contracts are necessary with education providers, related-service providers, and evaluators which are accredited by the New York State Education Department, and

WHEREAS, payments to the education providers, related-service providers, and evaluators will be in accordance with the budgetary tuition rate approved by the County and/or the State, and

WHEREAS, these services are 59.5% State funded and 40.5% County funded, 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 education providers, related-service providers, and evaluators for the provision of the above-described services, for a term commencing July 1, 2011 and terminating June 30, 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.

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

Adopted July 27, 2011 by voice vote.

ACT NO. 362-2011 by Mr. Snyder and Mrs. Stockman
and Mr. Burrell and Ms. Vickman¹
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
FRANKLINVILLE CENTRAL SCHOOL DISTRICT FOR
PRE-SCHOOL HANDICAPPED TRANSPORTATION SERVICES**

Pursuant to 8 NYCRR Part 4410 and
Section 450 of the County Law.

WHEREAS, Act 231-2010 authorized a contract with Franklinville Central School District, North Main Street, Franklinville, New York 14737, for the provision of transportation services for preschool children with handicapping conditions within the Franklinville Central School District to a BOCES pre-school speech class located at Pioneer-Delevan Elementary School, the term of which expired June 30, 2011, and

WHEREAS, Franklinville Central School District has agreed to continue providing the aforementioned services at a rate of \$1.28 per mile per day, plus \$7.25 per hour per bus for an aide, on a case-by-case basis, when deemed necessary with proof of documentation in the child's IEP requiring such aide, and

WHEREAS, these services shall be provided in accordance with the provisions of Section 103 of the General Municipal Law and Section 4410 of the Education Law, and

WHEREAS, these services are 59.5% State and 40.5% County 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 Franklinville Central School District for the provision of the above-described pre-school handicapped transportation services, for a term commencing July 1, 2011 and terminating June 30, 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.

MR. WARD moved, seconded by Mr. Marsh to waive Rule 12. Carried.

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

Adopted July 27, 2011 by voice vote.

ACT NO. 363-2011 by Mr. McLarney
who asks immediate consideration

**SUPPORTING SENATE BILL S.2779 AND ASSEMBLY BILL A.408
REGARDING LAPSE OF OIL AND
GAS INTERESTS IN ALLEGANY STATE PARK**

Pursuant to Section 153 of the County Law.

WHEREAS, Allegany State Park is one of Cattaraugus County's most important natural and economic assets, and

WHEREAS, New York State should protect lands used by the public for recreational uses, and

WHEREAS, Allegany State Park attracts approximately 1.8 million visitors a year, which represents a huge economic impact to businesses in Cattaraugus County, and

WHEREAS, state parks are an important economic engine to the local communities in which they are located, and

WHEREAS, private oil and gas exploration and development within the boundaries of Allegany State Park could interfere with the public's right to its full enjoyment of the Park's natural beauty and resources, and

WHEREAS, Assembly Bill A.408, and its companion bill in the New York State Senate, Senate Bill S.2779, propose an amendment to the New York State Real Property Law, which provides for the lapse of oil and gas interests located within Allegany State Park if such oil and gas interests remain unused for twenty (20) years, unless a statement of claim is filed by the owner prior to the end of the twenty (20) year period or within two (2) years of the effective date of the act, whichever is later, and

WHEREAS, the aforementioned proposed legislation further provides that upon such lapse, ownership shall revert to New York State, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature hereby supports the adoption of Assembly Bill A.408 and Senate Bill S.2779, and be it further

RESOLVED, that the Clerk of the Legislature is hereby directed to forward a certified copy of this resolution to Governor Cuomo, Senate Majority Leader Skelos, Assembly Speaker Silver, Senator Young, Assembly Member Giglio, Commissioner Rose Harvey of the New York State Office of Parks, Recreation and Historic Preservation, and the Western New York Inter-County Association.

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

MR. McLARNEY withdrew the resolution from the floor.

ACT NO. 364-2011 by Mr. Burrell
who asks immediate consideration

**ADJUSTING VARIOUS APPROPRIATION ACCOUNTS
(Various Departments)**

Pursuant to Sections 363 and 366 of the County Law.

WHEREAS, the County Administrator has the authority to transfer up to \$10,000.00 in certain departments, and

WHEREAS, due to the implementation of the New World System, various appropriation accounts must be adjusted, now, therefore, be it

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

Decrease Appropriation Accounts:

A.401.4017.4037.41633	Personal Care Services	\$247,700.00
A.296.2961.2970.40408	Tuition	\$ 54,166.00

Increase Appropriation Accounts:

A.401.4017.4037.41633.1	Personal Care Services Level I	\$ 1,500.00
A.401.4017.4037.41633.2	Personal Care Services Level II	\$246,200.00
A.296.2961.2970.41601	Transportation	\$ 54,166.00

Decrease Estimated Revenue Accounts:

A.401.4095.0000.2705.12	Health Research Inc. BT	\$ 83,092.00
A.311.3218.3219.2260.03	School Resource Officer - Randolph	\$ 29,553.00

Increase Estimated Revenue Accounts:

A.401.4095.0000.4401.06	BT Grant	\$ 83,092.00
A.311.3218.3220.2260.03	SRO-Allegany-Limestone	\$ 29,553.00.

MR. McCLUNE moved, seconded by Mr. Ellis to waive Rule 12. Carried.

Adopted July 27, 2011 by voice vote.

ACT NO. 365-2011 by Ms. Vickman and Mr. McClune
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
NEW YORK STATE CATHOLIC HEALTH PLAN, INC. D/B/A
FIDELIS CARE NEW YORK FOR
PROVISION OF ADULT DAY CARE SERVICES**

Pursuant to Section 450 of the County Law.

WHEREAS, the New York State Catholic Health Plan, Inc., d/b/a Fidelis Care New York, 8 Southwoods Boulevard, Albany, New York 12211, is in need of adult day care services for eligible patients, and

WHEREAS, the Department of Aging can provide adult day care services to the above-described patients at the following rates:

Adult Day Care Services	\$50.00/day
Adult Day Care Services	\$25.00/half day
Transportation Services	\$20.00 round trip

now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with New York State Catholic Health Plan, Inc., d/b/a Fidelis Care New York, for the provision of the above-described day care services, for a term commencing August 1, 2011 to continue in full force and effect until terminated by either party hereto.

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

Adopted July 27, 2011 by voice vote.

ACT NO. 366-2011 by Ms. Vickman and Mr. McClune
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
NEW YORK STATE CATHOLIC HEALTH PLAN, INC. D/B/A
FIDELIS CARE NEW YORK FOR
PROVISION OF ADULT DAY CARE MEALS**

Pursuant to Section 450 of the County Law.

WHEREAS, the New York State Catholic Health Plan, Inc., d/b/a Fidelis Care New York, 8 Southwoods Boulevard, Albany, New York 12211, is in need of home delivered meals and congregate meals for eligible patients, and

WHEREAS, the Department of Aging can provide home delivered meals and congregate meals to the above-described patients at the following rates:

Home Delivered Meals	\$7.00/meal
Cold Supper	\$4.50/meal
Congregate Dining	\$6.00/meal,

now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with New York State Catholic Health Plan, Inc., d/b/a Fidelis Care New York, for the provision of the above-described meals, for a term commencing August 1, 2011 to continue in full force and effect until terminated by either party hereto.

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

Adopted July 27, 2011 by voice vote.

ACT NO. 367-2011 by Mr. Ward
who asks immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH
CATTARAUGUS COUNTY, CHAPTER OF THE
NEW YORK STATE ASSOCIATION FOR RETARDED CHILDREN, INC., AND
CATTARAUGUS REHABILITATION CENTER, INC. FOR
PROVISION OF SERVICES AND
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
(Department of Community Services)**

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

WHEREAS, Act 76-2011 authorized a contract with the Cattaraugus County Chapter of the New York State Association for Retarded Children, Inc., and the Cattaraugus Rehabilitation Center, Inc., 1439 Buffalo Street, Olean, New York 14760, for the provision of services, the term of which expires December 31, 2011, and

WHEREAS, the Department of Community Services is in need of Supportive Case Management services for mentally ill clients of Cattaraugus County, and

WHEREAS, the Cattaraugus County Chapter of the New York State Association for Retarded Children, Inc., and the Cattaraugus Rehabilitation Center, Inc., can provide Supportive Case Management services for an additional amount of \$14,973.00, and

WHEREAS, an amended contract is necessary to include the aforementioned Supportive Case Management 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 Cattaraugus County Chapter of the New York State Association for Retarded Children, Inc., and 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 the County Administrator is hereby directed to make the following budgetary changes:

Decrease Appropriation Accounts:

A.431.4351.6810.11000	Supportive Case Management	\$ 9,924.00
A.431.4351.6811.40812	Adults SCM, OMH Service Dollars	\$ 5,049.00

Increase Estimated Revenue Accounts:

A.434.4322.6810.3490.034J	State Aid, OMH, Adult Case Management	\$ 9,924.00
A.434.4322.6811.3490.034J	State Aid, OMH, Adult Case Management	\$ 5,049.00

Increase Appropriation Accounts:

A.434.4322.6810.42020.034J	ReHab Center, Adult Case Management	\$ 9,924.00
A.434.4322.6811.42020.034J	ReHab Center, Adult Case Management	\$ 5,049.00

Decrease Estimated Revenue Accounts:

A.431.4351.6810.3490.034J	State Aid, OMH, Adult Case Management	\$ 9,924.00
A.431.4351.6811.3490.034J	State Aid, OMH, Adult Case Management	\$ 5,049.00.

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

Adopted July 27, 2011 by voice vote. Mr. Padlo absent for vote. Mr. Snyder voting no.

ACT NO. 368-2011 by Mr. Ward
who asks immediate consideration

**AMENDING ACT 295-2011 REGARDING CONTRACT WITH
CATTARAUGUS COMMUNITY ACTION, INC. FOR
DEPARTMENT OF COMMUNITY SERVICES QUALITY ASSURANCE SERVICES AND
ADJUSTING VARIOUS APPROPRIATION ACCOUNTS
(Department of Community Services)**

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

WHEREAS, Act 295-2011 authorized a contract with Cattaraugus Community Action, Inc., for the provision of part-time staff to provide quality assurance services for the Mental Health Clinic for an amount of \$14,312.00, the term of which expires December 31, 2011, and

WHEREAS, the County Department of Community Services is in need of full-time staff to provide the aforementioned quality assurance services, and

WHEREAS, Act 295-2011 should be amended to change the part-time position to a full-time position and adjust the salary accordingly, and

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

RESOLVED, that Act 295-2011 be, and hereby is, amended as follows: In the 3rd Whereas, delete: "part-time" and replace with: "full-time", and be it further

RESOLVED, that Act 295-2011 be, and hereby is, further amended as follows: In the 3rd Whereas, delete: "\$14,312.00" and replace with: "\$23,310.00", and be it further

RESOLVED, that Act 295-2011 be, and hereby is, further amended as follows: In the 1st Resolved, delete: "June 27, 2011" and replace with: "August 15, 2011", and be it further

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

Decrease Appropriation Accounts:

A.431.4330.2100.12000	Adult MH Clinic-Part-Time Wages	\$ 4,499.00
A.431.4331.2100.12000	Children's MH Clinic-Part-Time Wages	\$ 4,499.00

Increase Appropriation Accounts:

A.431.4330.2100.41414	Adult MH Clinic-Contracted Services	\$ 4,499.00
A.431.4331.2100.41414	Children's MH Clinic- Contracted Services	\$ 4,499.00.

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

Adopted July 27, 2011 by voice vote. Mr. Snyder voting no.

MR. MURPHY moved, seconded by Mr. Sprague to adjourn until August 24, 2011 at 3:00 p.m. Carried.

Meeting adjourned at 4:13 p.m.

Ann M. Giglio
Journal Clerk