

February 2, 2012

The meeting was called to order by the Chairman Norman L. Marsh.

The invocation was given by Rev. leFeber.

The Attendance Roll Call disclosed three Legislators absent – Mr. Boser, Mr. Felton and Mr. Weller.

MR. AIELLO moved, seconded by Ms. Edstrom that the minutes of the February 8, 2012 session be approved. Carried.

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COMMUNICATIONS:

Assembly Member Giglio: Letter acknowledging receipt of Act No. 100-2012.

Chemung County Legislature: Copy of their Resolution No. 12-91 entitled, “Resolution to Governor Cuomo and the New York State Legislature to Request Advancing Funding and Expediting Completion of Projects in Broome, Delaware, Sullivan, and Orange Counties, and Placing Signage Recognizing the Designation of the Daniel Patrick Moynihan Interstate Highway 86”.

Wyoming County Board of Supervisors: Copy of their Resolution entitled, “Resolution Calling Upon New York State Association of Counties’ Executive Committee to Prepare and Disseminate an Action Plan to Bring Mandate Relief to New York State Counties”.

APPOINTMENTS:

CATTARAUGUS COUNTY EQUINE ADVISORY COMMITTEE

Three-year term to expire December 31, 2014

Linda L. Murphy
64 Palmer Road
Cuba, New York 14727
(replacing Ted LaCroix)

CATTARAUGUS COUNTY HANDICAPPED PARKING EDUCATION & ADVOCACY COORDINATOR

Indefinite term

Lieutenant David Schuman
Sheriff’s Office
301 Court Street
Little Valley, New York 14755

CATTARAUGUS-ALLEGANY WORKFORCE INVESTMENT BOARD*Three-year unexpired term to expire December 31, 2012*

Keith Kranick, Director
 Jamestown Community College Continuing Education
 P.O. Box 5901
 Olean, New York 14760
(replacing Jesse Gugino)

CATTARAUGUS COUNTY HEALTH INSURANCE COMMITTEE*Indefinite terms*

Norman L. Marsh, County Legislator
 James J. Snyder, Sr., County Legislator
 William J. Aiello, County Legislator

James L. Boser, County Legislator
 David R. Moshier, Human Resources Director
 Deborah Burnham, Risk Manager

PROCLAMATION:

Chairman Marsh recognized Wayne Cross, a 42-year member of the Versailles Volunteer Fire Company, for his continued service to the community and for his tireless efforts, dedication and courage while providing service to this area.

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ACT NO. 101-2012 by Mr. Aiello, Mr. Hale, Mr. Snyder, Jr. and Mr. Weller
and Ms. Edstrom, Mr. Klancer, Mr. Teachman, Mr. Padlo and Mr. Sprague¹

**BID ACCEPTANCE FOR PRECAST CONCRETE DECK PANELS FOR
 HINSDALE BRIDGE NO. 41**

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 precast concrete deck panels for Hinsdale Bridge No. 41, according to specifications provided by the Public Works Committee, and

WHEREAS, the lowest responsible bid received meeting specifications for the aforementioned precast concrete deck panels, was the bid of Binghamton Precast & Supply Corp., 18 Phelps Street, Binghamton, New York 13901, for an amount of \$45,609.00, and

WHEREAS, sufficient funds are included in the 2012 budget to cover the costs of the aforementioned culvert, now, therefore, be it

RESOLVED, that the bid of Binghamton Precast & Supply Corp., be, and the same hereby is, accepted, for a term commencing upon the signing of the contract documents and terminating 45 days after drawing approvals, 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.

Three bids were received that meet specifications.

Approved by 9 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: “Ms. Edstrom, Mr. Klancer, Mr. Teachman, Mr. Padlo and Mr. Sprague”.

Adopted February 22, 2012 by voice vote.

ACT NO. 102-2012 by Mr. Aiello and Mr. Weller

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
UPSTATE LABORATORIES, INC. FOR
GROUNDWATER MONITORING SERVICES AT FARWELL AND
FIVE POINTS LANDFILLS**

Pursuant to Sections 226-b and 450 of the County Law.

WHEREAS, Act 216-2008 authorized a contract for the provision of leachate, surface and groundwater monitoring services at both the Farwell (Town of Ischua) and Five Points (Town of Mansfield) Landfills, the term of which expired December 31, 2011, and

WHEREAS, the consent order agreements between the County and the New York State Department of Environmental Conservation (NYSDEC) require leachate, surface and groundwater monitoring at both the Farwell and Five Points Landfills, and

WHEREAS, the County Department of Public Works is desirous of obtaining the aforementioned leachate, surface and groundwater monitoring services until the New York State Department of Environmental Conservation has formulated a new sampling schedule, and

WHEREAS, an analysis of stormwater discharge at the Allegany Highway Facility is needed, and

WHEREAS, Upstate Laboratories, Inc., 6940 Milestrip Road, Orchard Park, New York 14127, can provide leachate, surface and groundwater sampling, analysis, reporting and analytical testing for the Farwell and Five Points Landfills, and an analysis of the stormwater discharge at the Allegany Highway Facility for a total amount not to exceed \$38,760.00 over a two-year period, to be paid on a monthly basis as invoiced, as follows:

<u>Facility</u>	<u>2012</u>	<u>2013</u>	<u>Total</u>
Five Points Sampling & Analysis	\$ 5,720.00	\$ 5,720.00	\$11,440.00
Farwell Sampling & Analysis	\$12,060.00	\$14,460.00	\$26,520.00
Allegany Highway Stormwater Discharge	\$ 400.00	\$ 400.00	\$ 800.00

and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Upstate Laboratories, Inc., for the provision of the above-described services, for a term commencing March 1, 2012 and terminating December 31, 2013, with the County's sole option to renew for two one-year periods at the same rates, according to the above-described terms.

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

Adopted February 22, 2012 by voice vote.

ACT NO. 103-2012 by Human Services Committee:
 Ms. Edstrom, Mrs. Stockman,
 Mr. Edwards, Mr. VanRensselaer, Ms. Vickman,
 Mrs. Labuhn and Mr. Lamberson

**RE-CREATING ONE POSITION OF EMPLOYMENT SPECIALIST IN
 THE DEPARTMENT OF SOCIAL SERVICES,
 ESTABLISHING COMPENSATION FOR THE SAME AND
 ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
 (Department of Social Services)**

Pursuant to Sections 204, 205, 363 and 366 of the County Law and
 Section 22 of the Civil Service Law.

WHEREAS, Act 524-2008 authorized the Chair to apply for funding through the New York State Division of Probation and Correctional Alternatives for Alternative to Incarceration Programs for jail diversion and/or re-entry in New York State, and

WHEREAS, Act 574-2011 abolished one position of Employment Specialist involved in this program based on the New York State Division of Probation and Correctional Alternatives notification that they were not going to continue funding this program for the State 2012 fiscal year, and

WHEREAS, the New York State Division of Probation and Correctional Alternatives has now notified the County that they will continue funding this program for at least the State 2012 fiscal year, and

WHEREAS, Cattaraugus is in receipt of such funding, and

WHEREAS, the New Position Duties Statement has been submitted to the Cattaraugus County Civil Service Commission, which has approved and certified the title as Employment Specialist in accordance with Section 22 of the Civil Service Law, and

WHEREAS, various appropriation and revenue accounts must be adjusted in order to cover the costs associated with the aforementioned position, now, therefore, be it

RESOLVED, that effective April 1, 2012 there is hereby re-created one position of Employment Specialist in the Department of Social Services to be compensated at Grade 20 (\$19.69-\$21.92 per hour), General Bargaining Unit, and be it further

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

RESOLVED, that such contract shall provide that upon the reduction of any such funding, the County, in its sole discretion, may terminate the contract on thirty (30) days written notice, and be it further

RESOLVED, that in the event of any such reduction, the department head involved shall immediately report such occurrence to the Chairman of the Committee to which the department is assigned, who shall add the matter to the agenda of the Committee's next meeting, and be it further

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

Increase Estimated Revenue Accounts:

A.314.3144.0000.4310.03	Re-Entry Program	\$52,234.00
A.601.6155.0000.1341	Probation Reimbursement Re-Entry Program	\$52,234.00

Increase Appropriation Accounts:

A.314.3144.0000.48306	DSS Contracted Services	\$52,234.00
A.601.6155.0000.11000	Full-Time Wages	\$34,232.00
A.601.6155.0000.81000	FICA	\$ 2,619.00

A.601.6155.0000.82000	Retirement	\$ 6,289.00
A.601.6155.0000.83000	Health Insurance	\$ 8,992.00
A.601.6155.0000.84000	Dental Insurance	\$ 102.00.

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

Adopted February 22, 2012 by voice vote.

ACT NO. 104-2012 by Ms. Vickman and Mr. Felton

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
HEALTHY COMMUNITY ALLIANCE, INC. FOR DEPARTMENT OF AGING
SENIOR WELLNESS AND NUTRITION PROGRAM SITE MANAGEMENT**

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

WHEREAS, Act 242-2010 authorized a lease agreement with Healthy Community Alliance, Inc., 26 Jamestown Street, Gowanda, New York 14070, for the provision of a Senior Wellness and Nutrition Program (SWAN) site for the Department of the Aging, the term of which expired December 31, 2011, and

WHEREAS, the County Department of Aging is desirous of renewing the management agreement for the aforementioned SWAN site, and

WHEREAS, Healthy Community Alliance, Inc., can provide SWAN site management in the Gowanda area for an amount of \$19,974.00, to be paid as invoiced, and

WHEREAS, the Healthy Community Alliance, Inc., shall also provide for the management of the Gowanda SWAN site with part-time personnel to staff the site, and

WHEREAS, this program is 90% federal and 10% county funded, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with the Healthy Community Alliance, Inc., for the management of a Senior Wellness and Nutrition Program site, for a term commencing January 1, 2012 and terminating December 31, 2012, according to the above-described terms, and be it further

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

RESOLVED, that such contract shall provide that upon the reduction of any such funding, the County, in its sole discretion, may terminate the contract on thirty (30) days written notice, and be it further

RESOLVED, that in the event of any such reduction, the department head involved shall immediately report such occurrence to the Chairman of the Committee to which the department is assigned, who shall add the matter to the agenda of the Committee's next meeting.

Approved by 9 members of the Finance Committee and 6 members of the Senior Services Committee.

Adopted February 22, 2012 by voice vote.

ACT NO. 105-2012 by Mr. Murphy

**AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACT WITH
MICHAEL ANDERSON FOR CRITICAL INCIDENT
STRESS MANAGEMENT TEAM SERVICES**

Pursuant to Section 3052 of the Public Health Law and
Act 290-2011 of the Cattaraugus County Legislature.

WHEREAS, Act 287-2010 authorized a contract with Michael Anderson, 68 Summit Street, Salamanca, New York 14779, for the provision of mental health services for the Cattaraugus County Critical Incident Stress Management Team, the term of which expired May 31, 2011, and

WHEREAS, the County Office of Emergency Services is desirous of continuing the aforementioned services, and

WHEREAS, Michael Anderson, 68 Summit Street, Salamanca, New York 14779, can provide the following services for an amount not to exceed \$2,500.00:

- a) clinical oversight to all Critical Incident Stress Management Team activities,
- b) on-going educational opportunities at each scheduled Team meeting,
- c) act in the role of the Mental Health Professional (MHP) for debriefings, when no other MHP is available,
- d) provide "Debrief the Debriefers" services to Team members, as requested, and
- e) provide updates on relevant trainings,

and

WHEREAS, these services are 100% County-funded, and

WHEREAS, sufficient funds are included in the 2012 budget to cover the costs of the aforementioned services, now, therefore, be it

RESOLVED, that the County Administrator be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Michael Anderson, for the provision of the above-described training, for a term commencing January 1, 2012 and terminating December 31, 2012, according to the above-described terms.

Approved by 9 members of the Finance Committee and 6 members of the Public Safety Committee.

Adopted February 22, 2012 by voice vote.

ACT NO. 106-2012 by Ms. Edstrom and Mrs. Stockman
and Mrs. Labuhn¹

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
WILLCARE, INC. FOR WIC LICENSED PRACTICAL NURSING SERVICES**

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

WHEREAS, Act 94-2011 authorized a contract with the Willcare, Inc., Westgate Plaza, 700 West State Street, Olean, New York 14760, for the provision of licensed practical nursing (LPN) services for the Health Department WIC Program, the term of which expired December 31, 2011, and

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

WHEREAS, Willcare, Inc., has agreed to provide the aforementioned LPN services to Cattaraugus County for an amount of \$20.60 per hour, plus approved work expenses not to exceed \$1,500.00 and mileage reimbursement at the rate of \$.32 per mile, to be paid on a monthly basis as invoiced, and

WHEREAS, sufficient funds are included in the 2012 budget to cover the costs of the aforementioned services, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Willcare, Inc. for the provision of the above-described services for a term commencing January 1, 2012 and terminating December 31, 2012, and be it further

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

RESOLVED, that such contract shall provide that upon the reduction of any such funding, the County, in its sole discretion, may terminate the contract on thirty (30) days written notice, and be it further

RESOLVED, that in the event of any such reduction, the department head involved shall immediately report such occurrence to the Chairman of the Committee to which the department is assigned, who shall add the matter to the agenda of the Committee's next meeting.

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

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

Adopted February 22, 2012 by voice vote.

ACT NO. 107-2012 by Ms. Edstrom and Mrs. Stockman
and Mr. Boser, Mrs. Labuhn, Mr. Lamberson and Mr. Padlo¹

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
ALLEGANY-LIMESTONE CENTRAL SCHOOL DISTRICT
FOR AMERICORPS START PROGRAM**

Pursuant to 42 USCS Section 12501 and
Section 450 of the County Law.

WHEREAS, Act 555-2010 authorized a contract with the Allegany-Limestone Central School District, 3131 Five Mile Road, Allegany, New York 14706, for the provision of services for the AmeriCorps START Program, the term of which expired October 9, 2011, and

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

WHEREAS, the Allegany-Limestone Central School District has agreed to provide services for the AmeriCorps START Program by contributing an amount of \$2,700.00 for one half-time member, and

WHEREAS, this program is 75% state funded and 25% agency match and grantee share, which is fully funded by Allegany-Limestone's contribution, resulting in no costs 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 Allegany-Limestone Central School District, for the AmeriCorps START Program, for a term commencing February 13, 2012 and terminating December 31, 2012, according to the above-described terms, and be it further

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

RESOLVED, that such contract shall provide that upon the reduction of any such funding, the County, in its sole discretion, may terminate the contract on thirty (30) days written notice, and be it further

RESOLVED, that in the event of any such reduction, the department head involved shall immediately report such occurrence to the Chairman of the Committee to which the department is assigned, who shall add the matter to the agenda of the Committee's next meeting.

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

¹ The following Legislators requested their names be listed as additional sponsors: "Mr. Boser, Mrs. Labuhn, Mr. Lamberson and Mr. Padlo.

Adopted February 22, 2012 by voice vote.

ACT NO. 108-2012 by Ms. Edstrom
and Mrs. Stockman, Mrs. Labuhn and Mr. Padlo¹

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
SALAMANCA CITY CENTRAL SCHOOL DISTRICT FOR
YOUTH BUREAU AMERICORPS START PROGRAM**

Pursuant to 42 USCS Section 12501 and
Section 450 of the County Law.

WHEREAS, Act 96-2011 authorized a contract with the Salamanca City Central School District for the provision of the AmeriCorps START Program in the Salamanca Alternative High School, the term of which expired December 31, 2011, and

WHEREAS, the Youth Bureau is desirous of continuing the aforementioned services, and

WHEREAS, the Salamanca City Central School District, through the Salamanca Alternative High School, 50 Iroquois Drive, Salamanca, New York 14779, has agreed to provide services for the AmeriCorps START Program by contributing an amount of \$2,700.00 for one (1) half-time member, and

WHEREAS, this program is 75% state funded and 25% agency match and grantee share, which is fully funded by the Salamanca City Central School District's contribution, resulting in no costs to the County, now, therefore, be it

WHEREAS, the continuation of the aforementioned contract is contingent upon the receipt of funding from the New York State Commission on National and Community Service, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with the Salamanca City Central School District, for the implementation of the AmeriCorps START Program, for a term commencing February 13, 2012 and terminating December 31, 2012, according to the above-described terms, and be it further

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

RESOLVED, that such contract shall provide that upon the reduction of any such funding, the County, in its sole discretion, may terminate the contract on thirty (30) days written notice, and be it further

RESOLVED, that in the event of any such reduction, the department head involved shall immediately report such occurrence to the Chairman of the Committee to which the department is assigned, who shall add the matter to the agenda of the Committee's next meeting.

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

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

Adopted February 22, 2012 by voice vote.

ACT NO. 109-2012 by Mr. Hale

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH
NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES OFFICE OF
PROBATION AND CORRECTIONAL ALTERNATIVES TO INCARCERATION PROGRAM**

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

WHEREAS, Act 357-2011 authorized a contract with the New York State Division of Probation and Correctional Alternatives for an Alternatives to Incarceration Program for the 2011 program year, the term of which expired December 31, 2011, and

WHEREAS, New York State merged the Division of Probation and Correctional Alternatives into the Division of Criminal Justice Services Office of Probation and Correctional Alternatives, and

WHEREAS, the New York State Division of Criminal Justice Services Office of Probation and Correctional Alternatives has extended the term of the aforementioned contract to June 30, 2012 and authorized additional grant funds in the amount of \$5,297.00 for the period January 1, 2012 through June 30, 2012, and

WHEREAS, the total grant amount for the program period January 1, 2011 through June 30, 2012 is \$15,892.00, and

WHEREAS, the aforementioned program is partially state funded, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute an amended contract, on behalf of Cattaraugus County, with New York State Division of Probation and Correctional Alternatives, for the provision of the above-described program, for a term commencing January 1, 2012 and terminating June 30, 2012, according to the above-described terms, and be it further

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

RESOLVED, that such contract shall provide that upon the reduction of any such funding, the County, in its sole discretion, may terminate the contract on thirty (30) days written notice, and be it further

RESOLVED, that in the event of any such reduction, the department head involved shall immediately report such occurrence to the Chairman of the Committee to which the department is assigned, who shall add the matter to the agenda of the Committee's next meeting.

Approved by 9 members of the Finance Committee and 6 members of the Public Safety Committee.

Adopted February 22, 2012 by voice vote.

ACT NO. 110-2012 by Mr. Aiello, Mr. Hale,
Mr. Snyder, Jr. and Mr. Weller
and Ms. Edstrom, Mr. Teachman, Ms. Vickman, Mr. Koch and Mr. Padlo¹

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH
HUNT ENGINEERS, ARCHITECTS & LAND SURVEYORS, P.C. FOR
COUNTY ROAD NO. 27 PHASE III ENGINEERING SERVICES FOR
WETLANDS DELINEATION REPORT AND MITIGATION DESIGN REPORT**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 612-2009, as amended by Act 522-2010, authorized a contract with Hunt Engineers, Architects & Land Surveyors, P.C., for the provision of engineering services for Phase III of the County Road No. 27 (Haskell Road) Reconstruction/Rehabilitation Project, the term of which expired December 31, 2011, and

WHEREAS, additional services are needed for the preparation of a Wetland Delineation Report and Mitigation Design Report and Plans (if necessary), and

WHEREAS, Hunt Engineers, Architects & Land Surveyors, P.C., Airport Corporate Park, 100 Hunt Center, Horseheads, New York 14845, can prepare the aforementioned reports for an amount not to exceed \$8,250.00, 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 Cattaraugus County, with Hunt Engineers, Architects & Land Surveyors, P.C., for the provision of the above-described services, for a term commencing January 1, 2012 and terminating December 31, 2013, according to the above-described terms.

Approved by 9 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: "Ms. Edstrom, Mr. Teachman, Ms. Vickman, Mr. Koch and Mr. Padlo".

Adopted February 22, 2012 by voice vote.

ACT NO. 111-2012 by Ms. Edstrom and Mrs. Stockman

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH
CATTARAUGUS COMMUNITY ACTION, INC., FOR DEPARTMENT OF
COMMUNITY SERVICES MENTAL HEALTH CLINICIANS AND
ADJUSTING VARIOUS APPROPRIATION AND REVENUE 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 601-2011 authorized a contract with Cattaraugus Community Action, Inc., 25 Jefferson Street, Salamanca, New York 14779, for the provision of social worker/mental health therapists for the mental health clinics and one intake coordinator, the term of which expires September 30, 2012, and

WHEREAS, the County Department of Community Services is desirous of contracting for an additional social worker/mental health therapist for the mental health clinics to fill a County position vacated by retirement, and

WHEREAS, Cattaraugus Community Action, Inc., can provide another clinician to serve as a social worker/mental health therapist for the mental health clinics for an additional amount of \$35,636.00, not to exceed a total program amount of \$351,959.00, to be paid on a monthly basis, as invoiced, and

WHEREAS, various appropriation and revenue accounts must be adjusted to cover the cost of the additional contracted clinician, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute an amended contract, on behalf of Cattaraugus County, with Cattaraugus Community Action, Inc., for the provision of the above-described services, for a term commencing January 1, 2012 and terminating September 30, 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 Accounts:

A.431.4331.2100.11000	Children's MH Clinic-Full Time Wages	\$22,000.00
A.431.4331.2100.81000	Children's MH Clinic-FICA	\$ 1,532.00
A.431.4331.2100.82000	Children's MH Clinic-Retirement	\$ 5,302.00
A.431.4331.2100.83000	Children's MH Clinic-Health Insurance	\$ 6,802.00

Increase Appropriation Account:

A.431.4331.2100.41229	Children's MH Clinic-Social Worker contracted	\$35,636.00.
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Approved by 9 members of the Finance Committee and 7 members of the Human Services Committee.

Adopted February 22, 2012 by voice vote.

ACT NO. 112-2012 by Mr. Aiello, Mr. Felton, Ms. Vickman and Mr. Weller
and Mr. Koch¹

**BID ACCEPTANCE FOR PRECAST CONCRETE BOX CULVERT
FOR FARMERSVILLE CULVERT NO. 2 AND
ADJUSTING VARIOUS APPROPRIATION ACCOUNTS
(Department of Public Works)**

Pursuant to Section 103 of the General Municipal Law and
Sections 215, 363 and 366 of the County Law.

WHEREAS, the Clerk of the Legislature was authorized to advertise for sealed bids for a precast concrete box culvert for Farmersville Culvert No. 2, according to specifications provided by the Public Works Committee, and

WHEREAS, the lowest responsible bid received meeting specifications for the aforementioned precast concrete box culvert, was the bid of Binghamton Precast & Supply Corp., 18 Phelps Street, Binghamton, New York 13901, for an amount of \$144,747.00, and

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

RESOLVED, that the bid of Binghamton Precast & Supply Corp., be, and the same hereby is, accepted, for a term commencing upon the signing of the contract documents and terminating June 30, 2012, 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, and be it further

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

Decrease Appropriation Account:

H.504.5197.5198.25067.41603	Farmersville Bridge No. 2	\$782,402.00
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Increase Appropriation Account:

H.504.5197.5198.23054.41603	Farmersville Culvert No. 2	\$782,402.00.
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No State Bid.

Six sets of specifications were sent out.

Three bids were received that meet specifications.

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

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

Adopted February 22, 2012 by voice vote.

ACT NO. 113-2012 by Mr. Aiello and Mr. Weller
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
INTEGRYS ENERGY SERVICES OF NEW YORK, INC. FOR
PARTICIPATION IN UNFORCED CAPACITY ENERGY
CURTAILMENT PROGRAM**

Pursuant to Sections 215 and 450 of the County Law.

WHEREAS, Act 335-2009 authorized a contract with Integrys Energy Services of New York, Inc., for participation in the unforced capacity energy curtailment program, the term of which was terminated, and

WHEREAS, the County Department of Public Works is desirous of participating in the unforced capacity energy curtailment program, and

WHEREAS, the purpose of the energy curtailment program is to reduce electrical demand during potential brownout/blackout events, and

WHEREAS, the County shall turn off various equipment, located in the two nursing homes, the DPW facility and the Olean Office Building, during peak electric usage periods as requested by Energy Curtailment Specialists, Inc., and in turn be paid for the amount of electricity saved, and

WHEREAS, Integrys Energy Services of New York, Inc., 3556 Lake Shore Road, Suite 420, Buffalo, New York 14219, shall reimburse the County an amount based on the amount of kilowatt hours that are reduced by the County reducing its Grid draw and going onto its generators in accordance with the current market rate for electricity per kilowatt hour, and

WHEREAS, there is no cost to the County for participating in the aforementioned energy curtailment program, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Integrys Energy Services of New York, Inc., for the provision of the above-described services, for a term commencing June 11, 2009 and continuing in full force and effect until terminated by either party hereto, according to the above-described terms.

MRS. LABUHN moved, seconded by Mr. Hale to waive Rule 12. Carried.

Adopted February 22, 2012 by voice vote.

ACT NO. 114-2012 by Mr. Felton and Ms. Vickman
who ask immediate consideration
*and Mr. Aiello, Ms. Edstrom, Mr. Edwards, Mr. Hale, Mr. Klancer, Mr. Marsh, Mr. Murphy,
Mr. Snyder, Jr., Mr. Snyder, Sr., Mrs. Stockman, Mr. Teachman, Mr. VanRensselaer,
Mr. Koch, Mrs. Labuhn, Mr. Lamberson, Mr. Padlo and Mr. Sprague¹*

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
TOSKI & CO., P.C. FOR REVIEW OF NURSING HOMES
PATIENT REVIEW INSTRUMENTS AND
ADJUSTING VARIOUS APPROPRIATION ACCOUNTS
(Department of Nursing Homes)**

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

WHEREAS, Cattaraugus County has an immediate need to review certain Patient Review Instruments (PRIs) generated by the staff of its nursing homes, and

WHEREAS, the County has solicited proposals for the provision of the above-described services, and

WHEREAS, Toski & Co., P.C., 300 Essjay Road, Suite 115, Williamsville, New York 14221, can provide the services necessary for the review of the PRIs generated by the Department of Nursing Homes for an amount not to exceed \$30,000.00, based on the following fee schedule:

Healthcare Consulting Partner, Director	\$175.00/hour
Healthcare Consulting Manager	\$125.00/hour
Clinical RN and Coding Experts	\$150.00/hour,

and

WHEREAS, the appropriation accounts for each of the County Nursing Homes' fund balance must be adjusted, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute an agreement, on behalf of Cattaraugus County, for the purpose of retaining the services of Toski & Co., P.C., to perform the above-described services, for a term commencing February 22, 2012 and terminating December 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:

Increase Appropriation Accounts:

EF.453.4530.8350.41242	PRI Review	\$20,000.00
EL.453.4530.8350.41242	PRI Review	\$10,000.00.

MRS. STOCKMAN moved, seconded b y Ms. Vickman to waive Rule 12. Carried.

¹ The following Legislators requested their names be listed as additional sponsors: "Mr. Aiello, Ms. Edstrom, Mr. Edwards, Mr. Hale, Mr. Klancer, Mr. Marsh, Mr. Murphy, Mr. Snyder, Jr., Mr. Snyder, Sr., Mrs. Stockman, Mr. Teachman, Mr. VanRensselaer, Mr. Koch, Mrs. Labuhn, Mr. Lamberson, Mr. Padlo and Mr. Sprague".

Adopted February 22, 2012 by voice vote.

ACT NO. 115-2012 by Mr. Marsh

and Mr. Aiello, Ms. Edstrom, Mr. Edwards, Mr. Hale, Mr. Klancer, Mr. Murphy, Mr. Snyder, Jr., Mr. Snyder, Sr., Mrs. Stockman, Mr. Teachman, Mr. VanRensselaer, Ms. Vickman, Mr. Koch, Mrs. Labuhn, Mr. Lamberson, Mr. Padlo and Mr. Sprague¹
who ask immediate consideration

**OPPOSING GOVERNOR ANDREW M. CUOMO'S PROPOSED
BUDGET RECOMMENDATION TO CURTAIL CURRENT NEW YORK STATE
FUNDING TO ROSWELL PARK CANCER INSTITUTE AND TO ELIMINATE
NEW YORK STATE FUNDING ENTIRELY BY MARCH 2014,
CEASING NECESSARY STATE FUNDING STREAMS**

Pursuant to Section 153 of the County Law.

WHEREAS, Roswell Park Cancer Institute (RPCI) is America's first cancer center founded in 1898 by Dr. Roswell Park with a revolutionary model of "multidisciplinary approach" to

cancer with scientists and clinicians working in concert and in consult has become the standard by which all modern-day comprehensive cancer centers are measured, and

WHEREAS, RPCI is a treasured world class hospital with outpatient and research operations saving lives of New Yorkers, and

WHEREAS, RPCI is a beacon of help, hope and cure to the residents of upstate New York, and

WHEREAS, RPCI has been funded by New York State as a cutting edge research center and clinical care facility for over 100 years, and

WHEREAS, RPCI is America's First Comprehensive Cancer Center and is nationally recognized for its first class cancer treatment and cutting edge research, and

WHEREAS, RPCI has made fundamental contributions to reducing the cancer burden and has successfully maintained an exemplary leadership role in setting the national standards for cancer care, research and education, and

WHEREAS, RPCI returns to New York State \$5 for every \$1 invested, has created 1,000 new jobs and has been designated as one of only 40 National Cancer Institute comprehensive cancer centers in the United States and the only one operating upstate, and

WHEREAS, RPCI is a founding member of and the heart of the Buffalo Niagara Medical Campus, and

WHEREAS, RPCI trains 294 clinical residents/oncology fellows annually as well as 75 postdoctoral research fellows, 112 predoctoral graduate students and hosts 54 high school and college summer research students, and

WHEREAS, RPCI has been recognized by US News & World Report as one of the Best Hospitals for Cancer, ranked 27th in the nation in 2011, and

WHEREAS, RPCI research and innovation has produced nine spin-off companies in the last 10 years, and

WHEREAS, RPCI has been designated Leapfrog Top Hospital for Patient Safety and Quality Care from a field of nearly 1,200 nationwide for two consecutive years, and

WHEREAS, RPCI developed the prostate specific antigen (PSA), the international standard for prostate cancer screening, and

WHEREAS, RPCI pioneered Photodynamic therapy (PDT) which uses a light sensitive drug and lasers to treat various cancers, now, therefore be it

RESOLVED, that the Cattaraugus County Legislature opposes Governor Andrew Cuomo's budget recommendation to curtail state funding to RPCI, and requests that New York State in its fiscal year 2012 provide \$118 million annual funding for RPCI, and be it further

RESOLVED, that the Clerk of the Legislature is hereby directed to forward copies of this resolution to Governor Andrew Cuomo, Lieutenant Governor Robert Duffy, Members of the Western New York State Legislature delegation, Members of the Western New York Federal Delegation, the Commissioner of the New York State Department of Health, Dr. Nirav Shah, and President and CEO of RPCI, Dr. Donald Trump.

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

¹ The following Legislators requested their names be listed as additional sponsors: "Mr. Aiello, Ms. Edstrom, Mr. Edwards, Mr. Hale, Mr. Klancer, Mr. Murphy, Mr. Snyder, Jr., Mr. Snyder, Sr., Mrs. Stockman, Mr. Teachman, Mr. VanRensselaer, Ms. Vickman, Mr. Koch, Mrs. Labuhn, Mr. Lamberson, Mr. Padlo and Mr. Sprague".

Adopted February 22, 2012 by voice vote.

MR. TEACHMAN moved, seconded by Ms. Edstrom to adjourn until March 14, 2012 at 3:00 p.m. Carried.

Meeting adjourned at 3:26 p.m.

Ann M. Giglio
Journal Clerk

February 2, 2012

The meeting was called to order by the Chairman Norman L. Marsh.

The invocation was given by Rev. leFeber.

The Attendance Roll Call disclosed three Legislators absent – Mr. Boser, Mr. Felton and Mr. Weller.

MR. AIELLO moved, seconded by Ms. Edstrom that the minutes of the February 8, 2012 session be approved. Carried.

* * * * *

COMMUNICATIONS:

Assembly Member Giglio: Letter acknowledging receipt of Act No. 100-2012.

Chemung County Legislature: Copy of their Resolution No. 12-91 entitled, “Resolution to Governor Cuomo and the New York State Legislature to Request Advancing Funding and Expediting Completion of Projects in Broome, Delaware, Sullivan, and Orange Counties, and Placing Signage Recognizing the Designation of the Daniel Patrick Moynihan Interstate Highway 86”.

Wyoming County Board of Supervisors: Copy of their Resolution entitled, “Resolution Calling Upon New York State Association of Counties’ Executive Committee to Prepare and Disseminate an Action Plan to Bring Mandate Relief to New York State Counties”.

APPOINTMENTS:

CATTARAUGUS COUNTY EQUINE ADVISORY COMMITTEE

Three-year term to expire December 31, 2014

Linda L. Murphy
64 Palmer Road
Cuba, New York 14727
(replacing Ted LaCroix)

CATTARAUGUS COUNTY HANDICAPPED PARKING EDUCATION & ADVOCACY COORDINATOR

Indefinite term

Lieutenant David Schuman
Sheriff’s Office
301 Court Street
Little Valley, New York 14755

CATTARAUGUS-ALLEGANY WORKFORCE INVESTMENT BOARD*Three-year unexpired term to expire December 31, 2012*

Keith Kranick, Director
Jamestown Community College Continuing Education
P.O. Box 5901
Olean, New York 14760
(replacing Jesse Gugino)

CATTARAUGUS COUNTY HEALTH INSURANCE COMMITTEE*Indefinite terms*

Norman L. Marsh, County Legislator
James J. Snyder, Sr., County Legislator
William J. Aiello, County Legislator

James L. Boser, County Legislator
David R. Moshier, Human Resources Director
Deborah Burnham, Risk Manager

PROCLAMATION:

Chairman Marsh recognized Wayne Cross, a 42-year member of the Versailles Volunteer Fire Company, for his continued service to the community and for his tireless efforts, dedication and courage while providing service to this area.

* * * * *

ACT NO. 101-2012 by Mr. Aiello, Mr. Hale, Mr. Snyder, Jr. and Mr. Weller
and Ms. Edstrom, Mr. Klancer, Mr. Teachman, Mr. Padlo and Mr. Sprague¹

**BID ACCEPTANCE FOR PRECAST CONCRETE DECK PANELS FOR
HINSDALE BRIDGE NO. 41**

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 precast concrete deck panels for Hinsdale Bridge No. 41, according to specifications provided by the Public Works Committee, and

WHEREAS, the lowest responsible bid received meeting specifications for the aforementioned precast concrete deck panels, was the bid of Binghamton Precast & Supply Corp., 18 Phelps Street, Binghamton, New York 13901, for an amount of \$45,609.00, and

WHEREAS, sufficient funds are included in the 2012 budget to cover the costs of the aforementioned culvert, now, therefore, be it

RESOLVED, that the bid of Binghamton Precast & Supply Corp., be, and the same hereby is, accepted, for a term commencing upon the signing of the contract documents and terminating 45 days after drawing approvals, 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.

Three bids were received that meet specifications.

Approved by 9 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: “Ms. Edstrom, Mr. Klancer, Mr. Teachman, Mr. Padlo and Mr. Sprague”.

Adopted February 22, 2012 by voice vote.

ACT NO. 102-2012 by Mr. Aiello and Mr. Weller

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
UPSTATE LABORATORIES, INC. FOR
GROUNDWATER MONITORING SERVICES AT FARWELL AND
FIVE POINTS LANDFILLS**

Pursuant to Sections 226-b and 450 of the County Law.

WHEREAS, Act 216-2008 authorized a contract for the provision of leachate, surface and groundwater monitoring services at both the Farwell (Town of Ischua) and Five Points (Town of Mansfield) Landfills, the term of which expired December 31, 2011, and

WHEREAS, the consent order agreements between the County and the New York State Department of Environmental Conservation (NYSDEC) require leachate, surface and groundwater monitoring at both the Farwell and Five Points Landfills, and

WHEREAS, the County Department of Public Works is desirous of obtaining the aforementioned leachate, surface and groundwater monitoring services until the New York State Department of Environmental Conservation has formulated a new sampling schedule, and

WHEREAS, an analysis of stormwater discharge at the Allegany Highway Facility is needed, and

WHEREAS, Upstate Laboratories, Inc., 6940 Milestrip Road, Orchard Park, New York 14127, can provide leachate, surface and groundwater sampling, analysis, reporting and analytical testing for the Farwell and Five Points Landfills, and an analysis of the stormwater discharge at the Allegany Highway Facility for a total amount not to exceed \$38,760.00 over a two-year period, to be paid on a monthly basis as invoiced, as follows:

<u>Facility</u>	<u>2012</u>	<u>2013</u>	<u>Total</u>
Five Points Sampling & Analysis	\$ 5,720.00	\$ 5,720.00	\$11,440.00
Farwell Sampling & Analysis	\$12,060.00	\$14,460.00	\$26,520.00
Allegany Highway Stormwater Discharge	\$ 400.00	\$ 400.00	\$ 800.00

and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Upstate Laboratories, Inc., for the provision of the above-described services, for a term commencing March 1, 2012 and terminating December 31, 2013, with the County's sole option to renew for two one-year periods at the same rates, according to the above-described terms.

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

Adopted February 22, 2012 by voice vote.

ACT NO. 103-2012 by Human Services Committee:
 Ms. Edstrom, Mrs. Stockman,
 Mr. Edwards, Mr. VanRensselaer, Ms. Vickman,
 Mrs. Labuhn and Mr. Lamberson

**RE-CREATING ONE POSITION OF EMPLOYMENT SPECIALIST IN
 THE DEPARTMENT OF SOCIAL SERVICES,
 ESTABLISHING COMPENSATION FOR THE SAME AND
 ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
 (Department of Social Services)**

Pursuant to Sections 204, 205, 363 and 366 of the County Law and
 Section 22 of the Civil Service Law.

WHEREAS, Act 524-2008 authorized the Chair to apply for funding through the New York State Division of Probation and Correctional Alternatives for Alternative to Incarceration Programs for jail diversion and/or re-entry in New York State, and

WHEREAS, Act 574-2011 abolished one position of Employment Specialist involved in this program based on the New York State Division of Probation and Correctional Alternatives notification that they were not going to continue funding this program for the State 2012 fiscal year, and

WHEREAS, the New York State Division of Probation and Correctional Alternatives has now notified the County that they will continue funding this program for at least the State 2012 fiscal year, and

WHEREAS, Cattaraugus is in receipt of such funding, and

WHEREAS, the New Position Duties Statement has been submitted to the Cattaraugus County Civil Service Commission, which has approved and certified the title as Employment Specialist in accordance with Section 22 of the Civil Service Law, and

WHEREAS, various appropriation and revenue accounts must be adjusted in order to cover the costs associated with the aforementioned position, now, therefore, be it

RESOLVED, that effective April 1, 2012 there is hereby re-created one position of Employment Specialist in the Department of Social Services to be compensated at Grade 20 (\$19.69-\$21.92 per hour), General Bargaining Unit, and be it further

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

RESOLVED, that such contract shall provide that upon the reduction of any such funding, the County, in its sole discretion, may terminate the contract on thirty (30) days written notice, and be it further

RESOLVED, that in the event of any such reduction, the department head involved shall immediately report such occurrence to the Chairman of the Committee to which the department is assigned, who shall add the matter to the agenda of the Committee's next meeting, and be it further

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

Increase Estimated Revenue Accounts:

A.314.3144.0000.4310.03	Re-Entry Program	\$52,234.00
A.601.6155.0000.1341	Probation Reimbursement Re-Entry Program	\$52,234.00

Increase Appropriation Accounts:

A.314.3144.0000.48306	DSS Contracted Services	\$52,234.00
A.601.6155.0000.11000	Full-Time Wages	\$34,232.00
A.601.6155.0000.81000	FICA	\$ 2,619.00

A.601.6155.0000.82000	Retirement	\$ 6,289.00
A.601.6155.0000.83000	Health Insurance	\$ 8,992.00
A.601.6155.0000.84000	Dental Insurance	\$ 102.00.

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

Adopted February 22, 2012 by voice vote.

ACT NO. 104-2012 by Ms. Vickman and Mr. Felton

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
HEALTHY COMMUNITY ALLIANCE, INC. FOR DEPARTMENT OF AGING
SENIOR WELLNESS AND NUTRITION PROGRAM SITE MANAGEMENT**

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

WHEREAS, Act 242-2010 authorized a lease agreement with Healthy Community Alliance, Inc., 26 Jamestown Street, Gowanda, New York 14070, for the provision of a Senior Wellness and Nutrition Program (SWAN) site for the Department of the Aging, the term of which expired December 31, 2011, and

WHEREAS, the County Department of Aging is desirous of renewing the management agreement for the aforementioned SWAN site, and

WHEREAS, Healthy Community Alliance, Inc., can provide SWAN site management in the Gowanda area for an amount of \$19,974.00, to be paid as invoiced, and

WHEREAS, the Healthy Community Alliance, Inc., shall also provide for the management of the Gowanda SWAN site with part-time personnel to staff the site, and

WHEREAS, this program is 90% federal and 10% county funded, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with the Healthy Community Alliance, Inc., for the management of a Senior Wellness and Nutrition Program site, for a term commencing January 1, 2012 and terminating December 31, 2012, according to the above-described terms, and be it further

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

RESOLVED, that such contract shall provide that upon the reduction of any such funding, the County, in its sole discretion, may terminate the contract on thirty (30) days written notice, and be it further

RESOLVED, that in the event of any such reduction, the department head involved shall immediately report such occurrence to the Chairman of the Committee to which the department is assigned, who shall add the matter to the agenda of the Committee's next meeting.

Approved by 9 members of the Finance Committee and 6 members of the Senior Services Committee.

Adopted February 22, 2012 by voice vote.

ACT NO. 105-2012 by Mr. Murphy

**AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACT WITH
MICHAEL ANDERSON FOR CRITICAL INCIDENT
STRESS MANAGEMENT TEAM SERVICES**

Pursuant to Section 3052 of the Public Health Law and
Act 290-2011 of the Cattaraugus County Legislature.

WHEREAS, Act 287-2010 authorized a contract with Michael Anderson, 68 Summit Street, Salamanca, New York 14779, for the provision of mental health services for the Cattaraugus County Critical Incident Stress Management Team, the term of which expired May 31, 2011, and

WHEREAS, the County Office of Emergency Services is desirous of continuing the aforementioned services, and

WHEREAS, Michael Anderson, 68 Summit Street, Salamanca, New York 14779, can provide the following services for an amount not to exceed \$2,500.00:

- a) clinical oversight to all Critical Incident Stress Management Team activities,
- b) on-going educational opportunities at each scheduled Team meeting,
- c) act in the role of the Mental Health Professional (MHP) for debriefings, when no other MHP is available,
- d) provide "Debrief the Debriefers" services to Team members, as requested, and
- e) provide updates on relevant trainings,

and

WHEREAS, these services are 100% County-funded, and

WHEREAS, sufficient funds are included in the 2012 budget to cover the costs of the aforementioned services, now, therefore, be it

RESOLVED, that the County Administrator be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Michael Anderson, for the provision of the above-described training, for a term commencing January 1, 2012 and terminating December 31, 2012, according to the above-described terms.

Approved by 9 members of the Finance Committee and 6 members of the Public Safety Committee.

Adopted February 22, 2012 by voice vote.

ACT NO. 106-2012 by Ms. Edstrom and Mrs. Stockman
and Mrs. Labuhn¹

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
WILLCARE, INC. FOR WIC LICENSED PRACTICAL NURSING SERVICES**

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

WHEREAS, Act 94-2011 authorized a contract with the Willcare, Inc., Westgate Plaza, 700 West State Street, Olean, New York 14760, for the provision of licensed practical nursing (LPN) services for the Health Department WIC Program, the term of which expired December 31, 2011, and

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

WHEREAS, Willcare, Inc., has agreed to provide the aforementioned LPN services to Cattaraugus County for an amount of \$20.60 per hour, plus approved work expenses not to exceed \$1,500.00 and mileage reimbursement at the rate of \$.32 per mile, to be paid on a monthly basis as invoiced, and

WHEREAS, sufficient funds are included in the 2012 budget to cover the costs of the aforementioned services, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Willcare, Inc. for the provision of the above-described services for a term commencing January 1, 2012 and terminating December 31, 2012, and be it further

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

RESOLVED, that such contract shall provide that upon the reduction of any such funding, the County, in its sole discretion, may terminate the contract on thirty (30) days written notice, and be it further

RESOLVED, that in the event of any such reduction, the department head involved shall immediately report such occurrence to the Chairman of the Committee to which the department is assigned, who shall add the matter to the agenda of the Committee's next meeting.

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

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

Adopted February 22, 2012 by voice vote.

ACT NO. 107-2012 by Ms. Edstrom and Mrs. Stockman
and Mr. Boser, Mrs. Labuhn, Mr. Lamberson and Mr. Padlo¹

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
ALLEGANY-LIMESTONE CENTRAL SCHOOL DISTRICT
FOR AMERICORPS START PROGRAM**

Pursuant to 42 USCS Section 12501 and
Section 450 of the County Law.

WHEREAS, Act 555-2010 authorized a contract with the Allegany-Limestone Central School District, 3131 Five Mile Road, Allegany, New York 14706, for the provision of services for the AmeriCorps START Program, the term of which expired October 9, 2011, and

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

WHEREAS, the Allegany-Limestone Central School District has agreed to provide services for the AmeriCorps START Program by contributing an amount of \$2,700.00 for one half-time member, and

WHEREAS, this program is 75% state funded and 25% agency match and grantee share, which is fully funded by Allegany-Limestone's contribution, resulting in no costs 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 Allegany-Limestone Central School District, for the AmeriCorps START Program, for a term commencing February 13, 2012 and terminating December 31, 2012, according to the above-described terms, and be it further

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

RESOLVED, that such contract shall provide that upon the reduction of any such funding, the County, in its sole discretion, may terminate the contract on thirty (30) days written notice, and be it further

RESOLVED, that in the event of any such reduction, the department head involved shall immediately report such occurrence to the Chairman of the Committee to which the department is assigned, who shall add the matter to the agenda of the Committee's next meeting.

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

¹ The following Legislators requested their names be listed as additional sponsors: "Mr. Boser, Mrs. Labuhn, Mr. Lamberson and Mr. Padlo.

Adopted February 22, 2012 by voice vote.

ACT NO. 108-2012 by Ms. Edstrom
and Mrs. Stockman, Mrs. Labuhn and Mr. Padlo¹

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
SALAMANCA CITY CENTRAL SCHOOL DISTRICT FOR
YOUTH BUREAU AMERICORPS START PROGRAM**

Pursuant to 42 USCS Section 12501 and
Section 450 of the County Law.

WHEREAS, Act 96-2011 authorized a contract with the Salamanca City Central School District for the provision of the AmeriCorps START Program in the Salamanca Alternative High School, the term of which expired December 31, 2011, and

WHEREAS, the Youth Bureau is desirous of continuing the aforementioned services, and

WHEREAS, the Salamanca City Central School District, through the Salamanca Alternative High School, 50 Iroquois Drive, Salamanca, New York 14779, has agreed to provide services for the AmeriCorps START Program by contributing an amount of \$2,700.00 for one (1) half-time member, and

WHEREAS, this program is 75% state funded and 25% agency match and grantee share, which is fully funded by the Salamanca City Central School District's contribution, resulting in no costs to the County, now, therefore, be it

WHEREAS, the continuation of the aforementioned contract is contingent upon the receipt of funding from the New York State Commission on National and Community Service, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with the Salamanca City Central School District, for the implementation of the AmeriCorps START Program, for a term commencing February 13, 2012 and terminating December 31, 2012, according to the above-described terms, and be it further

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

RESOLVED, that such contract shall provide that upon the reduction of any such funding, the County, in its sole discretion, may terminate the contract on thirty (30) days written notice, and be it further

RESOLVED, that in the event of any such reduction, the department head involved shall immediately report such occurrence to the Chairman of the Committee to which the department is assigned, who shall add the matter to the agenda of the Committee's next meeting.

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

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

Adopted February 22, 2012 by voice vote.

ACT NO. 109-2012 by Mr. Hale

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH
NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES OFFICE OF
PROBATION AND CORRECTIONAL ALTERNATIVES TO INCARCERATION PROGRAM**

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

WHEREAS, Act 357-2011 authorized a contract with the New York State Division of Probation and Correctional Alternatives for an Alternatives to Incarceration Program for the 2011 program year, the term of which expired December 31, 2011, and

WHEREAS, New York State merged the Division of Probation and Correctional Alternatives into the Division of Criminal Justice Services Office of Probation and Correctional Alternatives, and

WHEREAS, the New York State Division of Criminal Justice Services Office of Probation and Correctional Alternatives has extended the term of the aforementioned contract to June 30, 2012 and authorized additional grant funds in the amount of \$5,297.00 for the period January 1, 2012 through June 30, 2012, and

WHEREAS, the total grant amount for the program period January 1, 2011 through June 30, 2012 is \$15,892.00, and

WHEREAS, the aforementioned program is partially state funded, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute an amended contract, on behalf of Cattaraugus County, with New York State Division of Probation and Correctional Alternatives, for the provision of the above-described program, for a term commencing January 1, 2012 and terminating June 30, 2012, according to the above-described terms, and be it further

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

RESOLVED, that such contract shall provide that upon the reduction of any such funding, the County, in its sole discretion, may terminate the contract on thirty (30) days written notice, and be it further

RESOLVED, that in the event of any such reduction, the department head involved shall immediately report such occurrence to the Chairman of the Committee to which the department is assigned, who shall add the matter to the agenda of the Committee's next meeting.

Approved by 9 members of the Finance Committee and 6 members of the Public Safety Committee.

Adopted February 22, 2012 by voice vote.

ACT NO. 110-2012 by Mr. Aiello, Mr. Hale,
Mr. Snyder, Jr. and Mr. Weller
and Ms. Edstrom, Mr. Teachman, Ms. Vickman, Mr. Koch and Mr. Padlo¹

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH
HUNT ENGINEERS, ARCHITECTS & LAND SURVEYORS, P.C. FOR
COUNTY ROAD NO. 27 PHASE III ENGINEERING SERVICES FOR
WETLANDS DELINEATION REPORT AND MITIGATION DESIGN REPORT**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 612-2009, as amended by Act 522-2010, authorized a contract with Hunt Engineers, Architects & Land Surveyors, P.C., for the provision of engineering services for Phase III of the County Road No. 27 (Haskell Road) Reconstruction/Rehabilitation Project, the term of which expired December 31, 2011, and

WHEREAS, additional services are needed for the preparation of a Wetland Delineation Report and Mitigation Design Report and Plans (if necessary), and

WHEREAS, Hunt Engineers, Architects & Land Surveyors, P.C., Airport Corporate Park, 100 Hunt Center, Horseheads, New York 14845, can prepare the aforementioned reports for an amount not to exceed \$8,250.00, 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 Cattaraugus County, with Hunt Engineers, Architects & Land Surveyors, P.C., for the provision of the above-described services, for a term commencing January 1, 2012 and terminating December 31, 2013, according to the above-described terms.

Approved by 9 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: "Ms. Edstrom, Mr. Teachman, Ms. Vickman, Mr. Koch and Mr. Padlo".

Adopted February 22, 2012 by voice vote.

ACT NO. 111-2012 by Ms. Edstrom and Mrs. Stockman

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH
CATTARAUGUS COMMUNITY ACTION, INC., FOR DEPARTMENT OF
COMMUNITY SERVICES MENTAL HEALTH CLINICIANS AND
ADJUSTING VARIOUS APPROPRIATION AND REVENUE 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 601-2011 authorized a contract with Cattaraugus Community Action, Inc., 25 Jefferson Street, Salamanca, New York 14779, for the provision of social worker/mental health therapists for the mental health clinics and one intake coordinator, the term of which expires September 30, 2012, and

WHEREAS, the County Department of Community Services is desirous of contracting for an additional social worker/mental health therapist for the mental health clinics to fill a County position vacated by retirement, and

WHEREAS, Cattaraugus Community Action, Inc., can provide another clinician to serve as a social worker/mental health therapist for the mental health clinics for an additional amount of \$35,636.00, not to exceed a total program amount of \$351,959.00, to be paid on a monthly basis, as invoiced, and

WHEREAS, various appropriation and revenue accounts must be adjusted to cover the cost of the additional contracted clinician, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute an amended contract, on behalf of Cattaraugus County, with Cattaraugus Community Action, Inc., for the provision of the above-described services, for a term commencing January 1, 2012 and terminating September 30, 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 Accounts:

A.431.4331.2100.11000	Children's MH Clinic-Full Time Wages	\$22,000.00
A.431.4331.2100.81000	Children's MH Clinic-FICA	\$ 1,532.00
A.431.4331.2100.82000	Children's MH Clinic-Retirement	\$ 5,302.00
A.431.4331.2100.83000	Children's MH Clinic-Health Insurance	\$ 6,802.00

Increase Appropriation Account:

A.431.4331.2100.41229	Children's MH Clinic-Social Worker contracted	\$35,636.00.
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Approved by 9 members of the Finance Committee and 7 members of the Human Services Committee.

Adopted February 22, 2012 by voice vote.

ACT NO. 112-2012 by Mr. Aiello, Mr. Felton, Ms. Vickman and Mr. Weller
and Mr. Koch¹

**BID ACCEPTANCE FOR PRECAST CONCRETE BOX CULVERT
FOR FARMERSVILLE CULVERT NO. 2 AND
ADJUSTING VARIOUS APPROPRIATION ACCOUNTS
(Department of Public Works)**

Pursuant to Section 103 of the General Municipal Law and
Sections 215, 363 and 366 of the County Law.

WHEREAS, the Clerk of the Legislature was authorized to advertise for sealed bids for a precast concrete box culvert for Farmersville Culvert No. 2, according to specifications provided by the Public Works Committee, and

WHEREAS, the lowest responsible bid received meeting specifications for the aforementioned precast concrete box culvert, was the bid of Binghamton Precast & Supply Corp., 18 Phelps Street, Binghamton, New York 13901, for an amount of \$144,747.00, and

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

RESOLVED, that the bid of Binghamton Precast & Supply Corp., be, and the same hereby is, accepted, for a term commencing upon the signing of the contract documents and terminating June 30, 2012, 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, and be it further

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

Decrease Appropriation Account:

H.504.5197.5198.25067.41603	Farmersville Bridge No. 2	\$782,402.00
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Increase Appropriation Account:

H.504.5197.5198.23054.41603	Farmersville Culvert No. 2	\$782,402.00.
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No State Bid.

Six sets of specifications were sent out.

Three bids were received that meet specifications.

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

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

Adopted February 22, 2012 by voice vote.

ACT NO. 113-2012 by Mr. Aiello and Mr. Weller
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
INTEGRYS ENERGY SERVICES OF NEW YORK, INC. FOR
PARTICIPATION IN UNFORCED CAPACITY ENERGY
CURTAILMENT PROGRAM**

Pursuant to Sections 215 and 450 of the County Law.

WHEREAS, Act 335-2009 authorized a contract with Integrys Energy Services of New York, Inc., for participation in the unforced capacity energy curtailment program, the term of which was terminated, and

WHEREAS, the County Department of Public Works is desirous of participating in the unforced capacity energy curtailment program, and

WHEREAS, the purpose of the energy curtailment program is to reduce electrical demand during potential brownout/blackout events, and

WHEREAS, the County shall turn off various equipment, located in the two nursing homes, the DPW facility and the Olean Office Building, during peak electric usage periods as requested by Energy Curtailment Specialists, Inc., and in turn be paid for the amount of electricity saved, and

WHEREAS, Integrys Energy Services of New York, Inc., 3556 Lake Shore Road, Suite 420, Buffalo, New York 14219, shall reimburse the County an amount based on the amount of kilowatt hours that are reduced by the County reducing its Grid draw and going onto its generators in accordance with the current market rate for electricity per kilowatt hour, and

WHEREAS, there is no cost to the County for participating in the aforementioned energy curtailment program, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Integrys Energy Services of New York, Inc., for the provision of the above-described services, for a term commencing June 11, 2009 and continuing in full force and effect until terminated by either party hereto, according to the above-described terms.

MRS. LABUHN moved, seconded by Mr. Hale to waive Rule 12. Carried.

Adopted February 22, 2012 by voice vote.

ACT NO. 114-2012 by Mr. Felton and Ms. Vickman
who ask immediate consideration
*and Mr. Aiello, Ms. Edstrom, Mr. Edwards, Mr. Hale, Mr. Klancer, Mr. Marsh, Mr. Murphy,
Mr. Snyder, Jr., Mr. Snyder, Sr., Mrs. Stockman, Mr. Teachman, Mr. VanRensselaer,
Mr. Koch, Mrs. Labuhn, Mr. Lamberson, Mr. Padlo and Mr. Sprague¹*

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
TOSKI & CO., P.C. FOR REVIEW OF NURSING HOMES
PATIENT REVIEW INSTRUMENTS AND
ADJUSTING VARIOUS APPROPRIATION ACCOUNTS
(Department of Nursing Homes)**

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

WHEREAS, Cattaraugus County has an immediate need to review certain Patient Review Instruments (PRIs) generated by the staff of its nursing homes, and

WHEREAS, the County has solicited proposals for the provision of the above-described services, and

WHEREAS, Toski & Co., P.C., 300 Essjay Road, Suite 115, Williamsville, New York 14221, can provide the services necessary for the review of the PRIs generated by the Department of Nursing Homes for an amount not to exceed \$30,000.00, based on the following fee schedule:

Healthcare Consulting Partner, Director	\$175.00/hour
Healthcare Consulting Manager	\$125.00/hour
Clinical RN and Coding Experts	\$150.00/hour,

and

WHEREAS, the appropriation accounts for each of the County Nursing Homes' fund balance must be adjusted, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute an agreement, on behalf of Cattaraugus County, for the purpose of retaining the services of Toski & Co., P.C., to perform the above-described services, for a term commencing February 22, 2012 and terminating December 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:

Increase Appropriation Accounts:

EF.453.4530.8350.41242	PRI Review	\$20,000.00
EI.453.4530.8350.41242	PRI Review	\$10,000.00.

MRS. STOCKMAN moved, seconded b y Ms. Vickman to waive Rule 12. Carried.

¹ The following Legislators requested their names be listed as additional sponsors: "Mr. Aiello, Ms. Edstrom, Mr. Edwards, Mr. Hale, Mr. Klancer, Mr. Marsh, Mr. Murphy, Mr. Snyder, Jr., Mr. Snyder, Sr., Mrs. Stockman, Mr. Teachman, Mr. VanRensselaer, Mr. Koch, Mrs. Labuhn, Mr. Lamberson, Mr. Padlo and Mr. Sprague".

Adopted February 22, 2012 by voice vote.

ACT NO. 115-2012 by Mr. Marsh

and Mr. Aiello, Ms. Edstrom, Mr. Edwards, Mr. Hale, Mr. Klancer, Mr. Murphy, Mr. Snyder, Jr., Mr. Snyder, Sr., Mrs. Stockman, Mr. Teachman, Mr. VanRensselaer, Ms. Vickman, Mr. Koch, Mrs. Labuhn, Mr. Lamberson, Mr. Padlo and Mr. Sprague¹
who ask immediate consideration

**OPPOSING GOVERNOR ANDREW M. CUOMO'S PROPOSED
BUDGET RECOMMENDATION TO CURTAIL CURRENT NEW YORK STATE
FUNDING TO ROSWELL PARK CANCER INSTITUTE AND TO ELIMINATE
NEW YORK STATE FUNDING ENTIRELY BY MARCH 2014,
CEASING NECESSARY STATE FUNDING STREAMS**

Pursuant to Section 153 of the County Law.

WHEREAS, Roswell Park Cancer Institute (RPCI) is America's first cancer center founded in 1898 by Dr. Roswell Park with a revolutionary model of "multidisciplinary approach" to

cancer with scientists and clinicians working in concert and in consult has become the standard by which all modern-day comprehensive cancer centers are measured, and

WHEREAS, RPCI is a treasured world class hospital with outpatient and research operations saving lives of New Yorkers, and

WHEREAS, RPCI is a beacon of help, hope and cure to the residents of upstate New York, and

WHEREAS, RPCI has been funded by New York State as a cutting edge research center and clinical care facility for over 100 years, and

WHEREAS, RPCI is America's First Comprehensive Cancer Center and is nationally recognized for its first class cancer treatment and cutting edge research, and

WHEREAS, RPCI has made fundamental contributions to reducing the cancer burden and has successfully maintained an exemplary leadership role in setting the national standards for cancer care, research and education, and

WHEREAS, RPCI returns to New York State \$5 for every \$1 invested, has created 1,000 new jobs and has been designated as one of only 40 National Cancer Institute comprehensive cancer centers in the United States and the only one operating upstate, and

WHEREAS, RPCI is a founding member of and the heart of the Buffalo Niagara Medical Campus, and

WHEREAS, RPCI trains 294 clinical residents/oncology fellows annually as well as 75 postdoctoral research fellows, 112 predoctoral graduate students and hosts 54 high school and college summer research students, and

WHEREAS, RPCI has been recognized by US News & World Report as one of the Best Hospitals for Cancer, ranked 27th in the nation in 2011, and

WHEREAS, RPCI research and innovation has produced nine spin-off companies in the last 10 years, and

WHEREAS, RPCI has been designated Leapfrog Top Hospital for Patient Safety and Quality Care from a field of nearly 1,200 nationwide for two consecutive years, and

WHEREAS, RPCI developed the prostate specific antigen (PSA), the international standard for prostate cancer screening, and

WHEREAS, RPCI pioneered Photodynamic therapy (PDT) which uses a light sensitive drug and lasers to treat various cancers, now, therefore be it

RESOLVED, that the Cattaraugus County Legislature opposes Governor Andrew Cuomo's budget recommendation to curtail state funding to RPCI, and requests that New York State in its fiscal year 2012 provide \$118 million annual funding for RPCI, and be it further

RESOLVED, that the Clerk of the Legislature is hereby directed to forward copies of this resolution to Governor Andrew Cuomo, Lieutenant Governor Robert Duffy, Members of the Western New York State Legislature delegation, Members of the Western New York Federal Delegation, the Commissioner of the New York State Department of Health, Dr. Nirav Shah, and President and CEO of RPCI, Dr. Donald Trump.

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

¹ The following Legislators requested their names be listed as additional sponsors: "Mr. Aiello, Ms. Edstrom, Mr. Edwards, Mr. Hale, Mr. Klancer, Mr. Murphy, Mr. Snyder, Jr., Mr. Snyder, Sr., Mrs. Stockman, Mr. Teachman, Mr. VanRensselaer, Ms. Vickman, Mr. Koch, Mrs. Labuhn, Mr. Lamberson, Mr. Padlo and Mr. Sprague".

Adopted February 22, 2012 by voice vote.

MR. TEACHMAN moved, seconded by Ms. Edstrom to adjourn until March 14, 2012 at 3:00 p.m. Carried.

Meeting adjourned at 3:26 p.m.

Ann M. Giglio
Journal Clerk