

April 25, 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 two Legislators absent – Mr. Murphy and Mr. Teachman.

MRS. STOCKMAN moved, seconded by Mr. Aiello that the minutes of the April 11, 2012 session be approved. Carried.

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COMMUNICATIONS:

Assembly Member Giglio: Letter acknowledging receipt of Act No. 206-2012, along with a copy of his correspondence to the Department of Motor Vehicles expressing his opposition. Also included was a copy of the response he received from DMV clarifying the situation.

Fulton County Board of Supervisors: Copy of its Resolution No. 146 entitled, “Resolution Urging the United States Congress to Repeal a Portion of the Universal Service Fund Surcharge that Provides Free Cellular Telephone Service to ‘Income Eligible’ Individuals”.

PROCLAMATION:

CHAIRMAN MARSH proclaimed the month of May 2012 as **Older Americans Month** in Cattaraugus County.

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CHAIRMAN MARSH announced this is the time and place called for a public hearing on the **Act No. 203-2012**, Local Law Number 1 - 2012, A Local Law Establishing Probation Department Administrative Fees, and that anyone wishing to speak for or against these local laws, may now do so.

There being no one wishing to speak, CHAIRMAN MARSH declared the public hearing closed.

CHAIRMAN MARSH called up **Act No. 203-2012**, Local Law Number 1 - 2012, A Local Law Establishing Probation Department Administrative Fees, and asked that it be read.

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

CHAIRMAN MARSH requested a Roll Call Vote on Act No. 203-2012, which disclosed as follows:

Ayes: Aiello 0.8673, Boser 1.0267, Edstrom 0.8673, Edwards 0.9684, Felton 1.0972, Hale 1.0655, Klancer 1.1005, Koch 0.8685, Labuhn 0.8685, Lamberson 1.0267, Padlo 0.8673, Snyder, Jr. 1.0655, Snyder, Sr. 0.8673, Sprague 1.0230, Stockman 1.0003, VanRensselaer 1.1278, Vickman 1.0972, Weller 1.0972, Marsh 1.1278 – 19.03.

Nays: none.

Act No. 203-2012, having received the majority vote of the Legislature, was declared Adopted.

CHAIRMAN MARSH granted privilege of the floor to Gregory DeCinque, Ph.D., President of Jamestown Community College, John Garfoot, Vice-President and Dean of Administration, and John Sayegh, Dean of the Cattaraugus County Campus, who presented an overview of the County's partnership with JCC. Included among JCC's accomplishments are:

- Top performing public two-year college;
- In 1996, JCC became a regional college;
- Cattaraugus County campus was completed in 2003;
- JCC shared health facility with YMCA in Olean;
- In 2011, 21% of graduating seniors registered for school;
- Proposed projects: renovation of library and learning center and parking area for expansion.

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ACT NO. 210-2012 by Mr. Aiello, Mr. Klancer, Mr. Murphy and Mr. Weller

**AUTHORIZING THE CHAIR TO EXECUTE SUPPLEMENTAL AGREEMENT NO. 1 WITH
NYS DOT AND AUTHORIZING CATTARAUGUS COUNTY TO PARTICIPATE IN
THE FEDERAL-AID PROJECT ADMINISTERED BY THE NYS DOT AND
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
(Otto Bridge No. 12 - Department of Public Works)**

Pursuant to Title 23 U.S. Code and
Sections 363, 366 and 450 of the County Law.

WHEREAS, a project for the replacement of the County Road No. 11, North Otto Road Bridge over South Branch Cattaraugus Creek, BIN 3322910, in the Town of Otto, Cattaraugus County, PIN 5757.34, (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at a ratio of 80% federal funds and 20% non-federal funds, and

WHEREAS, the County desires to advance the above project by making a commitment of 100% of the non-federal share of the costs of the Preliminary Engineering, Right-of-Way (Incidentals & Acquisition) and Construction & Construction Inspection Phases of the Project, PIN 5757.34, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature hereby approves the above-described project, and be it further

RESOLVED, that the Cattaraugus County Legislature hereby authorizes the County of Cattaraugus to pay in the first instance 100% of the federal and non-federal shares of the cost of the Preliminary Engineering, Right-of-Way (Incidentals & Acquisition) and Construction & Construction Inspection Phases of the project or portions thereof, and be it further

RESOLVED, that the sum of \$546,000.00 is hereby appropriated, in addition to \$265,000.00 previously appropriated for the project's Preliminary Engineering and Right-of-Way Incidentals phases via County Resolution No. 373-2006 adopted on August 23, 2006, and made available to cover the cost of participation in the above phases of the project, and be it further

RESOLVED, that in the event the amount required to pay 100% of the full federal and non-federal shares of the cost of the project's Preliminary Engineering, Right-of-Way (Incidentals & Acquisition) and Construction & Construction Inspection Phases exceeds the amount appropriated, \$811,000.00 and/or 100% of the full federal and non-federal shares of the cost of the Preliminary Engineering, Right-of-Way (Incidentals & Acquisition) and Construction & Construction Inspection Phases exceeds \$3,003,700.00, the project's current Total Cost, the County of Cattaraugus shall convene

its Legislature as soon as possible to appropriate said excess amount immediately upon the notification by the NYSDOT, and be it further

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute all necessary documents, on behalf of Cattaraugus County, with the NYSDOT in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of Project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefor that are not so eligible, and be it further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary agreement in connection with the Project, and be it further

RESOLVED, that this Resolution should take effect immediately, and be it further

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

Increase Estimated Revenue Accounts:

H.504.5197.5195.4597.02	Federal Aid	\$2,190,960.00
H.504.5197.5195.3591.01	Marchiselli Aid	\$ 274,455.00

Increase Appropriation Account:

H.504.5197.5195.25024.41603	Otto Bridge No. 12	\$2,465,415.00.
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Approved by 9 members of the Finance Committee and 9 members of the Public Works Committee.

Adopted April 25, 2012 by voice vote.

ACT NO. 211-2012 by Mr. Felton and Ms. Vickman

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

Pursuant to Sections 215 and 450 of the County Law.

WHEREAS, TCOMM monitoring and quarterly inspections are necessary for the sewage disposal system at The Pines Healthcare and Rehabilitation Center – Machias Campus, and

WHEREAS, the Departments of Public Works and Nursing Homes are desirous of contracting for the provision of the aforementioned services, and

WHEREAS, Mark D. Alianello, P.E., shall provide the following engineering services for an amount not to exceed \$77,925.00, to be paid as invoiced:

Task 1	Coordinate Sampling	
	\$850 per event assuming 33 events	\$28,050.00
Task 2	TCOMM Monitoring	
	\$175 per month assuming 33 months	\$ 5,775.00
Task 3	Quarterly Inspections and Reporting	
	\$1,600 per quarterly inspection assuming 11 events	\$17,600.00
Task 2	Routine Consultations	
	On time and material basis according to attached schedule of hourly rates (estimated)	\$25,000.00

Reimbursable Expenses (not to exceed) \$ 1,500.00,
and

WHEREAS, effective April 1, 2012, this contract shall supersede and replace the contract with Mark D. Alianello, P.E. which was authorized by Act 619-2010, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Mark D. Alianello, P.E., for the provision of the above-described services for a term commencing April 1, 2012 and terminating December 31, 2014, according to the above-described terms.

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

Adopted April 25, 2012 by voice vote.

ACT NO. 212-2012 by Mr. Murphy

and Mr. Aiello, Ms. Edstrom, Mr. Edwards, Mr. Felton, Mr. Hale, Mr. Klancer, Mr. Marsh, Mr. Snyder, Jr., Mr. Snyder, Sr., Mrs. Stockman, Mr. VanRensselaer, Ms. Vickman, Mr. Weller, Mr. Boser, Mr. Koch, Mrs. Labuhn, Mr. Lamberson, Mr. Padlo and Mr. Sprague¹

**AUTHORIZING SHERIFF TO EXECUTE DOCUMENTS NECESSARY TO APPLY FOR
EMS OPERATING CERTIFICATE**

Pursuant to Section 3008 (7a) of the Public Health Law.

WHEREAS, pursuant to Section 3008, Subdivision 7a of the Public Health Law, any municipality, or fire district acting on behalf of any such municipality, and acting through its local legislative body, is hereby authorized and empowered to establish and operate advanced life support first responder services or municipal ambulance services within the municipality, upon meeting or exceeding all standards set by the department for appropriate training, staffing and equipment, and upon filing with the New York State Emergency Medical Services Council, a written request for such authorization, and

WHEREAS, upon such filing, such municipal advanced life support first responder service or municipal ambulance service shall be deemed to have satisfied any and all requirements for determination of public need for the establishment of additional emergency medical services pursuant to this article for a period of two (2) years following the date of such filing, and

WHEREAS, the Office of the Sheriff requests authorization to establish and operate an Advanced Life Support First Responder Service within Cattaraugus County, and

WHEREAS, said service is necessary to appoint a qualified emergency medical service provider from the Sheriff's Office membership to staff and support tactical operations of the Sheriff's Office Special Response Team and other local law enforcement agencies, now, therefore be it

RESOLVED, that the Cattaraugus County Legislature hereby authorizes the establishment and operation of an Advanced Life Support First Responder Service within Cattaraugus County for the Office of the Sheriff, and be it further

RESOLVED, that the Sheriff of Cattaraugus County, or his duly authorized representative, is hereby empowered to execute any such agreements, documents, or papers, approved as to form by the County Attorney, as may be necessary to implement the intent and purpose of this Resolution.

Approved by 9 members of the Finance Committee and 5 members of the Public Safety Committee.

¹ The following Legislators requested their names be listed as additional sponsors: “Mr. Aiello, Ms. Edstrom, Mr. Edwards, Mr. Felton, Mr. Hale, Mr. Klancer, Mr. Marsh, Mr. Snyder, Jr., Mr. Snyder, Sr., Mrs. Stockman, Mr. VanRensselaer, Ms. Vickman, Mr. Weller, Mr. Boser, Mr. Koch, Mrs. Labuhn, Mr. Lamberson, Mr. Padlo and Mr. Sprague”. The primary sponsor, Mr. Murphy, although absent from the meeting, consented by telephone to the addition of these sponsors.

Adopted April 25, 2012 by voice vote.

ACT NO. 213-2012 by Ms. Edstrom and Mrs. Stockman

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
NEW YORK STATE DEPARTMENT OF HEALTH FOR
DRINKING WATER SUPPLY PROTECTION PROGRAM**

Pursuant to 10 NYCRR Part 53, 21 NYCRR Part 2604 and
Section 450 of the County Law.

WHEREAS, Act 198-2011 authorized a contract with the New York State Department of Health for the provision of a drinking water supply protection program, the term of which expired March 31, 2012, and

WHEREAS, there is funding available in the amount of \$139,541.00 through the New York State Department of Health Center for Environmental Health, Division of Environmental Protection, Bureau of Public Water Supply Protection, Flanigan Square, 547 River Street, Troy, New York 12180-2216, for a drinking water supply protection program, and

WHEREAS, the County Health Department is desirous of providing drinking water supply protection services, and

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

WHEREAS, the program is 100% state funded, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with the New York State Department of Health for the aforementioned grant, for a term commencing April 1, 2012 and terminating March 31, 2013, 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 Human Services Committee.

Adopted April 25, 2012 by voice vote.

ACT NO. 214-2012 by Ms. Edstrom and Mrs. Stockman

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
NEW YORK STATE DEPARTMENT OF HEALTH FOR ADOLESCENT TOBACCO
USE PREVENTION ACT ENFORCEMENT PROGRAM AND
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
(Department of Health)**

Pursuant to Article 13-F of the Public Health Law and
Sections 363, 366 and 450 of the County Law.

WHEREAS, Act 445-2011 authorized a contract with New York State Department of Health for a youth tobacco enforcement and preventive work plan to reduce the use and accessibility of tobacco to youths under 18 years of age, the term of which expired March 31, 2012, and

WHEREAS, funding is available in the amount of \$30,003.00 through the New York State Department of Health under the Center for Environmental Health, Bureau of Community Sanitation and Food Protection, Flanigan Square, 547 River Street, Room 515, Troy, New York 12180-2216, for an Adolescent Tobacco Use Prevention Act Enforcement Program for the 2012-2013 program year, and

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

WHEREAS, the program is 100% state funded, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with the New York State Department of Health for the aforementioned grant, for a term commencing April 1, 2012 and terminating March 31, 2013, 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, and be it further

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

Increase Estimated Revenue Account:

A.401.4090.4072.3450.09	SA, Other ATUPA Grant	\$663.00
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Increase Appropriation Accounts:

A.401.4090.4072.45301	Van per diem	\$100.00
A.401.4090.4072.45310	Copy Machine lease	\$ 63.00
A.401.4090.4072.45401	Small Equipment/tools	\$500.00.

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

Adopted April 25, 2012 by voice vote.

ACT NO. 215-2012 by Mr. Aiello and Mr. Lamberson

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

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

WHEREAS, Act 194-2011 authorized a contract with Gilroy, Kernan & Gilroy, 210 Clinton Road, New Hartford, New York 13413, for the provision of benefits plan management services, the term of which expires April 30, 2012, and

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

WHEREAS, the firm of Gilroy, Kernan & Gilroy, Inc. can provide the following ongoing advisory services to assist the County in managing benefit plan contracts and costs, and monitoring plan performance and claims experience, for an amount of \$40,000.00, to be paid in quarterly installments of \$10,000.00 each:

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

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

and

WHEREAS, sufficient funds are included in the 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 Gilroy, Kernan & Gilroy, Inc., for the provision of the above-described services, for a term commencing May 1, 2012 and terminating April 30, 2013, according to the above-described terms.

Approved by 9 members of the Finance Committee and 4 members of the Labor Relations Committee.

Adopted April 25, 2012 by voice vote.

ACT NO. 216-2012 by Ms. Edstrom and Mrs. Stockman
who ask immediate consideration

**ADJUSTING VARIOUS APPROPRIATION ACCOUNTS
(Health Department)**

Pursuant to Sections 363 and 366 of the County Law.

WHEREAS, the County Administrator has the authority to transfer up to \$10,000 in certain departments, and

WHEREAS, due to insufficient funds in the 2012 budget for the Health Department's Nursing Home Without Walls program for served meals, 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 Account:

A.401.4017.4037.41633.2	Nursing Home Without Walls	\$35,000.00
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Increase Appropriation Account:

A.401.4017.4037.47057	Nursing Home Without Walls	\$35,000.00.
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MR. HALE moved, seconded by Mr. Boser to waive Rule 12. Carried.

Adopted April 25, 2012 by voice vote.

ACT NO. 217-2012 by Ms. Edstrom and Mrs. Stockman
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
NEW YORK STATE DEPARTMENT OF HEALTH FOR
EARLY INTERVENTION PROGRAM ADMINISTRATION (EIP)**

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

WHEREAS, Act 429-2010 authorized the Chair to execute a five-year contract with the New York State Department of Health and various entities for the Child Find (Infant & Child Health Assessment Program) and the Early Intervention Program (EIP) administration, the term of which expired September 30, 2011, and

WHEREAS, the New York State Department of Health, Bureau of Child and Adolescent Health, has approved funding in the amount of \$52,290.00 to the County Health Department to continue a system to gather quality information about children with special health care needs in Cattaraugus County for the period commencing October 1, 2011 and terminating September 30, 2012, and

WHEREAS, a contract is necessary with the New York State Department of Health in order to obtain the aforementioned funding, and

WHEREAS, this program is 100% federal 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 New York State Department of Health, in order to obtain the aforementioned funding for the Early Intervention Programs, for a term commencing October 1, 2011 and terminating September 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.

MRS. STOCKMAN moved, seconded by Mr. Koch to waive Rule 12. Carried.

Adopted April 25, 2012 by voice vote.

ACT NO. 218-2012 by Ms. Edstrom and Mrs. Stockman
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH
CORNELL COOPERATIVE EXTENSION-CATTARAUGUS COUNTY FOR
VARIOUS HEALTH DEPARTMENT WIC PROGRAMS**

Pursuant to 42 USCS Section 1786 and

Section 450 of the County Law.

WHEREAS, Act 380-2011 authorized a contract with Cornell Cooperative Extension-Cattaraugus County, 28 Parkside Drive, Ellicottville, New York 14731, for the provision of the following components for the Health Department WIC program, the term of which expires September 30, 2012:

- Breastfeeding Peer Counselors (part-time),
- Two (2) Nutrition Program Aides, and
- Breastfeeding Coordinator,

and

WHEREAS, the County Health Department is desirous of clarifying certain terms in the aforementioned contract, and

WHEREAS, Cornell Cooperative Extension-Cattaraugus County has agreed to provide the aforementioned WIC program components, in accordance with the following:

<u>*Breastfeeding Peer Counselor (two part-time)</u>		<u>Rate</u>
Peer Counselor Wages and 6% Administrative Fee (wages are based on \$11.18/hr for no more than 20 hrs/week)	not to exceed	\$12,257.00
Work-Related Expenses	not to exceed	<u>\$ 2,500.00</u>
TOTAL	not to exceed	\$14,757.00
<u>*Nutrition Program Aide Services (two)</u>		
Wages and 6% Administrative Fee (wages are based on \$17.24/hour for up to 35 hrs/week)	not to exceed	\$66,527.00
Work-Related Expenses-reimbursed at cost	not to exceed	<u>\$ 1,700.00</u>
TOTAL	not to exceed	\$68,227.00
<u>*Breastfeeding Peer Counselor Coordinator</u>		
Wages and 6% Administrative Fee (wages are based on \$22.60/hour for up to 35 hrs/week)	not to exceed	\$43,597.00
Work Related Expenses	not to exceed	<u>\$ 1,200.00</u>
TOTAL	not to exceed	\$44,797.00

*Approved work-related expenses will be reimbursed at cost, including approved work-related cell phone usage

*Mileage will be reimbursed at the Cornell established rate of \$.485/mile

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 Cornell Cooperative Extension-Cattaraugus County, for the provision of the above-described services, for a term commencing October 1, 2011 and terminating September 30, 2012, according to the above-described terms.

MR. SNYDER, SR. moved, seconded by Mrs. Labuhn to waive Rule 12. Carried.

Adopted April 25, 2012 by voice vote.

ACT NO. 219-2012 by Mr. Aiello, Ms. Edstrom, Mr. Edwards, Mr. Felton, Mr. Hale, Mr. Klancer, Mr. Marsh, Mr. Murphy, Mr. Snyder, Jr., Mr. Snyder, Sr., Mrs. Stockman, Mr. Teachman, Mr. VanRensselaer, Ms. Vickman, Mr. Weller, Mr. Boser, Mr. Koch, Mrs. Labuhn, Mr. Lamberson, Mr. Padlo and Mr. Sprague who ask immediate consideration

**CONGRATULATING PIONEER PANTHERS
TONY LOCK ON EARNING ALL-AMERICAN
WRESTLING TITLE**

Pursuant to Section 153 of the County Law.

WHEREAS, Pioneer Central School District's Tony Lock won all five of his matches to take the 182 pound Senior Division Championship at the NHSCA (National High School Coaches Association) Wrestling Tournament in Virginia Beach, Virginia, and

WHEREAS, Tony Lock, 182 pounds, is a two-time High School All-American, and

WHEREAS, Tony beat Aaron Wing of Connecticut in the first round, 15 – 1, and

WHEREAS, Tony edged Grey Jones of Georgia by a score of 3 – 2, and

WHEREAS, in the third round, Tony beat Bryan Loughlin of New Jersey by 3 -2, and

WHEREAS, during the semi-finals, Tony overcame a 3 – 2 deficit, and beat Reese Wright-Conklin of Kansas by a score of 6 – 3, and

WHEREAS, Tony then beat Nolan Boyd of Oklahoma in the finals in overtime 5 – 4, and

WHEREAS, Tony Lock finishes his high school wrestling career with a record of 196 – 41 and leads Pioneer in career wrestling victories, and

WHEREAS, Tony Lock should be commended for his hard work and dedication, which led to a successful high school wrestling career and his All-American wrestling titles, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature hereby congratulates Pioneer Central School District's Tony Lock for his many wrestling accomplishments, and be it further

RESOLVED, that the Clerk of the Legislature is hereby directed to forward certified copies of this resolution to Superintendent of Schools Dr. Sharon Huff, Coach Chris Edwards and Tony Lock.

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

Adopted April 25, 2012 by voice vote.

ACT NO. 220-2012 by Mr. Marsh
*and Mr. Aiello, Ms. Edstrom, Mr. Edwards, Mr. Felton, Mr. Hale, Mr. Klancer, Mr. Snyder, Jr.,
Mr. Snyder, Sr., Mrs. Stockman, Mr. VanRensselaer, Ms. Vickman, Mr. Weller, Mr. Boser, Mr. Koch,
Mrs. Labuhn, Mr. Lamberson, Mr. Padlo and Mr. Sprague¹*
who ask immediate consideration

DESIGNATING MAY 1, 2012 AS "LAW DAY" IN CATTARAUGUS COUNTY

WHEREAS, it is felt that all citizens of Cattaraugus County should be rededicated to the principles of the democratic form of government to emphasize that ours is a government of law, and not of men and women, and

WHEREAS, it is felt that it is in the interests of all to further the philosophy that the welfare of the people shall be the supreme law, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature does hereby designate and dedicate the 1st day of May, 2012 as "Law Day" in Cattaraugus County and urges all citizens to join in its observance, and be it further

RESOLVED, that the Clerk of the Legislature is hereby directed to forward a certified copy of this resolution to Michael Morgan, 410 Community Bank Building, Olean, New York 14760, President of the Cattaraugus County Bar Association.

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

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

Adopted April 25, 2012 by voice vote.

ACT NO. 221-2012 by Mr. Aiello, Ms. Edstrom, Mr. Edwards, Mr. Felton,
Mr. Hale, Mr. Klancer, Mr. Marsh, Mr. Snyder, Jr.,
Mr. Snyder, Sr., Mrs. Stockman, Mr. VanRensselaer, Ms. Vickman,
Mr. Weller, Mr. Boser, Mr. Koch, Mrs. Labuhn,
Mr. Lamberson, Mr. Padlo and Mr. Sprague
who ask immediate consideration

APPOINTMENT OF DIRECTOR OF COUNTY VETERANS' SERVICE AGENCY

Pursuant to Section 357 of the Executive Law.

RESOLVED, that the Cattaraugus County Legislature hereby consents to the appointment of Steve McCord, 68 South Main Street, Salamanca, New York 14779, as the Director of the Cattaraugus County Veterans' Service Agency, effective May 14, 2012, at a bi-weekly salary of \$1,923.08 or \$50,000.00 annually.

MR. WELLER moved, seconded by Mr. Lamberson to waive Rule 12. Carried.

Adopted April 25, 2012 by voice vote.

MS. EDSTROM moved, seconded by Mr. Hale to adjourn until May 9, 2012 at 3:00 p.m. Carried.

Meeting adjourned at 3:57 p.m.

Ann M. Giglio
Journal Clerk

