

March 27, 2013

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

The invocation was given by Rev. Kay.

The Attendance Roll Call disclosed all Legislators present.

MR. WELLER moved, seconded by Mr. Koch that the minutes of the March 13, 2013 session be approved. Carried.

\* \* \* \* \*

**COMMUNICATIONS:**

Senator Young: Letter acknowledging receipt of Act No. 95-2013.

NYS Association of Counties: Letter acknowledging receipt of Act Nos. 91-2013 and 95-2013.

Seneca County Board of Supervisors: Copies of its Resolution No. 34-13 entitled, "Seneca County Board of Supervisors Opposes LPG Storage Adjacent to Seneca Lake".

Crystal Abers, Director of Economic Development, Planning and Tourism: 2012 Annual Report which incorporates the 2012 Planning Board's Annual Report.

Mary Rich: Note of thanks for the Motion to Adjourn in Memory of her husband, Jim Rich.

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CHAIRMAN MARSH granted privilege of the floor to Sheriff Timothy Whitcomb who introduced Kimberly Poitras. Chairman Marsh presented her with a Certificate of Recognition for earning the Coach John Wooden Award at the 2013 Basic Corrections Academy.

\* \* \* \* \*

**ACT NO. 122-2013** by Mr. Aiello and Mr. Weller

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH  
GREENMAN-PEDERSEN, INC. FOR  
ENGINEERING CONSULTANT SERVICES FOR  
2011-2012 BRIDGE PAINTING PROGRAM**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 457-2011, as amended by Act 492-2012, authorized a contract with Greenman-Pedersen, Inc., 4950 Genesee Street, Buffalo, New York 14225, for the provision of engineering consultant services for the 2011-2012 Bridge Painting Program, the term of which expires June 30, 2013, and

WHEREAS, an amendment of the aforementioned contract is necessary to include additional work that was required to complete the program, and

WHEREAS, Greenman-Pedersen, Inc., can provide the additional services necessary to complete the program for an amount of \$9,532.03, to be paid periodically on a percent of completion basis as determined by the Department of Public Works, 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 Greenman-Pedersen, Inc., for the provision of the above-described additional services, for a term commencing October 27, 2011, and terminating June 30, 2013, according to the above-described terms.

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

Adopted March 27, 2013 by voice vote.

**ACT NO. 123-2013** by Mr. Aiello and Mr. Weller

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
GREENMAN-PEDERSEN, INC. FOR  
ENGINEERING CONSULTANT SERVICES FOR  
2012-2013 BRIDGE PAINTING PROGRAM**

Pursuant to Section 450 of the County Law.

WHEREAS, the County Department of Public Works is in need of engineering consultant services for the 2012-2013 Bridge Painting Program, and

WHEREAS, Greenman-Pedersen, Inc., 4950 Genesee Street, Buffalo, New York 14225, can provide the aforementioned engineering consultant services for an amount not to exceed \$75,800.00, to be paid periodically on a percent of completion basis as determined by the Department of Public Works, 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 Greenman-Pedersen, Inc., for the provision of the above-described services, for a term commencing March 28, 2013 and terminating December 31, 2013, according to the above-described terms.

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

Adopted March 27, 2013 by voice vote.

**ACT NO. 124-2013** by Mr. Aiello and Mr. Weller

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT EXTENSION WITH  
NYSDOT FOR TANNERY STREET BRIDGE OVER TRIBUTARY  
SOUTH BRANCH CATTARAUGUS CREEK**

Pursuant to Title 23 U.S. Code and  
Section 450 of the County Law.

WHEREAS, Act 259-2006, as amended by Acts 236-2009 and 739-2010, authorized a contract with the New York State Department of Transportation (NYSDOT) for the replacement of the Tannery Street Bridge over Tributary South Branch Cattaraugus Creek, BIN 3-32281-0, in the Town of New Albion, Cattaraugus County, PIN 5757.33, (the "Project"), the term of which expired December 31, 2012, and

WHEREAS, a no-cost time extension is necessary in order to complete the aforementioned project, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract extension, on behalf of Cattaraugus County, with the New York State Department of Transportation, for the provision of the above-described services, extending the term of the aforementioned contract to December 31, 2014, according to the above-described terms.

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

Adopted March 27, 2013 by voice vote.

**ACT NO. 125-2013** by Mr. Aiello and Mr. Weller

**ACCEPTING MATERIAL BIDS FOR ASPHALT CONCRETE,  
LIQUID BITUMINOUS MATERIALS, MICRO SURFACING,  
IN-PLACE RECYCLING OF BITUMINOUS PAVEMENT,  
SURFACE TREATING, PAVER PLACED CHIP SEAL, FIBER REINFORCED  
BITUMINOUS MEMBRANE SURFACE TREATMENT AND HOT MIX  
ASPHALT IN-PLACE PAVING PROJECTS  
(Department of Public Works)**

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

RESOLVED, that the Commissioner of Public Works is authorized to contract for materials with the bidders recommended by the Public Works Committee for the season May 1, 2013 through April 30, 2014, and be it further

RESOLVED, that any city, village, town, school, or fire district in Cattaraugus County may participate in the bid prices by dealing directly with the bidder, and be it further

RESOLVED, that the County of Cattaraugus reserves the right to make purchases of all materials at any time during the season for which the bids are taken.

ASPHALT CONCRETE

GERNATT ASPHALT PRODUCTS, INC.

Taylor Hollow Road

P.O. Box 400

Collins, New York 14034

price/ton loaded in truck at Collins Plant

<u>Index No.</u>	<u>Description</u>	<u>2013 Rate</u>
AC-1	403-11 1 Base (Dense)	
	<u>Loaded in truck @ plant</u>	
	0-500 tons	\$60.25
	501-1000 tons	\$60.25
	1001-3000 tons	\$60.25
	3001 and greater tons	\$59.25
AC-2	403-12 2 Base (Open)	
	<u>Loaded in truck @ plant</u>	
	0-500 tons	\$56.25
	501-1000 tons	\$56.25
	1001-3000 tons	\$56.25
	3001 and greater tons	\$55.25
AC-3	403-13 3 Binder (Dense)	
	<u>Loaded in truck @ plant</u>	
	0-500 tons	\$62.00
	501-1000 tons	\$62.00
	1001-3000 tons	\$62.00
	3001 and greater tons	\$61.00
AC-4	403-14 4 Binder (Open)	
	<u>Loaded in truck @ plant</u>	
	0-500 tons	\$58.00
	501-1000 tons	\$58.00
	1001-3000 tons	\$58.00
	3001 and greater tons	\$57.00
AC-5	403.15 5 Shim (Course)	
	<u>Loaded in truck @ plant</u>	
	0-500 tons	\$78.25
	501-1000 tons	\$78.25
	1001-3000 tons	\$78.25
	3001 and greater tons	\$77.25
AC-6	403-16 6 Top (State Top)	
	<u>Loaded in truck @ plant</u>	
	0-500 tons	\$67.50
	501-1000 tons	\$67.50
	1001-3000 tons	\$67.50
	3001 and greater tons	\$66.50
AC-7	403-17 6F Top (High Friction)	
	<u>Loaded in truck @ plant</u>	
	0-500 tons	\$67.50
	501-1000 tons	\$67.50
	1001-3000 tons	\$67.50
	3001 and greater tons	\$66.50
AC-8	403-18 7 Top (Armor Coat)	
	<u>Loaded in truck @ plant</u>	
	0-500 tons	\$70.50

		501-1000 tons	\$70.50
		1001-3000 tons	\$70.50
		3001 and greater tons	\$69.50
AC-9	403-19	7F Top (Friction Armor Coat)	
		<b><u>Loaded in truck @ plant</u></b>	
		0-500 tons	\$70.50
		501-1000 tons	\$70.50
		1001-3000 tons	\$70.50
		3001 and greater tons	\$69.50
AC-21	No. 1 Commercial Binder		
		<b><u>Loaded in truck @ plant</u></b>	
		0-500 tons	\$62.00
		501-1000 tons	\$62.00
		1001-3000 tons	\$62.00
		3001 and greater tons	\$61.00

Transportation Rates: Collins PlantDelivery Charge "Other Than" to Paver

All orders will be a minimum of 50 ton if delivery is requested.

0 - 5 miles \$3.50 total cost first 5 miles

6 - 15 miles above + \$.15/net ton mile

16 - 50 miles above + \$.15/net ton mile

*GERNATT ASPHALT PRODUCTS, INC.*

*Taylor Hollow Road*

*P.O. Box 400*

*Collins, New York 14034*

price/ton loaded in truck at Springville Plant

<u>Index No.</u>	<u>Description</u>		<b>2013 Rate</b>
AC-1	403-11	1 Base (Dense)	
		<b><u>Loaded in truck @ plant</u></b>	
		0-500 tons	\$58.75
		501-1000 tons	\$58.75
		1001-3000 tons	\$58.75
		3001 and greater tons	\$57.75
		<b><u>Delivered to Northwest Quad.</u></b>	
		0-500 tons	\$65.50
		501-1000 tons	\$65.50
		1001-3000 tons	\$65.50
		3001 and greater tons	\$64.50
		<b><u>Delivered to Southwest Quad.</u></b>	
		0-500 tons	\$66.05
		501-1000 tons	\$66.05
		1001-3000 tons	\$66.05
		3001 and greater tons	\$65.05
AC-2	403-12	2 Base (Open)	
		<b><u>Loaded in truck @ plant</u></b>	
		0-500 tons	\$54.75
		501-1000 tons	\$54.75
		1001-3000 tons	\$54.75
		3001 and greater tons	\$53.75

			<b><u>Delivered to Northwest Quad.</u></b>	
			0-500 tons	\$61.50
			501-1000 tons	\$61.50
			1001-3000 tons	\$61.50
			3001 and greater tons	\$60.50
			<b><u>Delivered to Southwest Quad.</u></b>	
			0-500 tons	\$62.05
			501-1000 tons	\$62.05
			1001-3000 tons	\$62.05
			3001 and greater tons	\$61.05
AC-3	403-13	3 Binder (Dense)		
			<b><u>Loaded in truck @ plant</u></b>	
			0-500 tons	\$60.50
			501-1000 tons	\$60.50
			1001-3000 tons	\$60.50
			3001 and greater tons	\$59.50
			<b><u>Delivered to Northwest Quad.</u></b>	
			0-500 tons	\$67.25
			501-1000 tons	\$67.25
			1001-3000 tons	\$67.25
			3001 and greater tons	\$66.25
			<b><u>Delivered to Southwest Quad.</u></b>	
			0-500 tons	\$67.80
			501-1000 tons	\$67.80
			1001-3000 tons	\$67.80
			3001 and greater tons	\$66.80
AC-4	403-14	4 Binder (Open)		
			<b><u>Loaded in truck @ plant</u></b>	
			0-500 tons	\$56.50
			501-1000 tons	\$56.50
			1001-3000 tons	\$56.50
			3001 and greater tons	\$55.50
			<b><u>Delivered to Northwest Quad.</u></b>	
			0-500 tons	\$63.25
			501-1000 tons	\$63.25
			1001-3000 tons	\$63.25
			3001 and greater tons	\$62.25
			<b><u>Delivered to Southwest Quad.</u></b>	
			0-500 tons	\$63.80
AC-5	403.15	5 Shim (Course)		
			<b><u>Loaded in truck @ plant</u></b>	
			0-500 tons	\$76.75
			501-1000 tons	\$76.75
			1001-3000 tons	\$76.75
			3001 and greater tons	\$75.75
			<b><u>Delivered to Northeast Quad.</u></b>	
			0-500 tons	\$82.50
			501-1000 tons	\$82.50
			1001-3000 tons	\$82.50
			3001 and greater tons	\$81.50
			<b><u>Delivered to Northwest Quad.</u></b>	
			0-500 tons	\$83.00
			501-1000 tons	\$83.00

			1001-3000 tons	\$83.00
			3001 and greater tons	\$82.00
AC-6	403-16	6 Top (State Top)		
			<b><u>Loaded in truck @ plant</u></b>	
			0-500 tons	\$66.00
			501-1000 tons	\$66.00
			1001-3000 tons	\$66.00
			3001 and greater tons	\$65.00
			<b><u>Delivered to Northwest Quad.</u></b>	
			100-500 tons	\$72.75
			501-1000 tons	\$72.75
			1001-3000 tons	\$72.75
			3001 and greater tons	\$71.75
			<b><u>Delivered to Southwest Quad.</u></b>	
			0-500 tons	\$73.30
			501-1000 tons	\$73.30
			1001-3000 tons	\$73.30
			3001 and greater tons	\$72.30
AC-7	403-17	6F Top (High Friction)		
			<b><u>Loaded in truck @ plant</u></b>	
			0-500 tons	\$66.00
			501-1000 tons	\$66.00
			1001-3000 tons	\$66.00
			3001 and greater tons	\$65.00
			<b><u>Delivered to Northwest Quad.</u></b>	
			100-500 tons	\$72.75
			501-1000 tons	\$72.75
			1001-3000 tons	\$72.75
			3001 and greater tons	\$71.75
			<b><u>Delivered to Southwest Quad.</u></b>	
			0-500 tons	\$73.30
			501-1000 tons	\$73.30
			1001-3000 tons	\$73.30
			3001 and greater tons	\$72.30
AC-8	403-18	7 Top (Armor Coat)		
			<b><u>Loaded in truck @ plant</u></b>	
			0-500 tons	\$69.00
			501-1000 tons	\$69.00
			1001-3000 tons	\$69.00
			3001 and greater tons	\$68.00
			<b><u>Delivered to Northwest Quad.</u></b>	
			0-500 tons	\$75.75
			501-1000 tons	\$75.75
			1001-3000 tons	\$75.75
			3001 and greater tons	\$74.75
			<b><u>Delivered to Southwest Quad.</u></b>	
			0-500 tons	\$76.30
			501-1000 tons	\$76.30
			1001-3000 tons	\$76.30
			3001 and greater tons	\$75.30
AC-9	403-19	7F Top (Friction Armor Coat)		

		<b><u>Loaded in truck @ plant</u></b>	
		0-500 tons	\$69.00
		501-1000 tons	\$69.00
		1001-3000 tons	\$69.00
		3001 and greater tons	\$68.00
		<b><u>Delivered to Northwest Quad.</u></b>	
		0-500 tons	\$75.75
		501-1000 tons	\$75.75
		1001-3000 tons	\$75.75
		3001 and greater tons	\$74.75
		<b><u>Delivered to Southwest Quad.</u></b>	
		0-500 tons	\$76.30
		501-1000 tons	\$76.30
		1001-3000 tons	\$76.30
		3001 and greater tons	\$75.30
AC-13	403.2030 Cold Mix Stockpile Patching Materials		
		<b><u>Loaded in truck @ plant</u></b>	
		0-500 tons	\$106.00*
		501-1000 tons	\$106.00*
		1001-3000 tons	\$106.00*
		3001 and greater tons	\$105.00*
		<b><u>Delivered to Northeast Quad.</u></b>	
		0-500 tons	\$112.25*
		501-1000 tons	\$112.25*
		1001-3000 tons	\$112.25*
		3001 and greater tons	\$111.25*
		<b><u>Delivered to Northwest Quad.</u></b>	
		0-500 tons	\$112.75*
		501-1000 tons	\$112.75*
		1001-3000 tons	\$112.75*
		3001 and greater tons	\$111.75*
		<b><u>Delivered to Southeast Quad.</u></b>	
		0-500 tons	\$114.60*
		501-1000 tons	\$114.60*
		1001-3000 tons	\$114.60*
		3001 and greater tons	\$113.60*
		<b><u>Delivered to Southwest Quad.</u></b>	
		0-500 tons	\$113.30*
		501-1000 tons	\$113.30*
		1001-3000 tons	\$113.30*
		3001 and greater tons	\$112.30*
	* - Bid is for QPR		
AC-21	No. 1 Commercial Binder		
		<b><u>Loaded in truck @ plant</u></b>	
		0-500 tons	\$60.50
		501-1000 tons	\$60.50
		1001-3000 tons	\$60.50
		3001 and greater tons	\$59.50
		<b><u>Delivered to Northwest Quad.</u></b>	
		0-500 tons	\$67.25
		501-1000 tons	\$67.25

1001-3000 tons	\$67.25
3001 and greater tons	\$66.25
<b><u>Delivered to Southwest Quad.</u></b>	
0-500 tons	\$67.80
501-1000 tons	\$67.80
1001-3000 tons	\$67.80
3001 and greater tons	\$66.80

Transportation Rates: Springville PlantDelivery Charge "Other Than" to Paver

All orders will be a minimum of 50 ton if delivery is requested.

0 - 5 miles \$3.50 total cost first 5 miles

6 - 15 miles above + \$.15/net ton mile

16 - 50 miles above + \$.15/net ton mile

*GERNATT ASPHALT PRODUCTS, INC.*

*Taylor Hollow Road*

*P.O. Box 400*

*Collins, New York 14034*

price/ton loaded in truck at Delevan Plant

<u>Index No.</u>	<u>Description</u>	<b>2013 Rate</b>
AC-1	403-11 1 Base (Dense)	
	<b><u>Loaded in truck @ plant</u></b>	
	0-500 tons	\$58.25
	501-1000 tons	\$58.25
	1001-3000 tons	\$58.25
	3001 and greater tons	\$57.25
	<b><u>Delivered to Northeast Quad.</u></b>	
	0-500 tons	\$63.90
	501-1000 tons	\$63.90
	1001-3000 tons	\$63.90
	3001 and greater tons	\$62.90
	<b><u>Delivered to Southeast Quad.</u></b>	
	0-500 tons	\$66.85
	501-1000 tons	\$66.85
	1001-3000 tons	\$66.85
	3001 and greater tons	\$65.85
AC-2	403-12 2 Base (Open)	
	<b><u>Loaded in truck @ plant</u></b>	
	0-500 tons	\$54.25
	501-1000 tons	\$54.25
	1001-3000 tons	\$54.25
	3001 and greater tons	\$53.25
	<b><u>Delivered to Northeast Quad.</u></b>	
	0-500 tons	\$59.90
	501-1000 tons	\$59.90
	1001-3000 tons	\$59.90
	3001 and greater tons	\$58.90
	<b><u>Delivered to Southeast Quad.</u></b>	
	0-500 tons	\$62.85
	501-1000 tons	\$62.85

			1001-3000 tons	\$62.85
			3001 and greater tons	\$61.85
AC-3	403-13	3 Binder (Dense)		
			<b><u>Loaded in truck @ plant</u></b>	
			0-500 tons	\$60.00
			501-1000 tons	\$60.00
			1001-3000 tons	\$60.00
			3001 and greater tons	\$59.00
			<b><u>Delivered to Northeast Quad.</u></b>	
			0-500 tons	\$65.65
			501-1000 tons	\$65.65
			1001-3000 tons	\$65.65
			3001 and greater tons	\$64.65
			<b><u>Delivered to Southeast Quad.</u></b>	
			0-500 tons	\$68.60
			501-1000 tons	\$68.60
			1001-3000 tons	\$68.60
			3001 and greater tons	\$67.60
AC-4	403-14	4 Binder (Open)		
			<b><u>Loaded in truck @ plant</u></b>	
			0-500 tons	\$56.00
			501-1000 tons	\$56.00
			1001-3000 tons	\$56.00
			3001 and greater tons	\$55.00
			<b><u>Delivered to Northeast Quad.</u></b>	
			0-500 tons	\$61.65
			501-1000 tons	\$61.65
			1001-3000 tons	\$61.65
			3001 and greater tons	\$60.65
			<b><u>Delivered to Southeast Quad.</u></b>	
			0-500 tons	\$64.60
			501-1000 tons	\$64.60
			1001-3000 tons	\$64.60
			3001 and greater tons	\$63.60
AC-6	403-16	6 Top (State Top)		
			<b><u>Loaded in truck @ plant</u></b>	
			0-500 tons	\$65.50
			501-1000 tons	\$65.50
			1001-3000 tons	\$65.50
			3001 and greater tons	\$64.50
			<b><u>Delivered to Northeast Quad.</u></b>	
			0-500 tons	\$71.15
			501-1000 tons	\$71.15
			1001-3000 tons	\$71.15
			3001 and greater tons	\$70.15
			<b><u>Delivered to Southeast Quad.</u></b>	
			0-500 tons	\$74.10
			501-1000 tons	\$74.10
			1001-3000 tons	\$74.10
			3001 and greater tons	\$73.10

AC-7 403-17 6F Top (High Friction)

**Loaded in truck @ plant**

0-500 tons \$65.50

501-1000 tons \$65.50

1001-3000 tons \$65.50

3001 and greater tons \$64.50

**Delivered to Northeast Quad.**

0-500 tons \$71.15

501-1000 tons \$71.15

1001-3000 tons \$71.15

3001 and greater tons \$70.15

**Delivered to Southeast Quad.**

0-500 tons \$74.10

501-1000 tons \$74.10

1001-3000 tons \$74.10

3001 and greater tons \$73.10

AC-8 403-18 7 Top (Armor Coat)

**Loaded in truck @ plant**

0-500 tons \$68.50

501-1000 tons \$68.50

1001-3000 tons \$68.50

3001 and greater tons \$67.50

**Delivered to Northeast Quad.**

0-500 tons \$74.15

501-1000 tons \$74.15

1001-3000 tons \$74.15

3001 and greater tons \$73.15

**Delivered to Southeast Quad.**

0-500 tons \$77.10

501-1000 tons \$77.10

1001-3000 tons \$77.10

3001 and greater tons \$76.10

AC-9 403-19 7F Top (Friction Armor Coat)

**Loaded in truck @ plant**

0-500 tons \$68.50

501-1000 tons \$68.50

1001-3000 tons \$68.50

3001 and greater tons \$67.50

**Delivered to Northeast Quad.**

0-500 tons \$74.15

501-1000 tons \$74.15

1001-3000 tons \$74.15

3001 and greater tons \$73.15

**Delivered to Southeast Quad.**

0-500 tons \$77.10

501-1000 tons \$77.10

1001-3000 tons \$77.10

3001 and greater tons \$76.10

AC-21 No. 1 Commercial Binder

**Loaded in truck @ plant**

0-500 tons	\$60.00
501-1000 tons	\$60.00
1001-3000 tons	\$60.00
3001 and greater tons	\$59.00

**Delivered to Northeast Quad.**

0-500 tons	\$65.65
501-1000 tons	\$65.65
1001-3000 tons	\$65.65
3001 and greater tons	\$64.65

**Delivered to Southeast Quad.**

0-500 tons	\$68.60
501-1000 tons	\$68.60
1001-3000 tons	\$68.60
3001 and greater tons	\$67.60

Transportation Rates: Delevan Plant

Delivery Charge "Other Than" to Paver

All orders will be a minimum of 50 ton if delivery is requested.

0 - 5 miles \$3.50 total cost first 5 miles

6 - 15 miles above + \$.15/net ton mile

16 - 50 miles above + \$.15/net ton mile

*DOLOMITE PRODUCTS COMPANY, INC.*

*d/b/a A. L. BLADES*

*7610 County Route 65*

*P.O. Box 590*

*Hornell, New York 14843*

price/ton loaded in truck at Plant

<u>Index No.</u>	<u>Description</u>	
AC-1	403-11 1 Base (Dense)	

**2013 Rate**

**Loaded in truck @ plant**

0-500 tons	\$62.00
501-1000 tons	\$59.00
1001-3000 tons	\$58.50
3001 and greater tons	\$58.50

AC-2            403-12    2 Base (Open)

**Loaded in truck @ plant**

0-500 tons	\$59.00
501-1000 tons	\$56.00
1001-3000 tons	\$55.50
3001 and greater tons	\$55.50

AC-3            403-13    3 Binder (Dense)

**Loaded in truck @ plant**

0-500 tons	\$64.50
501-1000 tons	\$61.50
1001-3000 tons	\$61.00
3001 and greater tons	\$61.00

AC-5	403.15	5 Shim (Course)		
			<b><u>Loaded in truck @ plant</u></b>	
			0-500 tons	\$81.00
			501-1000 tons	\$81.00
			1001-3000 tons	\$81.00
			3001 and greater tons	\$81.00
AC-6	403-16	6 Top (State Top)		
			<b><u>Loaded in truck @ plant</u></b>	
			0-500 tons	\$69.00
			501-1000 tons	\$66.00
			1001-3000 tons	\$65.50
			3001 and greater tons	\$65.50
AC-7	403-17	6F Top (High Friction)		
			<b><u>Loaded in truck @ plant</u></b>	
			0-500 tons	\$69.00
			501-1000 tons	\$66.00
			1001-3000 tons	\$65.50
			3001 and greater tons	\$65.50
AC-8	403-18	7 Top (Armor Coat)		
			<b><u>Loaded in truck @ plant</u></b>	
			0-500 tons	\$73.00
			501-1000 tons	\$70.00
			1001-3000 tons	\$69.50
			3001 and greater tons	\$69.50
AC-9	403-19	7F Top (Friction Armor Coat)		
			<b><u>Loaded in truck @ plant</u></b>	
			0-500 tons	\$73.00
			501-1000 tons	\$70.00
			1001-3000 tons	\$69.50
			3001 and greater tons	\$69.50
AC-21	No. 1	Commercial Binder		
			<b><u>Loaded in truck @ plant</u></b>	
			0-500 tons	\$68.00
			501-1000 tons	\$65.00
			1001-3000 tons	\$64.50
			3001 and greater tons	\$64.50

**Transportation Rates: Cuba Plant****Delivery Charge "Other Than" to Paver**

All orders will be a minimum of 50 ton if delivery is requested.

0 - 5 miles \$3.75 total cost first 5 miles

6 - 15 miles above + \$.30/net ton mile

16 - 50 miles above + \$.25/net ton mile

***BUFFALO CRUSHED STONE, INC.***

***2544 Clinton Street***

***P.O. Box 710***

***Buffalo, New York 14224***

price/ton loaded in truck at Olean Plant

<u>Index No.</u>	<u>Description</u>	<b>2013 Rate</b>
AC-1	403-11 1 Base (Dense)	
	<b><u>Loaded in truck @ plant</u></b>	
	0-500 tons	\$62.35
	501-1000 tons	\$59.35
	1001-3000 tons	\$59.35
	3001 and greater tons	\$59.35
AC-2	403-12 2 Base (Open)	
	<b><u>Loaded in truck @ plant</u></b>	
	0-500 tons	\$55.35
	501-1000 tons	\$52.35
	1001-3000 tons	\$52.35
	3001 and greater tons	\$52.35
AC-3	403-13 3 Binder (Dense)	
	<b><u>Loaded in truck @ plant</u></b>	
	0-500 tons	\$66.85
	501-1000 tons	\$63.85
	1001-3000 tons	\$63.85
	3001 and greater tons	\$63.85
AC-4	403-14 4 Binder (Open)	
	<b><u>Loaded in truck @ plant</u></b>	
	0-500 tons	\$57.05
	501-1000 tons	\$54.05
	1001-3000 tons	\$54.05
	3001 and greater tons	\$54.05
AC-5	403.15 5 Shim (Course)	
	<b><u>Loaded in truck @ plant</u></b>	
	0-500 tons	\$79.75
	501-1000 tons	\$76.75
	1001-3000 tons	\$76.75
	3001 and greater tons	\$76.75
AC-6	403-16 6 Top (State Top)	
	<b><u>Loaded in truck @ plant</u></b>	
	0-500 tons	\$72.15
	501-1000 tons	\$69.15
	1001-3000 tons	\$69.15
	3001 and greater tons	\$69.15
AC-7	403-17 6F Top (High Friction)	
	<b><u>Loaded in truck @ plant</u></b>	
	0-500 tons	\$72.15
	501-1000 tons	\$69.15
	1001-3000 tons	\$69.15
	3001 and greater tons	\$69.15
AC-8	403-18 7 Top (Armor Coat)	

			<b><u>Loaded in truck @ plant</u></b>	
			0-500 tons	\$75.15
			501-1000 tons	\$71.15
			1001-3000 tons	\$71.15
			3001 and greater tons	\$71.15

AC-9            403-19    7F Top (Friction Armor Coat)

			<b><u>Loaded in truck @ plant</u></b>	
			0-500 tons	\$75.15
			501-1000 tons	\$71.15
			1001-3000 tons	\$71.15
			3001 and greater tons	\$71.15

AC-20            P-401 Airport Top

			<b><u>Loaded in truck @ plant</u></b>	
			0-500 tons	\$69.30
			501-1000 tons	\$66.30
			1001-3000 tons	\$66.30
			3001 and greater tons	\$66.30

AC-21            No. 1 Commercial Binder

			<b><u>Loaded in truck @ plant</u></b>	
			0-500 tons	\$66.85
			501-1000 tons	\$63.85
			1001-3000 tons	\$63.85
			3001 and greater tons	\$63.85

**Transportation Rates: Olean Plant**

**Delivery Charge "Other Than" to Paver**

All orders will be a minimum of 50 ton if delivery is requested.

0 - 5 miles    \$3.25 total cost first 5 miles

6 - 15 miles    above + \$.20/net ton mile

16 - 50 miles    above + \$.20/net ton mile

*BUFFALO CRUSHED STONE, INC.*

*2544 Clinton Street*

*P.O. Box 710*

*Buffalo, New York 14224*

**price/ton loaded in truck at Ashford Plant**

<b><u>Index No.</u></b>	<b><u>Description</u></b>	<b>2013 Rate</b>
AC-1	403-11    1 Base (Dense)	

			<b><u>Loaded in truck @ plant</u></b>	
			0-500 tons	\$60.25
			501-1000 tons	\$59.25
			1001-3000 tons	\$59.25
			3001 and greater tons	\$59.25

AC-2            403-12    2 Base (Open)

			<b><u>Loaded in truck @ plant</u></b>	
			0-500 tons	\$53.85
			501-1000 tons	\$52.85

			1001-3000 tons	\$52.85
			3001 and greater tons	\$52.85
AC-3	403-13	3 Binder (Dense)		
			<b><u>Loaded in truck @ plant</u></b>	
			0-500 tons	\$61.45
			501-1000 tons	\$60.45
			1001-3000 tons	\$60.45
			3001 and greater tons	\$60.45
AC-4	403-14	4 Binder (Open)		
			<b><u>Loaded in truck @ plant</u></b>	
			0-500 tons	\$57.00
			501-1000 tons	\$56.00
			1001-3000 tons	\$56.00
			3001 and greater tons	\$56.00
AC-5	403.15	5 Shim (Course)		
			<b><u>Loaded in truck @ plant</u></b>	
			0-500 tons	\$74.65
			501-1000 tons	\$73.65
			1001-3000 tons	\$73.65
			3001 and greater tons	\$73.65
AC-6	403-16	6 Top (State Top)		
			<b><u>Loaded in truck @ plant</u></b>	
			0-500 tons	\$64.75
			501-1000 tons	\$63.75
			1001-3000 tons	\$63.75
			3001 and greater tons	\$63.75
AC-7	403-17	6F Top (High Friction)		
			<b><u>Loaded in truck @ plant</u></b>	
			0-500 tons	\$64.75
			501-1000 tons	\$63.75
			1001-3000 tons	\$63.75
			3001 and greater tons	\$63.75
AC-8	403-18	7 Top (Armor Coat)		
			<b><u>Loaded in truck @ plant</u></b>	
			0-500 tons	\$67.75
			501-1000 tons	\$66.75
			1001-3000 tons	\$66.75
			3001 and greater tons	\$66.75
AC-9	403-19	7F Top (Friction Armor Coat)		
			<b><u>Loaded in truck @ plant</u></b>	
			0-500 tons	\$67.75
			501-1000 tons	\$66.75
			1001-3000 tons	\$66.75
			3001 and greater tons	\$66.75
AC-20	P-401	Airport Top		

**Loaded in truck @ plant**

0-500 tons	\$63.75
501-1000 tons	\$62.75
1001-3000 tons	\$62.75
3001 and greater tons	\$62.75

**Transportation Rates: Ashford Plant****Delivery Charge "Other Than" to Paver**

All orders will be a minimum of 50 ton if delivery is requested.

0 - 5 miles \$3.25 total cost first 5 miles

6 - 15 miles above + \$.20/net ton mile

16 - 50 miles above + \$.20/net ton mile

**JAMESTOWN MACADAM, INC.**

*P.O. Box 158*

*Walden Avenue*

*Jamestown, New York 14701*

**price/ton loaded in truck at Plant**

<u>Index No.</u>	<u>Description</u>	<u>2013 Rate</u>
AC-1	403-11 1 Base (Dense)	
	<b><u>Loaded in truck @ plant</u></b>	
	0-500 tons	\$60.40
	501-1000 tons	\$58.90
	1001-3000 tons	\$58.90
	3001 and greater tons	\$58.90
AC-2	403-12 2 Base (Open)	
	<b><u>Loaded in truck @ plant</u></b>	
	0-500 tons	\$54.70
	501-1000 tons	\$53.20
	1001-3000 tons	\$53.20
	3001 and greater tons	\$53.20
AC-3	403-13 3 Binder (Dense)	
	<b><u>Loaded in truck @ plant</u></b>	
	0-500 tons	\$62.30
	501-1000 tons	\$60.80
	1001-3000 tons	\$60.80
	3001 and greater tons	\$60.80
AC-4	403-14 4 Binder (Open)	
	<b><u>Loaded in truck @ plant</u></b>	
	0-500 tons	\$56.50
	501-1000 tons	\$55.00
	1001-3000 tons	\$55.00
	3001 and greater tons	\$55.00
	<b><u>Delivered to Southwest Quad.</u></b>	
	501-1000 tons	\$62.50
	1001-3000 tons	\$62.50
	3001 and greater tons	\$62.50
AC-5	403.15 5 Shim (Course)	

			<u>Loaded in truck @ plant</u>	
			0-500 tons	\$76.20
			501-1000 tons	\$74.70
			1001-3000 tons	\$74.70
			3001 and greater tons	\$74.70
			<u>Delivered to Southwest Quad.</u>	
			0-500 tons	\$83.70
			501-1000 tons	\$82.20
			1001-3000 tons	\$82.20
			3001 and greater tons	\$82.20
AC-6	403-16	6 Top (State Top)		
			<u>Loaded in truck @ plant</u>	
			0-500 tons	\$67.40
			501-1000 tons	\$65.90
			1001-3000 tons	\$65.90
			3001 and greater tons	\$65.90
AC-7	403-17	6F Top (High Friction)		
			<u>Loaded in truck @ plant</u>	
			0-500 tons	\$67.40
			501-1000 tons	\$65.90
			1001-3000 tons	\$65.90
			3001 and greater tons	\$65.90
AC-8	403-18	7 Top (Armor Coat)		
			<u>Loaded in truck @ plant</u>	
			0-500 tons	\$70.60
			501-1000 tons	\$69.10
			1001-3000 tons	\$69.10
			3001 and greater tons	\$69.10
AC-9	403-19	7F Top (Friction Armor Coat)		
			<u>Loaded in truck @ plant</u>	
			0-500 tons	\$70.60
			501-1000 tons	\$69.10
			1001-3000 tons	\$69.10
			3001 and greater tons	\$69.10
AC-12		Plant Mixed Stockpile Patching Materials (modified)		
			<u>Loaded in truck @ plant</u>	
			0-500 tons	\$117.00
			501-1000 tons	\$117.00
			1001-3000 tons	\$117.00
			3001 and greater tons	\$117.00
			<u>Delivered to Southwest Quad.</u>	
			0-500 tons	\$124.50
			501-1000 tons	\$124.50
			1001-3000 tons	\$124.50
			3001 and greater tons	\$124.50
AC-20		P-401 Airport Top		

**Loaded in truck @ plant**

0-500 tons	\$66.60
501-1000 tons	\$65.10
1001-3000 tons	\$65.10
3001 and greater tons	\$65.10

**Delivered to Southwest Quad.**

0-500 tons	\$74.10
501-1000 tons	\$72.60
1001-3000 tons	\$72.60
3001 and greater tons	\$72.60

**Transportation Rates: Ashford Plant****Delivery Charge "Other Than" to Paver**

All orders will be a minimum of 50 ton if delivery is requested.

0 - 5 miles \$4.00 total cost first 5 miles

6 - 15 miles above + \$.18/net ton mile

16 - 50 miles above + \$.18/net ton mile

**MIDLAND ASPHALT MATERIALS CORP.**

640 Young Street

P.O. Box 388

Tonawanda, New York 14151

**price/ton loaded in truck at Plant**

<u>Index No.</u>	<u>Description</u>	<b>2013 Rate</b>
AC-13	Cold Mix Stockpile Patching Materials	

**Loaded in truck @ plant**

0-500 tons	\$92.84
501-1000 tons	\$89.46
1001-3000 tons	\$87.27
3001 and greater tons	\$87.27

**SUIT-KOTE CORPORATION**

1911 Loring's Crossing Road

Cortland, New York 13045

**price/ton loaded in truck at Plant at Jamestown location**

<u>Index No.</u>	<u>Description</u>	<b>2013 Rate</b>
AC-14	Cold Mix Bituminous Pavement (open graded)	

**Loaded in truck @ plant**

0-500 tons	\$71.26
501-1000 tons	\$59.79
1001-3000 tons	\$58.76
3001 and greater tons	\$57.62

AC-15 Type 1 (Surface Course)

**Loaded in truck @ plant**

0-500 tons	\$75.19
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		501-1000 tons	\$64.77
		1001-3000 tons	\$64.48
		3001 and greater tons	\$62.81
AC-16	Type 2 (Intermediate)		
		<b><u>Loaded in truck @ plant</u></b>	
		0-500 tons	\$69.68
		501-1000 tons	\$59.81
		1001-3000 tons	\$58.85
		3001 and greater tons	\$55.84
AC-17	Type 3 (Base Course)		
		<b><u>Loaded in truck @ plant</u></b>	
		0-500 tons	\$70.80
		501-1000 tons	\$60.14
		1001-3000 tons	\$57.59
		3001 and greater tons	\$55.83

*Asphalt Concrete:*

State Bid - The County Department of Public Works will compare the aforementioned bids against the State Contract prices and will purchase from the source most advantageous to the County.

Eight sets of specifications were sent out.

Seven bids were received.

**LIQUID BITUMINOUS MATERIALS**

*MIDLAND ASPHALT MATERIALS CORP.*

*640 Young Street*

*P.O. Box 388*

*Tonawanda, New York 14151*

<u>Index No.</u>	<u>Description:</u> <b><u>(Without Guarantee)</u></b>	<u>2013 Rate</u>
LBM-7	CRS-1	\$ 2.47
LBM-12	CRS-2L	\$ 2.69
LBM-17	CMS-1H	\$ 2.81
LBM-18	CMS-2	\$ 2.83
LBM-19	CMS-2H	\$ 2.83
LBM-20	CSS-1	\$ 2.61
LBM-21	CSS-1H	\$ 2.61
LBM-22	Tackcoat	\$ 5.80
LBM-26	35% Calcium Chloride Solution (applied)	\$ 1.40
LBM-30	Dust Control Emulsion AEDC (applied)	\$ 1.69
	<b><u>(With Two-Year Guarantee)</u></b>	
GLBM-7	CRS-1	\$ 2.47
GLBM-12	CRS-2L	\$ 2.69
GLBM-17	CMS-1H	\$ 2.81
GLBM-18	CMS-2	\$ 2.83
GLBM-19	CMS-2H	\$ 2.83
GLBM-20	CSS-1	\$ 2.61
GLBM-21	CSS-1H	\$ 2.61
GLBM-22	Tackcoat	\$ 5.80
GLBM-25	Recycle HFMS-R	NB

\*\*Price Per Gallon Applied, including: heat, haul and applied point in Cattaraugus Co.

Price Additions - The following bid prices are for rental of equipment by the gallon or by the hour for various liquid asphalt projects (both with or without guarantee)

<u>Item</u>	<u>2013 Rate</u>
Pugmill	\$.21/gal. not to exceed \$2100/day
Mix Paver	\$.25/gal. not to exceed \$2500/day
Automated Paver	No bid
Self-Propelled Aggregate Spreader	\$.20/gal. not to exceed \$2000/day
Or	
Self-Propelled Aggregate Spreader	\$250/hour not to exceed \$2000/day
Variable Width Aggregate Spreader	\$.20/gal. not to exceed \$2000/day
Or	
Variable Width Aggregate Spreader	\$250/hour not to exceed \$2000/day
Milling Machine	4 foot width: \$635/hour not to exceed \$5100/day 6 foot width: No bid 7 foot width: \$635/hour not to exceed \$5100/day 10 foot width: \$660/hour not to exceed \$5300/day 11 foot width: \$660/hour not to exceed \$5300/day
Pulveration Only	\$625/hour not to exceed \$5000/day
<u>Distributor Rental for Spray Patching or Tack Coat Application with Operator</u>	
	0-1000 gallon/day \$130/hour
	1001-2000 gallon/day \$125/hour
	2001-3000 gallon/day \$120/hour

SUIT-KOTE JAMESTOWN, DIVISION  
OF SUIT-KOTE CORPORATION  
57 Lister Street  
Jamestown, New York 14701

<u>Index No.</u>	<u>Description:</u> <u>(Without Guarantee)</u>	<u>2013 Rate</u>
LBM-6	RS-1	\$ 2.47
LBM-8	RS-2	\$ 2.52
LBM-9	HFRS-2	\$ 2.52
LBM-10	HFRS-2P	\$ 2.74
LBM-14	MS-2	\$ 2.83
LBM-15	HFMS-2	\$ 2.83
LBM-16	HFMS-2H	\$ 2.83
LBM-16A	HFMS-2GH	\$ 2.91
LBM-23	Winter Mix HFMS-2	\$ 2.96
LBM-24	Summer Stock Pile HFMS-2P	\$ 2.95
LBM-25	Recycle HFMS-R	\$ 2.85
LBM-26	35% Calcium Chloride Solution (applied)	\$ 1.40
LBM-30	Dust Control Emulsion AEDC (applied)	\$ 1.69
LBM-31	Crack Filling	\$14.99
LBM-32	Crack Sealing (See Note on Page 10)	\$13.50
	<u>(With Two-Year Guarantee)</u>	
GLBM-6	RS-1	\$ 2.47
GLBM-8	RS-2	\$ 2.52
GLBM-9	HFRS-2	\$ 2.52
GLBM-10	HFRS-2P	\$ 2.74
GLBM-14	MS-2	\$ 2.83

GLBM-15	HFMS-2	\$ 2.83
GLBM-16	HFMS-2H	\$ 2.83
GLBM-16A	HFMS-2GH	\$ 2.91
GLBM-23	Winter Mix HFMS-2	\$ 2.96
GLBM-24	Summer Stock Pile HFMS-2P	\$ 2.95
GLBM-25	Recycle HRMS-R	\$ 2.85
GLBM-31	Crack Filling	\$14.99
GLBM-32	Crack Sealing (See Note on Page 10)	\$13.50

\*\*Price Per Gallon Applied, including: heat, haul and applied point in Cattaraugus Co.

Price Additions - The following bid prices are for rental of equipment by the gallon or by the hour for various liquid asphalt projects (both with or without guarantee)

<u>Item</u>	<u>2013 Rate</u>
Pugmill	\$.21/gal. not to exceed \$2100/day
Mix Paver	\$.27/gal. not to exceed \$2700/day
Automated Paver	\$.27/gal. not to exceed \$2700/day
Self-Propelled Aggregate Spreader	\$.20/gal. not to exceed \$2000/day
Or	
Self-Propelled Aggregate Spreader	No Bid
Variable Width Aggregate Spreader	\$.20/gal. not to exceed \$2000/day
Or	
Variable Width Aggregate Spreader	No Bid
Milling Machine	4 foot width: \$650/hour not to exceed \$5500/day 6 foot width: \$650/hour not to exceed \$5500/day 7 foot width: \$650/hour not to exceed \$5500/day 10 foot width: \$675/hour not to exceed \$5700/day 11 foot width: \$675/hour not to exceed \$5700/day
Pulverization Only	\$650/hour not to exceed \$5000/day
<u>Distributor Rental for Spray Patching or Tack Coat Application with Operator</u>	
	0-1000 gallon/day \$135/hour
	1001-2000 gallon/day \$130/hour
	2001-3000 gallon/day \$125/hour

**Additional Bids:**

HFMS-2MP	High Float Medium Set Emulsion formulated-Cold Mix Paving	\$2.80/gal.
HFMS-2ST	High Float Medium Set Emulsion formulated-Surface Treating over Gravel	\$2.50/gal.
DCA-2000	Dust Control Alternate	\$1.677/gal.
HFRS-2SE	High Float Rapid Set Emulsion formulated-Limestone	\$2.275/gal.
Type III	Recycling, 10,000 sq. yd. min., 10 ft head plus emulsion	\$0.500/sq.yd
Single Grid		
	Mobilization	\$500.00

*RUSSELL STANDARD CORP.*

*P.O. Box 86*

*Union City, Pennsylvania 14701*

<u>Index No.</u>	<u>Description:</u> <b><u>(Without Guarantee)</u></b>	<u>2013 Rate</u>
LBM-1	MC-30	\$ 4.49
LBM-2	MC-70	\$ 4.49
LBM-11	CRS-2	\$ 2.40
LBM-13	CRS-2P	\$ 2.71

**(With Two-Year Guarantee)**

GLBM-1	MC-30	\$ 4.51
GLBM-2	MC-70	\$ 4.51
GLBM-11	CRS-2	\$ 2.42
GLBM-13	CRS-2P	\$ 2.73

\*\*Price Per Gallon Applied, including: heat, haul and applied point in Cattaraugus Co.

Price Additions - The following bid prices are for rental of equipment by the gallon or by the hour for various liquid asphalt projects (both with or without guarantee)

<u>Item</u>	<u>2013 Rate</u>
Pugmill	\$.21/gal. not to exceed \$2100/day
Mix Paver	No bid
Automated Paver	No bid
Self-Propelled Aggregate Spreader	\$.21/gal. not to exceed \$2100/day
Or	
Self-Propelled Aggregate Spreader	No bid
Variable Width Aggregate Spreader	\$.21/gal. not to exceed \$2100/day
Or	
Variable Width Aggregate Spreader	No bid
<u>Distributor Rental for Spray Patching or Tack Coat Application with Operator</u>	
0-1000 gallon/day	\$130/hour
1001-2000 gallon/day	\$125/hour
2001-3000 gallon/day	\$120/hour

INNOVATIVE MUNICIPAL PRODUCTS, INC.  
78 Orchard Road  
Ajax, Ontario, Canada L1S6L1

<u>Index No.</u>	<u>Description:</u>	<u>2013 Rate</u>
	<b><u>(Without Guarantee)</u></b>	
LBM-27	32% Calcium Chlor. Sol. To County Storage	\$1.25
LBM-28	Calcium/Sodium Chloride Brine (applied)	\$0.22
LBM-29	Calcium/Sodium Chloride Brine delivered to County Storage	\$0.18

D & H EXCAVATING, INC.  
11939 Route 98 South  
Arcade, New York 14009

Price Additions - The following bid prices are for rental of equipment by the gallon or by the hour for various liquid asphalt projects (both with or without guarantee)

<u>Item</u>	<u>2013 Rate</u>
Milling Machine	8 hour minimum
	3-4 foot width: \$390/hour not to exceed \$3900/day
	8 hour minimum
	5 foot width: \$410/hour not to exceed \$4100/day
<u>Distributor Rental for Spray Patching or Tack Coat Application with Operator</u>	
	0-1000 gallon/day \$110/hour
	1001-2000 gallon/day \$110/hour
	2001-3000 gallon/day \$110/hour

\* \$3.50 per gallon of Tack Coat

KILLIAN CONSTRUCTION, INC.  
210 Commerce Drive  
Rochester, New York 14623

Price Additions - The following bid prices are for rental of equipment by the gallon or by the hour for various liquid asphalt projects (both with or without guarantee)

<u>Item</u>	<u>2013 Rate</u>
Milling Machine	4 foot width: \$750/hour not to exceed \$4000/day 7 foot width: \$900/hour not to exceed \$5000/day

*Liquid Bituminous Materials*

State Bid - The County Department of Public Works will compare the aforementioned bids against the State Contract prices and will purchase from the source most advantageous to the County.  
Thirteen sets of specifications were sent out.  
Eight bids were received.

**MICRO-SURFACING OF EXISTING PAVEMENT**

SUIT-KOTE JAMESTOWN, DIVISION  
OF SUIT-KOTE CORPORATION  
57 Lister Street  
Jamestown, New York 14701

<u>Quantities</u>	<u>Prices Per Ton</u> <u>2013 Rate</u>
Quantities to be placed under 100 ton	\$295.96
Quantities to be placed 101 - 300 ton	\$199.93
Quantities to be placed 301 - 500 ton	\$184.76
Quantities to be placed over 500 ton	\$172.46

*Micro Surfacing:*

State Bid - The County Department of Public Works will compare the aforementioned bids against the State Contract prices and will purchase from the source most advantageous to the County.  
Four sets of specifications were sent out.  
One bid was received.

**COLD IN-PLACE RECYCLING OF BITUMINOUS PAVEMENT**

MIDLAND ASPHALT MATERIALS CORP.  
640 Young Street  
P.O. Box 388  
Tonawanda, New York 14151

**PROJECTS BETWEEN 5,000 & 9,999 SQUARE YARDS**

<u>Depth of Cut</u>	<u>Type I</u> <u>Prices/sq. yd.</u>	<u>Type II</u> <u>Prices/sq. yd.</u>
(1a) 1" up to, but not including 3"	No Bid	\$2.47
(1b) 3" up to, but not including 6"	No Bid	\$2.59
(1c) 6" up to 12"	No Bid	No bid
<u>Additive</u>	<u>Price/Gallon</u>	<u>Price/Gallon</u>
(2) Additive: HFMS-2 Type delivered and added to Mix	No Bid	\$2.62

\*\* Total Square Yard Price for Recycling:

Using 1 Gallon per square yard of Additive:	(1a+2) = (3a)	No Bid	\$5.09
	(1b+2) = (3b)	No Bid	\$5.21
	(1c+2) = (3c)	No bid	No bid

\*\* Using 1 gallon per square yard of Emulsified Asphalt is only for the purpose of determining the low bid price for the work. The actual amount of liquid additive per square yard will vary depending on the Job Mix Formula.

Alternate: Add for Contractor supplying Aggregate as described in Section 8.a.2 page 12 of bid specifications Prices/sq.yd.

Alt. \$.80

#### **PROJECTS 10,000 SQUARE YARDS AND GREATER**

<u>Depth of Cut</u>	<u>Type I</u> <u>Prices/sq. yd.</u>	<u>Type II</u> <u>Prices/sq. yd.</u>
(1a) 1" up to, but not including 3"	No Bid	\$2.10
(1b) 3" up to, but not including 6"	No Bid	\$2.15
(1c) 6" up to 12"	No Bid	No bid

<u>Additive</u>	<u>Price/Gallon</u>	<u>Price/Gallon</u>
(2) Additive: HFMS-2 Type delivered and added to Mix	No Bid	\$2.62

\*\* Total Square Yard Price for Recycling:

Using 1 Gallon per square yard of Additive:	(1a+2) = (3a)	No Bid	\$4.72
	(1b+2) = (3b)	No Bid	\$4.77
	(1c+2) = (3c)	No bid	No bid

\*\* Using 1 gallon per square yard of Emulsified Asphalt is only for the purpose of determining the low bid price for the work. The actual amount of liquid additive per square yard will vary depending on the Job Mix Formula.

Alternate: Add for Contractor supplying Aggregate as described in Section 8.a.2 page 12 of bid specifications Prices/sq.yd.

Alt. \$.80

#### **FULL DEPTH RECLAMATION TYPE III RECYCLING**

Pulverize Only:

<u>Depth of Cut</u>	<u>Price Per Sq. Yd.</u>
6" or less	1a \$.825
Over 6"	1b \$.875

SUIT-KOTE JAMESTOWN, DIVISION  
OF SUIT-KOTE CORPORATION  
57 Lister Street  
Jamestown, New York 14701

#### **PROJECTS BETWEEN 5,000 & 9,999 SQUARE YARDS**

<u>Depth of Cut</u>	<u>Type I</u> <u>Prices/sq. yd.</u>	<u>Type II</u> <u>Prices/sq. yd.</u>
(1a) 1" up to, but not including 3"	No Bid	\$2.470
(1b) 3" up to, but not including 6"	No Bid	\$2.590
(1c) 6" up to 12"	No Bid	No bid

<u>Additive</u>	<u>Price/Gallon</u>	<u>Price/Gallon</u>
(2) Additive: HFMS-2 Type delivered and added to Mix	No Bid	\$2.62

\*\* Total Square Yard Price for Recycling:

Using 1 Gallon per square yard of Additive:	(1a+2) = (3a)	No Bid	\$5.09
	(1b+2) = (3b)	No Bid	\$5.21
	(1c+2) = (3c)	No bid	No bid

\*\* Using 1 gallon per square yard of Emulsified Asphalt is only for the purpose of determining the low bid price for the work. The actual amount of liquid additive per square yard will vary depending on the Job Mix Formula.

Alternate: Add for Contractor supplying Aggregate as described in Section 8.a.2 page 12 of bid specifications Prices/sq.yd.

Alt. \$.75

#### **PROJECTS 10,000 SQUARE YARDS AND GREATER**

<u>Depth of Cut</u>	<u>Type I</u> <u>Prices/sq. yd.</u>	<u>Type II</u> <u>Prices/sq. yd.</u>
(1a) 1" up to, but not including 3"	No bid	\$2.10
(1b) 3" up to, but not including 6"	No bid	\$2.15
(1c) 6" up to 12"	No bid	No bid

<u>Additive</u>	<u>Price/Gallon</u>	<u>Price/Gallon</u>
(2) Additive: HFMS-2 Type delivered and added to Mix	No bid	\$2.62

\*\* Total Square Yard Price for Recycling:

Using 1 Gallon per square yard of Additive:	(1a+2) = (3a)	No bid	\$4.72
	(1b+2) = (3b)	No bid	\$4.77
	(1c+2) = (3c)	No bid	No bid

\*\* Using 1 gallon per square yard of Emulsified Asphalt is only for the purpose of determining the low bid price for the work. The actual amount of liquid additive per square yard will vary depending on the Job Mix Formula.

Alternate: Add for Contractor supplying Aggregate as described in Section 8.a.2 page 12 of bid specifications Prices/sq.yd.

Alt. \$.75

#### **FULL DEPTH RECLAMATION TYPE III RECYCLING**

<u>Depth of Cut</u>	<u>w/Emulsified</u> <u>Asphalt</u> <u>Price/sq.yd.</u>	<u>w/33%Calcium</u> <u>Chloride Solution</u> <u>Price/sq.yd.</u>
(1a) 6" or less	\$1.480	\$1.525
(1b) Over 6"	\$1.575	\$1.575
(2) Additive delivered & added to mix	\$2.620/gal	\$1.250/gal

\*Total Square Yard Price for Recycling:

Using 1 Gallon per square yard of Additive	(1a+2=3a)	\$4.100	\$2.775
	(1b+2=3b)	\$4.195	\$2.825

Alternate:

A deductible amount if contractor does not have to supply the aggregate & water (price/sq.yd.)	(3a) (minus alt)	\$3.450	\$2.125
(The amount to be entered is:	(3b) (minus alt)	\$3.545	\$2.175
3a & 3b above minus the deductible amount)			

Pulverize Only:

<u>Depth of Cut</u>	<u>Price Per Sq. Yd.</u>
6" or less	1a \$.825
Over 6"	1b \$.875

*Cold In-Place Recycling of Bituminous Pavement:*

State Bid - The County Department of Public Works will compare the aforementioned bids against the State Contract prices and will purchase from the source most advantageous to the County.

Five sets of specifications were sent out.

Two bids were received.

**SURFACE TREATING**

MIDLAND ASPHALT MATERIALS CORP.

640 Young Street

Box 388

Tonawanda, New York 14151

**Bid Item #1 – Travel Way/Pavement**

Aggregates: Per Square Yard "Applied"

<u>Description</u>	<u>2013 Rate</u>
No. 1ST Crushed Gravel	\$.476
No. 1A Crushed Gravel	\$.436
No. 1ST Crushed Limestone	\$.683
No. 1A Crushed Limestone	\$.59

**Bid Item #2 – Stabilized Shoulder (2 coats)**

Aggregates: Per Square Yard "Applied"

No. 1 Crushed Gravel	\$.78
No. 1ST Crushed Gravel	\$.78
No. 1A Crushed Gravel	\$.75
No. 1 Crushed Limestone	\$.94
No. 1ST Crushed Limestone	\$.94
No. 1A Crushed Limestone	\$.86

**Bid Item #3 – Stabilized Shoulder (1 coat)**

Aggregates: Per Square Yard "Applied"

No. 1A Crushed Gravel	\$.725
No. 1A Crushed Limestone	\$.927

**Bituminous Materials: Per Gallon "Applied"**

HFMS-2	\$2.68
RS-2	\$2.37
CRS-2	\$2.35
HFRS-2	\$2.37
HFRS-2P	\$2.59
CRS-2P	\$2.57

*Surface Treating:*

State Bid - The County Department of Public Works will compare the aforementioned bids against the State Contract prices and will purchase from the source most advantageous to the County.

Six sets of specifications were sent out.

Two bids were received.

**PAVER PLACED CHIP SEAL**

MIDLAND ASPHALT MATERIALS CORP.  
640 Young Street  
Box 388  
Tonawanda, New York 14151

price per square yard

Square Yard Range

2013

Rate

Type A: 1/4 inch

5,000 – 15,000 square yards

\$5.39

15,001 – 30,000 square yards

\$5.05

30,001 square yards plus

\$4.95

Type C: 1/2 inch

5,000 – 15,000 square yards

\$5.35

15,001 – 30,000 square yards

\$5.01

30,001 square yards plus

\$4.91

Allowable Deductions per square yard if the County elects to supplement operation with their equipment and labor

If County furnishes and operates compaction equipment

deduct \$ .08

If County furnishes hauling of Hot Mix from Plant to laydown machine

deduct \$ .20

If County furnishes traffic control

deduct \$ .22

*Paver Placed Chip Seal:*

State Bid - The County Department of Public Works will compare the aforementioned bids against the State Contract prices and will purchase from the source most advantageous to the County.

Four sets of specifications were sent out.

One bid was received.

**HOT IN-PLACE RECYCLING OF EXISTING ASPHALT PAVEMENT**

HIGHWAY REHABILITATION CORP.

2258 Route 22

Brewster, New York 10509

Price Per Square Yard

<u>Item No.</u>	<u>Size of Product With/Without Roller &amp; Operator</u>	<u>2013 Rate</u>
#1	Less than 20,000 square yards WITH roller & operator	\$4.88
1A	Less than 20,000 square yards WITHOUT roller & operator	\$4.80
#2	Greater than 20,000 sq.yds. WITH roller & operator	\$3.88
#2A	Greater than 20,000 sq.yds. WITHOUT roller & operator	\$3.80
#3	With traffic control, ADD to all items above	\$0.24

*Hot In-Place Recycling of Existing Asphalt Pavement:*

State Bid - The County Department of Public Works will compare the aforementioned bids against the State Contract prices and will purchase from the source most advantageous to the County.

Three sets of specifications were sent out.

One bid was received.

**FIBER REINFORCED BITUMINOUS MEMBRANE SURFACE TREATMENT**

MIDLAND ASPHALT MATERIALS CORP.

640 Young Street

Box 388

Tonawanda, New York 14151

Price Per Square Yard

<u>Item</u>	<u>Description</u>	<u>2013 Rate</u>
Fibermat Type A	1 – 5,000 sq. yd. per day	\$2.86
	5,001-10,000 sq. yd. per day	\$2.24
	10,001- 20,000 sq. yd. per day	\$1.99
	20,001 & greater sq. yd. per day	\$1.89
Fibermat Type B	1 – 5,000 sq. yd. per day	\$2.81
	5,001-10,000 sq. yd. per day	\$2.19
	10,001- 20,000 sq. yd. per day	\$1.94
	20,001 & greater sq. yd. per day	\$1.84
Options: Per Sq. Yd.	Add if contractor furnishes the following:	ADD
1. If Contractor furnishes & delivers aggregate to aggregate spreader		
	1 – 5,000 sq. yd. per day	\$ .22
	5,001-10,000 sq. yd. per day	\$.205
	10,001- 20,000 sq. yd. per day	\$ .19
	20,001 & greater sq. yd. per day	\$.175
2. If Contractor furnishes & operates self-propelled aggregate spreader		
	1 – 5,000 sq. yd. per day	\$ .36
	5,001-10,000 sq. yd. per day	\$ .18
	10,001- 20,000 sq. yd. per day	\$ .05
	20,001 & greater sq. yd. per day	\$ .05
3. If Contractor furnishes & operates pneumatic tired roller (per roller)		
	1 – 5,000 sq. yd. per day	\$ .29
	5,001-10,000 sq. yd. per day	\$ .16
	10,001- 20,000 sq. yd. per day	\$.085
	20,001 & greater sq. yd. per day	\$.045
4. If Contractor furnishes Maintenance & Protection of Traffic as per MUTCD		
	1 – 5,000 sq. yd. per day	\$ .33
	5,001-10,000 sq. yd. per day	\$.175
	10,001- 20,000 sq. yd. per day	\$ .14
	20,001 & greater sq. yd. per day	\$ .09
5. If Contractor furnishes and operates a steel wheeled roller (Per Roller)		
	1 – 5,000 sq. yd. per day	\$ .29
	5,001-10,000 sq. yd. per day	\$ .16
	10,001- 20,000 sq. yd. per day	\$.085
	20,001 & greater sq. yd. per day	\$.045
6. If Contractor furnishes and operates a self-propelled broom or vacuum sweeper		
	1 – 5,000 sq. yd. per day	\$ .27
	5,001-10,000 sq. yd. per day	\$.155
	10,001- 20,000 sq. yd. per day	\$ .08

20,001 &amp; greater sq. yd. per day

\$ .04

*Fiber Reinforced Bituminous Membrane Surface Treatment*

State Bid - The County Department of Public Works will compare the aforementioned bids against the State Contract prices and will purchase from the source most advantageous to the County.

Four sets of specifications were sent out.

One bid was received.

**HOT MIX ASPHALT IN-PLACE PAVING PROJECTS***D & H EXCAVATING, INC.**11939 Route 98 South**Arcade, New York 14009*

PRICE IS PER TON IN-PLACE APPLIED IN ONE WORKING DAY

<u>Quantities Applied</u>	<u>NE Quad.</u>	<u>NW Quad.</u>	<u>SE Quad.</u>	<u>SW Quad.</u>
Projects: Less than 50 Tons	\$250.00	\$250.00	\$250.00	\$250.00

COST PER TON – IF COUNTY PROVIDES THE TRAFFIC CONTROL

Projects: Less than 50 Tons	\$225.00	\$225.00	\$225.00	\$225.00
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*LAKE SHORE PAVING**7 Osmer Street**Jamestown, New York 14701*

PRICE IS PER TON IN-PLACE APPLIED IN ONE WORKING DAY

<u>Quantities Applied</u>	<u>NE Quad.</u>	<u>NW Quad.</u>	<u>SE Quad.</u>	<u>SW Quad.</u>
Projects: 50-100 Tons	\$150.00	\$150.00	\$150.00	\$150.00
Projects: 101-500 Tons	\$ 95.00	\$ 96.00	\$ 96.00	\$ 95.00
Projects: 501 and Greater	\$ 90.00	\$ 90.00	\$ 91.00	\$ 90.00

COST PER TON – IF COUNTY PROVIDES THE TRAFFIC CONTROL

Projects: 50-100 Tons	\$146.00	\$146.00	\$146.00	\$146.00
Projects: 101-500 Tons	\$ 93.00	\$ 94.00	\$ 94.00	\$ 93.00
Projects: 501 and Greater	\$ 86.00	\$ 88.00	\$ 89.00	\$ 88.00

No State Bid. Nine sets of specifications were sent out. Four bids were received.

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

Adopted March 27, 2013 by voice vote.

**ACT NO. 126-2013** by Mr. Aiello and Mr. Weller

**AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE EXTENSION TO  
INTERMUNICIPAL AGREEMENT WITH CHAUTAUQUA COUNTY FOR  
SHARED RECYCLING COORDINATION/EDUCATION SERVICES**

Pursuant to Section 119-o of the General Municipal Law.

WHEREAS, Act 183-2006 authorized a contract with Chautauqua County for a recycling public education and coordination program to enhance waste reduction, the term of which expired March 31, 2009, and

WHEREAS, the New York State Department of Environmental Conservation awarded a grant to Chautauqua County for the aforementioned program, and

WHEREAS, the County is desirous of sharing in the services provided to Chautauqua County by Cornell Cooperative Extension Association of Chautauqua County, under the aforementioned grant, and

WHEREAS, the County is responsible for 40% of the shared recycling coordination/education services accepted under this agreement, and

WHEREAS, the Department of Public Works has received the final invoice from Chautauqua County, in the amount of \$5,375.72, for payment for the contract period April 1, 2009 through September 30, 2009, and

WHEREAS, the aforementioned Intermunicipal Agreement should have been extended to September 30, 2009, in order to cover the final payments under the grant, 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 extension to the Intermunicipal Agreement, on behalf of Cattaraugus County, with Chautauqua County, for the provision of the above-described services, for a term commencing April 1, 2009 and terminating March 31, 2013, according to the above-described terms.

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

Adopted March 27, 2013 by voice vote.

**ACT NO. 127-2013** by Public Works Committee:

Mr. Aiello, Mr. Weller, Ms. Edstrom, Mr. Klancer, Mr. Snyder, Jr.,  
Mr. Teachman, Mr. Koch, Mr. Lamberson and Mr. Sprague  
*and Mrs. Stockman<sup>1</sup>*

**DECLARING APRIL 22, 2013 EARTH DAY AND  
AUTHORIZING DEPARTMENT OF PUBLIC WORKS TO PROVIDE BAGS TO  
APPROVED PARTICIPATING ORGANIZATIONS AND WAIVING TRANSFER STATION FEES**

Pursuant to Section 153 of the County Law.

WHEREAS, Earth Day is celebrated annually to recommit to the goals of a healthy environment and a sustainable world, and

WHEREAS the global community now faces extraordinary challenges, such as global health issues, food and water shortages, and economic struggles, and

WHEREAS it is necessary to broaden and diversify this global movement to achieve maximum success, and

WHEREAS all people, regardless of race, gender, income, or geography, have a moral right to a healthy, sustainable environment with economic growth, and

WHEREAS it is understood that the citizens of the global community must step forward and take action to create a green economy to combat the aforementioned global challenges, and

WHEREAS a green economy can be achieved on the individual level through educational efforts, public policy, and consumer activism campaigns, and

WHEREAS, we acknowledge our collective responsibility for environmental education, stewardship and community sustainability, and

WHEREAS, the Cattaraugus County Legislature hereby:

1. Encourages its residents, businesses and institutions to use EARTH DAY to celebrate the Earth and commit to building a sustainable and green economy,
2. Invites and encourages all citizens, businesses, organizations, schools, clubs, congregations, neighborhoods and families to participate in Earth Day Activities and engage in environmentally sound practices every day,
3. Promotes the participation of all citizens in the County's recycling program every day,

and

WHEREAS, the Department of Public Works is hereby authorized to provide refuse bags to organizations approved by the Commission of Public Works, and to further waive the transfer station fees for such approved organizations for the week commencing Saturday, April 20, 2013 through Saturday, April 27, 2013, now, therefore, be it

RESOLVED, the Cattaraugus County Legislature hereby pledges this Earth Day, April 22, 2013, to support green economy initiatives in Cattaraugus County and to encourage others to undertake similar actions.

Approved by 9 members of the Finance Committee.

<sup>1</sup> The following Legislator requested her name be listed as an additional sponsor: "Mrs. Stockman".

Adopted March 27, 2013 by voice vote.

**ACT NO. 128-2013** by Mr. Felton, Mr. Teachman, Ms. Vickman and Mr. Padlo

**AUTHORIZING THE CHAIR TO EXECUTE AMENDMENTS TO  
LEASE AGREEMENT WITH  
ePLUS GROUP, INC. FOR COMPUTER EQUIPMENT FOR  
VARIOUS COUNTY DEPARTMENTS AND RESCINDING ACT 562-2012**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 373-2012 authorized a lease agreement with ePlus Group, Inc., 13595 Dulles Technology Drive, Herndon, Virginia 20171, for computer equipment and software for the Department of Nursing Homes, and

WHEREAS, ePlus Group, Inc. is listed as a vendor on New York State bid through the Office of General Services, and

WHEREAS, various departments within the County are desirous of updating their computer equipment and software, and

WHEREAS, the Department Head of each County Department should be able to lease computer equipment and software with the approval of the Director of the Department of Information Services, as long as sufficient funds are included within each department's budget to cover the cost of the lease, and

WHEREAS, ePlus Group, Inc., can provide computer equipment, software, accessories and licenses in accordance with New York State bid prices, and

WHEREAS, the aforementioned lease agreement with ePlus Group, Inc. should be amended to include additional computer equipment, software, accessories and licenses, on an as-needed basis, 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 amendments or addenda to the Lease Agreement authorized by Act 373-2012, as approved by the County Director of the Department of Information Services, on behalf of Cattaraugus County, with ePlus Group, Inc., for the provision of the above-described computer equipment and software, for a term commencing upon receipt of such computer equipment and terminating not later than five (5) years thereafter, according to the above-described terms, and be it further

RESOLVED, that Act 562-2012 be, and hereby is, rescinded.

Approved by 9 members of the Finance Committee and 7 members of the County Operations Committee.

Adopted March 27, 2013 by voice vote.

**ACT NO. 129-2013** by Mr. Aiello and Mr. Weller

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
WCA HOSPITAL FOR AUDIOMETRIC TESTING**

Pursuant to 29 CFR §1910.95 and Section 450 of the County Law.

WHEREAS, Act 155-2012 authorized a contract with WCA Hospital, P.O. Box 840, Jamestown, New York 14702-0840, for the provision of audiometric examinations, monitoring and training services, the term of which expired December 31, 2012, and

WHEREAS, pursuant to the provisions of 29 CFR §1910.95, the County must provide audiometric examinations, monitoring and training for those Public Works employees exposed to a noise level at, or above, the action level of 85 decibels for a time-weighted average of eight hours, and

WHEREAS, the County is also desirous of providing the aforementioned services for up to 30 employees of the Cattaraugus County Sheriff's Office, and

WHEREAS, WCA Hospital can provide the aforementioned testing for up to 125 Public Works employees and up to 30 Sheriff's Office employees, for an estimated amount of \$3,000.00, as follows:

\$19.00/person/test for on-site annual follow-up audiograms,  
\$23.00/person/test for pre-employment audiograms to be done  
at WCA Hospital, Speech & Hearing Department,

and

WHEREAS, sufficient funds are included in the 2013 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 WCA Hospital, for the provision of the above-described services, for a term commencing January 1, 2013 and terminating December 31, 2013, according to the above-described terms.

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

Adopted March 27, 2013 by voice vote.

**ACT NO. 130-2013** by Ms. Edstrom and Mrs. Stockman

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
VNSNY CHOICE, MLTCP FOR  
PROVISION OF HOME CARE SERVICES**

Pursuant to 42 CFR §484.18 and 10 NYCRR Part 763 and  
Section 450 of the County Law.

WHEREAS, VNSNY CHOICE, MLTCP administers a Medicaid partial capitation managed long-term care program ("MLTCP"), to provide a fully integrated system of long-term care services, including, but not limited, to the coordination of medical care, to meet the needs of frail elderly individuals who are enrolled in the New York State Medical Assistance Program (Medicaid), and

WHEREAS, the County Health Department is a certified home health agency ("CHHA") under Article 36 of the New York Public Health Law, and

WHEREAS, the County Health Department is duly authorized and licensed to furnish CHHA Services to Medicare beneficiaries and Medicaid recipients, and desires to enter into this Agreement to provide certain CHHA Services that are Covered Services set forth herein under the VNSNY CHOICE MLTCP to Members, and

WHEREAS, VNSNY CHOICE, MLTCP desires to provide quality services to its Members who require these services and desires that the County Health Department provide CHHA Services within its program, and

WHEREAS, the County Health Department shall bill Medicare directly for Medicare-covered services and then bill VNSNY CHOICE, MLTCP at agreed upon rates, 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 VNSNY CHOICE, MLTCP for the provision of the above-described services, for a term commencing April 1, 2013 and terminating December 31, 2016, according to the above-described terms.

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

Adopted March 27, 2013 by voice vote.

**ACT NO. 131-2013** by Ms. Edstrom and Mrs. Stockman

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
SOUTHTOWNS CHILDREN'S SLPT, PT & OT ASSOCIATES, PLLC FOR  
HEALTH DEPARTMENT PHYSICAL, OCCUPATIONAL AND  
SPEECH THERAPY SERVICES**

Pursuant to 10 NYCRR Section 763.3 and Section 450 of the County Law.

WHEREAS, the Health Department is in need of physical, occupational and speech therapy services for patients in the Health Department's Home Care Program, and

WHEREAS, Southtowns Children's SLPT, PT & OT Associates, PLLC, 4534 Salisbury Place, Hamburg, New York 14075, can provide physical, occupational and speech therapy services to patients in the Health Department's Home Care Program, as follows:

<u>Service</u>	<u>Rate</u>
Physical Therapist	\$72.83/visit
Occupational Therapist	\$72.83/visit
Speech Therapist	\$72.83/visit
Physical Therapy Assistant	\$57.22/visit
Attendance at Meetings	\$29.13/hour
Evaluations	\$72.83/visit
PT only admission visit	\$102.00/visit
Recruitment & Retention (to be determined by NYSDOH),	

and

WHEREAS, this program is funded through a variety of sources, including, but not limited to, state and federal funding, private pay, private and third-party insurance and the County, 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 Southtowns Children's SLPT, PT & OT Associates, PLLC, for the provision of the above-described services, for a term commencing March 10, 2013 and terminating December 31, 2014, 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.

Adopted March 27, 2013 by voice vote.

**ACT NO. 132-2013** by Mrs. Stockman and Ms. Vickman

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
NEW YORK STATE DEPARTMENT OF HEALTH  
BUREAU OF EARLY INTERVENTION FOR SERVICE COORDINATION**

Pursuant to Public Health Law Section 2550 and Section 450 of the County Law.

WHEREAS, pursuant to Public Health Law Section 2550, the New York State Department of Health (NYSDOH), shall, effective April 1, 2013, be and become the lead agency responsible for the administration of the Early Intervention Program (EIP) in New York State, and

WHEREAS, the NYSDOH Bureau of Early Intervention requires that the County enter into a contract setting forth the terms and conditions for participation in the EIP and to establish the obligations, expectations and relationship between the NYSDOH and the County as the EIP provider for initial and on-going service coordination, and

WHEREAS, the County employs individuals who are trained as service coordinators and can provide this service for the County, and

WHEREAS, the County Health Department shall be responsible for ensuring that its employees and individual and agency EIP providers comply with the provisions of applicable law and regulations when delivering evaluations or services which have been approved by the NYSDOH, and

WHEREAS, the NYSDOH shall pay to the County Health Department, for the provision of the aforementioned service coordination, an amount established by New York State, 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 (NYSDOH) Bureau of Early Intervention, for the provision of the above-described services, for a term commencing April 1, 2013 and terminating March 31, 2018, according to the above-described terms.

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

Adopted March 27, 2013 by voice vote.

**ACT NO. 133-2013** by Mrs. Stockman and Ms. Vickman

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
NEW YORK STATE DEPARTMENT OF HEALTH  
BUREAU OF EARLY INTERVENTION FOR  
ESTABLISHING AN ESCROW ACCOUNT**

Pursuant to Article 25, Title II-A of the Public Health Law and Section 450 of the County Law.

WHEREAS, pursuant to Public Health Law Section 2550, the New York State Department of Health (NYSDOH), shall, effective April 1, 2013, be and become the lead agency responsible for the administration of the Early Intervention Program (EIP) in New York State, and

WHEREAS, the NYSDOH Bureau of Early Intervention requires a contract with the County to ensure that appropriate funding is deposited quarterly into an account to cover all Early Intervention

Service (EIP) costs with the exception of those costs that are reimbursable by an insurer or health maintenance organization or government third party payor including the Medical Assistance program, and

WHEREAS, NYSDOH shall establish an account to cover all EIP costs and Cattaraugus County is requested to make periodic payments into such account within 30 days after receipt of the invoice from the NYSDOH, 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 (NYSDOH) Bureau of Early Intervention, to establish an Early Intervention Service Escrow Account, for a term commencing April 1, 2013 to continue in full force and effect until terminated by either party hereto, according to the above-described terms.

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

Adopted March 27, 2013 by voice vote.

**ACT NO. 134-2013** by Ms. Edstrom and Mrs. Stockman

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
DEAF ADULT SERVICES, INC. FOR INTERPRETER SERVICES**

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

WHEREAS, Act 234-2012 authorized a contract with Deaf Adult Services, Inc., 2495 Main Street, #446, Buffalo, New York 14214, for the provision of interpreter services for deaf clients, the term of which expires March 31, 2013, and

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

WHEREAS, Deaf Adult Services, Inc., can provide the aforementioned interpreter services for an amount not to exceed \$3,900.00, in accordance with the following rate schedule:

<u>Standard Rate</u> –	applies when more than 48 hours' notice is given and during business hours
\$129.00	Minimum charge covering up to two hours of service
\$ 64.50	Each additional hour, billed in ½ hour increments
<u>Premium Rate</u> –	applies with less than 24 hours' notice and a non-emergency call between the hours of 11pm and 8am, Monday through Friday, holidays, Saturdays and Sundays
\$150.00	Minimum charge covering up to two hours of service
\$ 75.00	Each additional hour, billed in ½ hour increments
<u>Crisis Rate</u> -	applies after business hours, emergency appointments through 24 hour emergency phone service
\$185.00	Minimum charge covering up to two hours of service
\$ 92.50	Each additional hour, billed in ½ hour increments
<u>Legal Proceedings</u> –	applies to Court appearances and on the record proceedings
\$145.00	Minimum charge covering up to two hours of service
\$ 72.50	Each additional hour, billed in ½ hour increments

Deaf Interpreter Rate – applies when a deaf interpreter is required due to client communication needs (non-ASL interpreter)

\$ 50.00 Charge in addition to the Standard Rate,

and

WHEREAS, travel time, if needed, will be billed as additional hours, and

WHEREAS, this program is 50% state and 50% federally funded, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Deaf Adult Services, Inc., for the provision of the above-described services, for a term commencing April 1, 2013 and terminating March 31, 2014, 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.

Adopted March 27, 2013 by voice vote.

**ACT NO. 135-2013** by Ms. Edstrom and Mrs. Stockman

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
HEALTHY COMMUNITY ALLIANCE, INC. FOR  
MEDICAID MANAGED CARE RECRUITMENT SPECIALIST**

Pursuant to 42 CFR Section 435, Section 363 of  
the Social Services Law and Section 450 of the County Law.

WHEREAS, Act 126-2012 authorized a contract with Healthy Community Alliance, Inc., One School Street, Gowanda, New York 14070, for the provision of education, support and outreach services to clients, agency personnel and providers of the Medicaid Managed Care Program, the term of which expires March 31, 2013, and

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

WHEREAS, Healthy Community Alliance, Inc., has agreed to provide the aforementioned services for an amount not to exceed \$50,841.00, which shall be paid in monthly installments, as invoiced, and

WHEREAS, this program is 50% federally funded, 25% state funded through the New York State Department of Health and 25% 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 Healthy Community Alliance, Inc., for the provision of the above-described services, for a term commencing April 1, 2013 and terminating March 31, 2014, 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.

Adopted March 27, 2013 by voice vote.

**ACT NO. 136-2013** by Mr. Felton and Ms. Vickman

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
LEGAL SERVICES FOR THE ELDERLY, DISABLED OR  
DISADVANTAGED OF WESTERN NEW YORK, INC. FOR LEGAL  
SERVICES FOR ELDERLY RESIDENTS OF CATTARAUGUS COUNTY**

Pursuant to 45 CFR 1321 and Section 450 of the County Law.

WHEREAS, Act 173-2012 authorized a contract with Legal Services for the Elderly, Disabled or Disadvantaged of Western New York, Inc., 230 Main Street, Suite 105, Buffalo, New York 14203, for the provision of legal services for elderly residents of Cattaraugus County in accordance with Title III of the Older Americans Act of 1965, as amended, the term of which expires March 31, 2013, and

WHEREAS, Legal Services for the Elderly, Disabled or Disadvantaged of Western New York, Inc. is desirous of renewing the aforementioned contract at a rate of \$55.00 per hour, not to exceed \$25,000.00, to be paid on a monthly basis, as invoiced, and

WHEREAS, these services are 72% state funded and 14% County funded and 14% local funded, and

WHEREAS, sufficient funds are included in the 2013 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 Legal Services for the Elderly, Disabled or Disadvantaged of Western New York, Inc. for the provision of the above-described services, for a term commencing April 1, 2013 and terminating March 31, 2014, 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 March 27, 2013 by voice vote.

**ACT NO. 137-2013** by Mr. Felton and Ms. Vickman  
*and Mrs. Labuhn<sup>1</sup>*

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
HEALTHY COMMUNITY ALLIANCE, INC. FOR  
HEALTH INSURANCE AND LONG-TERM CARE INFORMATION AND COUNSELING**

Pursuant to Article 2, Title 3 of the Elder Law and  
Section 450 of the County Law.

WHEREAS, Act 163-2012, as amended, authorized a contract with Healthy Community Alliance, Inc., 1 School Street, Suite #100, Gowanda, New York 14070, for the provision of information, counseling and workshops to Cattaraugus County residents in order to help them better understand health insurance and long term care services, the term of which expires March 31, 2013, and

WHEREAS, the Department of Aging is desirous of continuing the aforementioned program, and

WHEREAS, Healthy Community Alliance, Inc., can provide staff persons, to the Department of Aging, who will provide information, counseling and workshops to Cattaraugus County residents in order to help them better understand health insurance, Medicare benefits, EPIC and other long-term care services, for an amount of \$53,362.00 for staffing, training and travel-related expenses, to be paid on a quarterly basis, as invoiced, and

WHEREAS, sufficient funds are included in the 2013 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 Healthy Community Alliance, Inc., for the provision of the above-described services, for a term commencing April 1, 2013 and terminating March 31, 2014, 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.

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

Adopted March 27, 2013 by voice vote.

**ACT NO. 138-2013** by Mr. Murphy

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT EXTENSION WITH  
DENTRUST DENTAL NEW YORK, P.C. FOR JAIL DENTAL SERVICES**

Pursuant to Sections 217 and 450 of the County Law.

WHEREAS, Act 155-2009 authorized a contract with Dentrust Dental New York, P.C., P.O. Box 458, Warrington, Pennsylvania 18976, for the provision of dental services for inmates in the Cattaraugus County Jail, the term of which expires April 30, 2013, and

WHEREAS, the County Sheriff's Department is desirous of extending the term of the aforementioned contract to April 30, 2014, and

WHEREAS, the County shall reimburse Dentrust Dental New York, P.C., in accordance with its standard fee schedule, an amount not to exceed \$18,000.00 per year, to be paid on a monthly 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 a contract extension, on behalf of Cattaraugus County, with Dentrust Dental New York, P.C., for the provision of the above-described services, for a term commencing May 1, 2013 and terminating April 30, 2014, according to the above-described terms.

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

Adopted March 27, 2013 by voice vote.

**ACT NO. 139-2013** by Ms. Edstrom and Mrs. Stockman  
*and Mr. VanRensselaer<sup>1</sup>*

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
RANDOLPH CENTRAL SCHOOL DISTRICT FOR  
PEDIATRIC SKILLED NURSING SERVICES IN SCHOOL SETTING**

Pursuant to Section 450 of the County Law.

WHEREAS, the Youth Bureau is desirous of providing pediatric skilled nursing services for one preschool child in a school setting and during transport to and from school in the Randolph Central School District, and

WHEREAS, Randolph Central School District, 18 Main Street, Randolph, New York 14772, has personnel who can provide the aforementioned services for an amount in accordance with the following rate schedule:

Registered Nurse	\$28.00 per hour
LPN	\$21.00 per hour
LPN Premium	\$24.00 per hour,

and

WHEREAS, this program is 59% federal, 25% state and 16% county funded, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with the Randolph Central School District, for the provision of the above-described services, for a term commencing September 4, 2012 and terminating June 30, 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 7 members of the Human Services Committee.

<sup>1</sup> The following Legislator requested his name be listed as an additional sponsor: "Mr. VanRensselaer".

Adopted March 27, 2013 by voice vote.

**ACT NO. 140-2013** by Mr. Murphy  
and Mr. VanRensselaer<sup>1</sup>

**AUTHORIZING THE CHAIR TO EXECUTE GRANT DOCUMENTS WITH  
NEW YORK STATE GOVERNOR'S TRAFFIC SAFETY COMMITTEE FOR  
SHERIFF'S DEPARTMENT TRAFFIC SAFETY PARTNERSHIP PROGRAM  
(2013-2014)**

Pursuant to Section 1229-c of the Vehicle and  
Traffic Law and Section 450 of the County Law.

WHEREAS, Act 237-2012 authorized the Chairman to apply for funding through the New York State Governor's Traffic Safety Committee for a Traffic Safety Enforcement Program for the 2012-2013 program year, and

WHEREAS, funding is again available through the New York State Governor's Traffic Safety Committee for 2013-2014 Traffic Safety Partnership Program, which shall include, but not be

limited to, components such as: the Child Safety Seat Program, the Selective Traffic Enforcement Program (STEP) and the Traffic Safety Education Program, and

WHEREAS, the County Sheriff's Office is desirous of applying for the aforementioned funding, and

WHEREAS, this program includes funding from the New York State Governor's Traffic Safety Committee, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute grant documents, on behalf of Cattaraugus County, with the New York State Governor's Traffic Safety Committee, in order to apply for funding for the 2013-2014 Traffic Safety Partnership Program, 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 Public Safety Committee .

<sup>1</sup> The following Legislator requested his name be listed as an additional sponsor: "Mr. VanRensselaer".

Adopted March 27, 2013 by voice vote.

**ACT NO. 141-2013** by Mr. Murphy

**AUTHORIZING THE CHAIR TO EXECUTE GRANT DOCUMENTS WITH  
NEW YORK STATE GOVERNOR'S TRAFFIC SAFETY COMMITTEE FOR  
SHERIFF'S DEPARTMENT TRAFFIC SAFETY PARTNERSHIP PROGRAM AND  
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS  
(Sheriff's Office)**

Pursuant to Section 1229-c of the Vehicle and  
Traffic Law and Sections 363, 366 and 450 of the County Law.

WHEREAS, Act 237-2012 authorized the Chairman to apply for funding through the New York State Governor's Traffic Safety Committee for a Traffic Safety Enforcement Program for the 2012-2013 program year, and

WHEREAS, the County has been awarded funding in the amount of \$31,000.00 through the New York State Governor's Traffic Safety Committee for a Traffic Safety Enforcement Program for the 2012-2013 program year, for the following components:

Child Safety Seat Program	\$21,000.00
Selective Traffic Enforcement Program (STEP)	\$ 8,400.00

Traffic Safety Education Program \$ 1,600.00,  
and

WHEREAS, a contract is necessary in order to receive the aforementioned funding, and  
WHEREAS, this program includes funding from the New York State Governor's Traffic  
Safety Committee, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed  
to execute grant documents, on behalf of Cattaraugus County, with the New York State Governor's  
Traffic Safety Committee, in order to receive the aforementioned funding, 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.311.3324.3324.4320.06	Traffic Safety Partnership Program	\$10,000.00
A.311.3324.3325.4320.06	Child Passenger Safety Program	\$21,000.00

Increase Appropriation Accounts:

A.311.3324.3324.13000	Sheriff's Office Overtime	\$ 5,000.00
A.311.3324.3324.12000	Sheriff's Office Part-Time	\$ 1,400.00
A.311.3324.3324.47006	Operating Supplies	\$ 1,600.00
A.311.3324.3325.47026	Child Safety Seats	\$17,000.00
A.311.3324.3325.47006	Child Seat Program Supplies	\$ 4,000.00
A.311.3324.3324.81000	FICA	\$ 500.00
A.311.3324.3324.82000	Retirement	\$ 1,500.00.

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

Adopted March 27, 2013 by voice vote.

**ACT NO. 142-2013** by Ms. Edstrom and Mrs. Stockman  
and Mr. Padlo<sup>1</sup>

**APPROVING LEASE AGREEMENT BETWEEN  
CATTARAUGUS COUNTY COMMUNITY SERVICES BOARD AND  
PARK CENTRE DEVELOPMENT, INC. FOR  
DEPARTMENT OF COMMUNITY SERVICES PROS FACILITY**

Pursuant to Sections 215 and 450 of the County Law.

WHEREAS, Act 638-2007, as amended by Act 182-2012, authorized a lease agreement with Park Centre Development, Inc., One Blue Bird Square, Olean, New York 14760, for the Department of Community Services Guidepost Facility (now known as the PROS Facility), the term of which expires March 31, 2013, and

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

WHEREAS, Park Centre Development, Inc., has agreed to lease the former Niagara Mohawk Building located at 203 Laurens Street in the City of Olean for an amount of \$135,000.00 for the period April 1, 2013 through March 31, 2014, to be paid monthly at the rate of \$11,250.00 per month, excluding utilities, with an annual adjustment based on the Consumer Price Index not to exceed 3%, for a term of five (5) years, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a lease agreement with the Cattaraugus County Community Services Board and Park Centre Development, Inc., to signify the County's approval, for the lease of the PROS Facility, for a term commencing April 1, 2013 and terminating March 31, 2018, according to the above-described terms.

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

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

Adopted March 27, 2013 by voice vote.

**ACT NO. 143-2013** by Ms. Edstrom and Mrs. Stockman

**APPROVING CONTRACT BETWEEN  
CATTARAUGUS COUNTY COMMUNITY SERVICES BOARD AND  
CATTARAUGUS REHABILITATION CENTER, INC. FOR  
OPERATION OF NORTH UNION STREET HOUSE COMMUNITY RESIDENCE**

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

WHEREAS, Act 169-2012 authorized a contract with the Cattaraugus Rehabilitation Center, Inc., 1439 Buffalo Street, Olean, New York 14760, for participation in the provision of services for the psychiatric care of youth, the term of which expires March 31, 2013, and

WHEREAS, the County Department of Community Services is desirous of renewing the aforementioned contract at no cost to the County, and

WHEREAS, the Cattaraugus Rehabilitation Center, Inc., has agreed to continue the operation of the North Union Street House Community Residence for psychiatric care for youths at no cost to the County, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, with the Cattaraugus County Community Services Board and the Cattaraugus Rehabilitation Center, Inc., to signify the County's approval, for the provision of the above-described services, for a term commencing April 1, 2013 to continue in full force and effect until terminated by either party hereto, according to the above-described terms.

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

Adopted March 27, 2013 by voice vote.

**ACT NO. 144-2013** by Ms. Edstrom and Mrs. Stockman

**APPROVING CONTRACT BETWEEN  
CATTARAUGUS COUNTY COMMUNITY SERVICES BOARD AND  
EARLY CARE & LEARNING COUNCIL FOR  
EARLY RECOGNITION GRANT 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, \$1,000.00 is available from the Early Care & Learning Council, 230 Washington Avenue, Ext., Albany, New York 12203, to enable the Department of Community Services Early Identification & Recognition Program Specialist to coordinate a focus group with the purpose of promoting healthy social emotional development to children birth to age five and their families with the goal of supporting a coordinated response to promotion, prevention and treatment of early childhood social emotional concerns, and

WHEREAS, the Department of Community Services is desirous of accepting the aforementioned grant award, and

WHEREAS, a contract is necessary with the Early Care & Learning Council in order to receive the aforementioned funds, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, with the Cattaraugus County Community Services Board and the Early Care & Learning Council, to signify the County's approval, in order to accept and receive grant funds, for a term commencing March 1, 2013 and terminating July 31, 2013, according to the above-described terms, and be it further

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

Increase Estimated Revenue Account:

A.431.4331.1590.2705	Early Recognition: Gifts & Donations	\$1,000.00
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Increase Appropriation Account:

A.431.4331.1590.48402	Early Recognition: Other Expenses	\$1,000.00.
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Approved by 9 members of the Finance Committee and 7 members of the Human Services Committee.

Adopted March 27, 2013 by voice vote.

**ACT NO. 145-2013** by Public Safety Committee:  
Mr. Murphy, Mr. Hale, Mr. Felton, Mr. Snyder, Sr.,  
Mr. VanRensselaer, Mr. Weller and Mr. Koch

**ABOLISHING ONE POSITION OF PROBATION ASSISTANT IN THE  
DEPARTMENT OF PROBATION AND CORRECTIONAL ALTERNATIVES AND  
ONE POSITION OF EMPLOYMENT SPECIALIST IN THE DEPARTMENT OF SOCIAL SERVICES**

Pursuant to Section 204 of the County Law.

WHEREAS, Act No. 111-2009 authorized acceptance of State funding for an Alternative to Incarceration Program for Jail Diversion and/or Re-Entry which has been staffed by one part-time position of Probation Assistant, in the Department of Probation and Correctional Alternatives, and one full-time position of Employment Specialist, in the Department of Social Services, and

WHEREAS, the Department of Probation and Correctional Alternatives has been notified by the New York state Division of Criminal Justice, Office of Probation and Correctional Alternatives, that funding for this program will cease on April 30, 2013, and

WHEREAS, this lack of continued funding requires that these two positions be abolished in accordance with Act No. 111-2009, now, therefore be it

RESOLVED, that effective April 30, 2013, there is hereby abolished one position of Probation Assistant, position number 314-251-004, in the Department of Probation and Correctional Alternatives, and be it further

RESOLVED, that effective April 30, 2013, there is hereby abolished one position of Employment Specialist, position number 601-134-009, in the Department of Social Services.

Approved by 9 members of the Finance Committee, 7 members of the Human Services Committee and 5 members of the Labor Relations Committee.

Adopted March 27, 2013 by voice vote.

**ACT NO. 146-2013** by Mr. Aiello, Mr. Marsh, Mr. Murphy,  
Mr. Snyder, Sr., Ms. Vickman, Mr. Boser,  
Mrs. Labuhn and Mr. Sprague

**CREATING ONE POSITION OF PRIVACY, SECURITY AND COMPLIANCE OFFICER IN  
THE COUNTY ADMINISTRATOR'S OFFICE ESTABLISHING COMPENSATION FOR SAME AND  
TRANSFER OF FUNDS  
(Contingent Fund-County Administrator)**

Pursuant to Sections 204, 205, 363 and 365 of the County Law and  
Section 22 of the Civil Service Law.

WHEREAS, there are many State and Federal programs which require oversight to ensure County compliance such as: HIPAA (Health Insurance Privacy and Accountability Act), Americans With Disabilities Act, Corporate Compliance, Federal Wage and Hour, State Labor Laws, etc., and

WHEREAS, these programs require strict monitoring and annual training to alleviate and minimize the County's exposure to risk and sanctions, and

WHEREAS, the monitoring of such programs requires the time and dedication of a full-time employee which is most appropriately assigned to work under the direction of the County Administrator, and

WHEREAS, there are no current County employees who are able to dedicate the time and effort needed to accomplish these rigorous tasks, 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 Privacy, Security and Compliance Officer in accordance with Section 22 of the Civil Service Law, and

WHEREAS, a transfer of funds is necessary in order to cover the cost of the aforementioned position, now, therefore, be it

RESOLVED, that effective May 6, 2013, there is hereby created one position of Privacy, Security and Compliance Officer in the Office of the County Administrator to be compensated at a bi-weekly salary of \$2,520.00 (\$65,520.00 annually), and be it further

RESOLVED, that this position be afforded the rights and benefits as established for Managerial and Confidential Officers and Employees, and be it further

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

Decrease Appropriation Account:

A.901.1990.0000.40601	Contingent Fund	\$57,978.00
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Increase Appropriation Accounts:

A.123.1230.0000.11000	Full-time Wages	\$42,406.00
A.123.1230.0000.81000	FICA	\$ 3,244.00
A.123.1230.0000.82000	Retirement	\$ 8,906.00
A.123.1230.0000.83000	Health Insurance	\$ 3,337.00
A.123.1230.0000.84000	Dental Insurance	\$ 85.00.

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

Adopted March 27, 2013 by voice vote.

**ACT NO. 147-2013** by Mr. Aiello, Mr. Edwards, Mr. Felton, Mrs. Stockman, Ms. Vickman, Mr. Boser, Mrs. Labuhn, Mr. Lamberson, and Mr. Sprague

**CHANGING THE FORM OF CIVIL SERVICE ADMINISTRATION IN  
CATTARAUGUS COUNTY FROM A CIVIL SERVICE COMMISSION TO  
A PERSONNEL OFFICER**

Pursuant to Sections 15 and 16 of the Civil Service Law.

RESOLVED, that the Cattaraugus County Legislature hereby authorizes the withdrawal of Cattaraugus County from the Civil Service Commission form of administration of the Civil Service Law and elects that such law shall be administered by a Personnel Officer effective May 1, 2014.

Referred to the Finance Committee and the Labor Relations Committee.

**ACT NO. 148-2013** by Mr. Aiello, Mr. Edwards, Mr. Felton, Mrs. Stockman, Mr. Boser, Ms. Vickman, Mrs. Labuhn, Mr. Lamberson, and Mr. Sprague

**AUTHORIZING PUBLIC HEARING ON CHANGING THE FORM OF  
CIVIL SERVICE ADMINISTRATION IN  
CATTARAUGUS COUNTY FROM A CIVIL SERVICE COMMISSION TO  
A PERSONNEL OFFICER**

Pursuant to Sections 15 and 16 of the Civil Service Law.

WHEREAS, there has been duly presented and introduced at a meeting of this legislature held on March 27, 2013, a proposed resolution entitled, "Changing the Form of Civil Service Administration in Cattaraugus County from a Civil Service Commission to a Personnel Officer", and

WHEREAS, such resolution shall not be adopted until a public hearing thereon has been had by the Cattaraugus County Legislature upon at least five days notice, now, therefore, be it

RESOLVED, that a public hearing shall be held on the proposed local law by this County Legislature on the 10<sup>th</sup> day of April, 2013, at 3:01 p.m. at the Legislature's Chambers, County Center, 303 Court Street, Little Valley, New York, and that at least five days notice of such hearing shall be given by the Clerk by the due posting thereof upon the bulletin board of each County Court House within the County and by publishing such notice at least once in the official newspapers of the County.

Referred to the Finance Committee and the Labor Relations Committee.

**ACT NO. 149-2013** by Mr. Aiello, Mr. Edwards, Mr. Hale, Ms. Vickman, Mr. Weller, Mr. Boser, Mr. Lamberson and Mr. Sprague

**ABOLISHING ONE POSITION OF RISK AND INSURANCE MANAGER, AND  
CREATING ONE POSITION OF INSURANCE AND WORKERS COMPENSATION COORDINATOR IN  
THE DEPARTMENT OF HUMAN RESOURCES AND ESTABLISHING COMPENSATION FOR SAME**

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

WHEREAS, the County is in need of expertise in the area of implementing the Affordable Care Act (ACA) as well as additional working knowledge of workers compensation law and associated reforms, and

WHEREAS the Human Resources Director will take a lead role in working with vendors and third party administrators in oversight of both workers compensation and the County's self-insured benefits program, and

WHEREAS, the Department of Human Resources is desirous of restructuring its organization to provide more of a "hands-on" approach which differs from the current structure by having a lower level of responsibility involving the day-to-day operations of the workers compensation, as well as the self-insured health benefits program, and

WHEREAS, this restructuring requires the abolition of the Risk and Insurance Manager position, and the creation of an Insurance and Workers Compensation Coordinator position, and

WHEREAS, the New Position Duties Statement has been submitted to the Cattaraugus County Civil Service Commission, which has approved and certified the title of Insurance and Workers Compensation Coordinator, in accordance with Section 22 of the Civil Service Law, now, therefore, be it

RESOLVED, that effective May 4, 2013 there is hereby abolished one position of Risk and Insurance Manager, in the Human Resources Department, and be it further

RESOLVED, that effective May 6, 2013, there is hereby created one position of Insurance and Workers Compensation Coordinator in the Human Resources Department, to be compensated at a rate of \$1,923.00 bi-weekly (\$49,998 annually), Management/Confidential salary plan.

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

Adopted March 27, 2013 by voice vote. Mrs. Stockman and Mr. Koch abstained from vote.

**ACT NO. 150-2013** by Mr. Klancer and Mr. Murphy  
who ask immediate consideration

**SALE OF TAX TITLE PROPERTY TO FORMER OWNER  
(Town of Persia)**

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

WHEREAS, Cattaraugus County has tax title to certain property situate in the Town of Persia, and

WHEREAS, the former owner of the property has offered to purchase the same at a cost which will cover the County's financial involvement in these premises, and

WHEREAS, the costs involved for these premises have been tendered to the County Treasurer's Office, now, therefore, be it

RESOLVED, that the County Treasurer be, and hereby is, authorized and directed, on behalf of Cattaraugus County, to execute a County Treasurer's Deed conveying this property to the following individual:

TOWN OF PERSIA

PARCEL	TAX MAP NO.	FORMER OWNER(S)	ADDRESS	COUNTY INVOLVEMENT
318	16.036-2-21	Deborah Bouquin	32 Frederick Street Gowanda, NY 14070	\$ 15,548.44

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

Adopted March 27, 2013 by voice vote.

**ACT NO. 151-2013** by Mr. Murphy  
who asks immediate consideration

**AMENDING ACT 649-2012 REGARDING PLAN FOR DISBURSEMENT OF  
CERTAIN FUNDS RECEIVED FROM THE  
NEW YORK STATE INDIGENT LEGAL SERVICES FUND (ILSF) AND  
ADJUSTING VARIOUS APPROPRIATION ACCOUNTS  
(Assigned Counsel)**

Pursuant to Sections 363 and 366 of the County Law.

WHEREAS, Act 649-2012 authorized the plan for disbursement of certain grant funds received from the New York State Indigent Legal Services Fund (ILSF) for quarterly disbursements to the Assistant Public Defenders and the Administrator of Assigned Counsel (AAC), for the purpose of improving the availability and quality of indigent legal services, and

WHEREAS, Act 649-2012 provided for payment of the aforementioned quarterly disbursements upon receipt of the ILSF grant funds, and

WHEREAS, the aforementioned ILSF grant requires reimbursement to the County after the payment of the quarterly disbursements, and

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

RESOLVED, that the first "Resolved" paragraph in Act 649-2012 is hereby amended to read as follows:

"I. RESOLVED, that the following amounts be disbursed as indicated on the following chart, so long as the employee has been employed for the complete preceding calendar quarter, minus withholding tax, FICA, retirement and other required withholdings therefrom:

<u>Position Number</u>	<u>Disbursement Date</u> (to be paid in following payroll)	<u>Amount</u>
001	January 1, 2013	\$1,777.18
002	January 1, 2013	\$1,629.10
003	January 1, 2013	\$1,384.30
004	January 1, 2013	\$1,332.90
AAC	January 1, 2013	\$1,250.00
001	April 1, 2013	\$1,777.18
002	April 1, 2013	\$1,629.10

003	April 1, 2013	\$1,384.30
004	April 1, 2013	\$1,332.90
AAC	April 1, 2013	\$1,250.00
001	July 1, 2013	\$1,777.18
002	July 1, 2013	\$1,629.10
003	July 1, 2013	\$1,384.30
004	July 1, 2013	\$1,332.90
AAC	July 1, 2013	\$1,250.00
001	October 1, 2013	\$1,777.18
002	October 1, 2013	\$1,629.10
003	October 1, 2013	\$1,384.30
004	October 1, 2013	\$1,332.90
AAC	October 1, 2013	\$1,250.00",

and be it further

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

Decrease Appropriation Account:

A.117.1170.1170.48402	Other Expenses	\$37,945.00
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Increase Appropriation Accounts:

A.117.1170.1170.11000	Full-Time Wages	\$24,494.00
A.117.1170.1170.12000	Part-Time Wages	\$ 5,000.00
A.117.1170.1170.81000	FICA	\$ 2,257.00
A.117.1170.1170.82000	Retirement	\$ 6,194.00.

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

Adopted March 27, 2013 by voice vote.

**ACT NO. 152-2013** by Mr. Aiello, Ms. Edstrom, Mr. Edwards, Mr. Felton,  
Mr. Hale, Mr. Klancer, 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

**LOCAL LAW NUMBER 1 – 2013**  
**COUNTY OF CATTARAUGUS, NEW YORK**

Pursuant to Section 10 of the Municipal Home Rule Law.

**A LOCAL LAW REPEALING LOCAL LAW NUMBER 5-2012 (INTRO NO. 5-2012),  
AS AMENDED, ENTITLED "REGULATING THE TRANSFER OF SECONDHAND ARTICLES"**

BE IT ENACTED by the County Legislature of the County of Cattaraugus as follows:

SECTION 1. Local Law Number 5-2012 (Intro No. 5-2012), as amended by Local Law No. 15-2012 (Intro No. 15-2012), entitled, A Local Law Regulating the Transfer of Secondhand Articles", is hereby repealed.

SECTION 2. Effective Date. The local law shall become effective immediately.

**ACT NO. 153-2013** by Mr. Aiello, Ms. Edstrom, Mr. Edwards, Mr. Felton,  
Mr. Hale, Mr. Klancer, 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

**AUTHORIZING PUBLIC HEARING ON LOCAL LAW NUMBER 1-2013**

Pursuant to Section 10 of the Municipal Home Rule Law.

WHEREAS, there has been duly presented and introduced at a meeting of this Legislature held on March 27, 2013, a proposed Local Law entitled, "A Local Law Repealing Local Law Number 5-2012 (Intro No. 5-2012), As Amended, Entitled 'Regulating the Transfer of Secondhand Articles'", and

WHEREAS, no local law shall be adopted until a public hearing thereon has been had by the Cattaraugus County Legislature upon at least five days notice, now, therefore, be it

RESOLVED, that a public hearing shall be held on the proposed local law by this County Legislature on the 10<sup>th</sup> day of April, at 3:01 p.m. at the Legislature's Chambers, County Center, 303 Court Street, Little Valley, New York, and that at least five days notice of such hearing shall be given by the Clerk by the due posting thereof upon the bulletin board of each County Court House within the County and by publishing such notice at least once in the official newspapers of the County.

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

Adopted March 27, 2013 by voice vote.

**ACT NO. 154-2013** by Mr. Marsh, Mr. Murphy, Mr. Snyder, Sr., Ms. Vickman,  
Mr. Boser, Mrs. Labuhn and Mr. Sprague  
who ask immediate consideration

**TRANSFER OF FUNDS  
(Contingent Fund – Sheriff's Office)**

Pursuant to Sections 363 and 365 of the County Law.

WHEREAS, due to a decrease in funding from the New York State Office of Court Administration to provide security services in county facilities, additional funding is needed in order for the County to continue to provide effective and efficient security to both members of the public, as well as county employees, and

WHEREAS, a transfer of funds is necessary to cover the cost of the aforementioned services, now, therefore, be it

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

Decrease Appropriation Account:

A.901.1990.0000.40601	Contingent Fund	\$62,713.00
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*Decrease*<sup>1,2</sup> Estimated Revenue Account:

A.311.3210.0000.3330	Court Security Services	\$62,713.00.
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MR. MURPHY moved, seconded by Mr. Lamberson to waive Rule 12. Carried.

<sup>1</sup> MRS. LABUHN moved, seconded by Mr. Murphy to amend Act No. 154-2013 as follows: In the Resolved, delete the second: "Decrease" and replace with: "Increase". Carried.

<sup>2</sup> MS. EDSTROM moved, seconded by Mr. Edwards to amend Act No. 154-2013 as follows: In the Resolved, delete: "Increase" and replace with: "Decrease". Carried.

Adopted, as amended, March 27, 2013 by voice vote. Mr. Aiello, Mr. Edwards and Mr. VanRensselaer voting no.

MR. TEACHMAN moved, seconded by Ms. Edstrom to adjourn until April 10, 2013 at 3:00 p.m. Carried.

Meeting adjourned at 4:00 p.m.

Ann M. Giglio  
Journal Clerk