

April 10, 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 one Legislator absent – Mr. Koch.

MR. SNYDER, SR. moved, seconded by Mrs. Labuhn that the minutes of the March 27, 2013 session be approved. Carried.

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**COMMUNICATIONS:**

Schoharie County Legislature: Copy of its Provenance of the People.

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CHAIRMAN MARSH announced this is the time and place called for a public hearing on **Act No. 152-2013**, Local Law Number 1 – 2013, entitled, “A Local Law Repealing Local Law Number 5-2012 (Intro No. 5-2012), As Amended, Entitled ‘Regulating the Transfer of Secondhand Articles’”, and that anyone wishing to speak for or against this local law, may now do so.

The following individuals spoke in support of adoption of Local Law Number 1-2013:

Otto Reinhardt (Antiques & Interiors); Joel Skudlarek; Debra Mina; Ron Szustakowski; Corey Brown; Robert Ponton and Karen O’Hara (Southtowns Route 219 Antiques).

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

CHAIRMAN MARSH called up Act No. 152-2013 and asked that it be read.

CHAIRMAN MARSH requested a Roll Call Vote on Act No. 152-2013, Local Law Number 1-2013, which disclosed as follows:

Ayes: Aiello 0.8673, Boser 1.0267, Edstrom 0.8673, Edwards 0.9684, Felton 1.0972, Hale 1.0655, Klancer 1.1005, Labuhn 0.8685, Lamberson 1.0267, Murphy 1.1005, Padlo 0.8673, Snyder, Jr. 1.0655, Snyder, Sr. 0.8673, Sprague 1.0230, Stockman 1.0003, Teachman 0.8673, VanRensselaer 1.1278, Vickman 1.0972, Weller 1.0972, Marsh 1.1278 – 20.1293.

Nays:– none.

Act No. 152-2013, Local Law Number 1-2013, having received the majority vote of the legislature were declared adopted.

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**ACT NO. 155-2013** by Mr. Aiello and Mr. Weller

**BID ACCEPTANCE FOR CONCRETE PIPE (CLASS III & IV),  
PLASTIC CORRUGATED DRAINAGE PIPE AND  
STEEL CORRUGATED PIPE AND PIPE ARCHES  
(Department of Public Works)**

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

WHEREAS, the Clerk of the Legislature was authorized to advertise for sealed bids for the provision of round and elliptical concrete pipe (Class III & IV), plastic corrugated drainage pipe and steel corrugated pipe and pipe arches, according to specifications provided by the Public Works Committee, and

WHEREAS, the lowest acceptable bids received for the provision of round and elliptical concrete pipe (Class III & IV) were submitted by Southern Tier Municipal & Construction Supply Co. and Chemung Supply Corp., as follows:

SOUTHERN TIER MUNICIPAL &  
CONSTRUCTION SUPPLY CO.  
1801 Washington Street  
P.O. Box 892  
Jamestown, New York 14701

**Round Concrete Pipe (Class III & IV)**

<u>Description</u>	<b>2013 Rate</b>
18 Inch (Class III) per foot	\$ 19.80
18 Inch (Class IV) per foot	\$ 24.20
18 Inch Flared End	\$728.00
21 Inch (Class III) per foot	\$ 24.20
21 Inch (Class IV) per foot	\$ 28.27
21 Inch Flared End	\$952.00
24 Inch (Class III) per foot	\$ 35.20
24 Inch (Class IV) per foot	\$ 37.40
24 Inch Flared End	\$1,069.60
30 Inch (Class III) per foot	\$ 53.90
30 Inch (Class IV) per foot	\$ 57.20
30 Inch Flared End	\$1120.00
36 Inch (Class III) per foot	\$ 78.10
36 Inch (Class IV) per foot	\$ 83.05
36 Inch Flared End	\$1568.00
42 Inch (Class III) per foot	\$ 110.00
42 Inch (Class IV) per foot	\$ 115.50
42 Inch Flared End	\$1848.00
48 Inch (Class III) per foot	\$ 137.50
48 Inch (Class IV) per foot	\$ 148.50
48 Inch Flared End	\$2148.00
54 Inch (Class III) per foot	\$ 181.50
54 Inch (Class IV) per foot	\$ 191.40
54 Inch Flared End	\$2744.00

60 Inch (Class III) per foot	\$ 225.50
60 Inch (Class IV) per foot	\$ 242.00
60 Inch Flared End	\$3276.00
72 Inch (Class III) per foot	\$ 281.60
72 Inch (Class IV) per foot	\$ 308.00
72 Inch Flared End	\$4368.00

**Elliptical Concrete Pipe (Class III & IV)**

<u>Description</u>	<b>2013 Rate</b>
18 Inch (Class III) per foot (14 x 23)	\$ 47.30
18 Inch (Class IV) per foot	\$ 51.70
18 Inch Flared End (each)	\$1288.00
24 Inch (Class III) per foot (19 x 30)	\$ 56.10
24 Inch (Class IV) per foot	\$ 62.15
24 Inch Flared End (each)	\$1680.00
30 Inch (Class III) per foot (24 x 38)	\$ 72.88
30 Inch (Class IV) per foot	\$ 80.85
30 Inch Flared End (each)	\$2016.00
36 Inch (Class III) per foot (29 x 45)	\$ 104.50
36 Inch (Class IV) per foot	\$ 115.50
36 Inch Flared End (each)	\$2419.20
42 Inch (Class III) per foot (34 x 53)	\$ 137.50
42 Inch (Class IV) per foot	\$ 148.50
42 Inch Flared End (each)	\$3304.00
48 Inch (Class III) per foot (38 x 60)	\$ 172.70
48 Inch (Class IV) per foot	\$ 189.20
48 Inch Flared End (each)	\$4144.00
54 Inch (Class III) per foot (43 x 68)	\$ 215.60
54 Inch (Class IV) per foot	\$ 227.70
54 Inch Flared End (each)	\$6944.00
60 Inch (Class III) per foot (48 x 76)	\$ 267.30
60 Inch (Class IV) per foot	\$ 278.30
60 Inch Flared End (each)	\$7728.00
66 Inch (Class III) per foot (53 x 83)	\$ 286.00
66 Inch (Class IV) per foot	\$ 299.20
66 Inch Flared End (each)	\$9296.00
72 Inch (Class III) per foot (58 x 91)	\$ 359.70
72 Inch (Class IV) per foot	\$ 381.70
72 Inch Flared End (each)	\$9968.00

CHEMUNG SUPPLY CORP.  
P.O. Box 527  
Elmira, New York 13901

**Round Concrete Pipe (Class III & IV)**

<u>Description</u>	<b>2013 Rate</b>
66 Inch (Class III) per foot	\$ 318.83
66 Inch (Class IV) per foot	\$ 347.93
66 Inch End Section (each)	\$6378.90
66 Inch Flared End	\$6378.90

and

WHEREAS, the lowest acceptable bids received for the provision of plastic corrugated drainage pipe were submitted by Southern Tier Municipal & Construction Supply Co., Chemung Supply Corp., Expanded Supply Products, Inc., and Lock City Supply, as follows:

SOUTHERN TIER MUNICIPAL &  
CONSTRUCTION SUPPLY CO.  
1801 Washington Street  
P.O. Box 892  
Jamestown, New York 14701

**Plastic & Polyethylene Corrugated Drainage Pipe  
Or Tubing**

<u>Index No.</u>	<u>Diameter</u>	<u>Description</u>	<u>2013 Rate</u>
CPDP12	12	Per foot	\$ 3.84
CPC12	12	Per coupler	\$ 6.84
CPFE12	12	Flared End	\$ 99.90

**Category II Integral Bell Joint**

CPDPSL12	12	Per foot	\$4.45
CPBCP12	12	Bell Coupler	\$27.50
CPDPSL15	15	Per foot	\$5.78
CPBCP15	15	Bell Coupler	\$36.40
CPDPSL18	18	Per foot	\$8.58
CPBCP18	18	Bell Coupler	\$42.50
CPDPSL24	24	Per foot	\$13.37
CPBCP24	24	Bell Coupler	\$96.88
CPDPSL30	30	Per foot	\$20.58
CPBCP30	30	Bell Coupler	\$106.25
CPDPSL36	36	Per foot	\$26.38
CPBCP36	36	Bell Coupler	\$137.50
CPDPSL42	42	Per foot	\$36.73
CPBCP42	42	Bell Coupler	\$156.25
CPDPSL48	48	Per foot	\$44.85
CPBCP48	48	Bell Coupler	\$168.75

CHEMUNG SUPPLY CORP.  
P.O. Box 527  
Elmira, New York 13901

**Plastic & Polyethylene Corrugated Drainage Pipe Or Tubing**

<u>Index No.</u>	<u>Diameter</u>	<u>Description</u>	<u>2013 Rate</u>
CPDP4	4	Per foot	\$ 0.30
CPC4	4	Per coupler	\$ 1.10
CPDP6	6	Per foot	\$ 0.82
CPC6	6	Per coupler	\$ 2.15
CPDP8	8	Per foot	\$ 1.59

CPC8	8	Per coupler	\$ 3.20
CPDP10	10	Per foot	\$ 3.00
CPC10	10	Per coupler	\$ 4.73
CPDP15	15	Per foot	\$ 5.24
CPC15	15	Per coupler	\$ 6.91
CPFE15	15	Flared End	\$ 88.05
CPDP18	18	Per foot	\$ 8.30
CPC18	18	Per coupler	\$10.23
CPFE18	18	Flared End	\$ 118.28
CPDP24	24	Per foot	\$ 12.73
CPC24	24	Per coupler	\$ 15.94
CPFE24	24	Flared End	\$151.80

**Polyethylene Corrugated High Capacity Smooth Interior Pipe**

CPDP12SI	12	Per foot	\$ 4.25
CPC12SI	12	Per coupler	\$ 5.32
CPFE12SI	12	Flared End	\$ 88.05
CPDP15SI	15	Per foot	\$ 5.53
CPC15SI	15	Per coupler	\$ 6.91
CPFE15SI	15	Flared End	\$ 88.05
CPDP18SI	18	Per foot	\$ 8.18
CPC18SI	18	Per coupler	\$ 10.23
CPFE18SI	18	Flared End	\$118.28
CPDP24SI	24	Per foot	\$ 12.75
CPC24SI	24	Per coupler	\$ 15.94
CPFE24SI	24	Flared End	\$151.80
CPDP30SI	30	Per foot	\$ 19.62
CPC30SI	30	Per coupler	\$ 39.23
CPFE30SI	30	Flared End	\$312.80
CPDP36SI	36	Per foot	\$ 25.13
CPFE36SI	36	Flared End	\$331.20
CPDP42SI	42	Per foot	\$ 35.00
CPC42SI	42	Per coupler	\$ 70.00
CPDP48SI	48	Per foot	\$ 42.27
CPC48SI	48	Per coupler	\$ 85.45

**Category II Integral Bell Joint**

CPDPSL12	12	Per foot	\$4.45
CPSCP12	12	Split Coupler	\$5.32
CPDPSL15	15	Per foot	\$5.79
CPSCP15	15	Split Coupler	\$6.91
CPDPSL18	18	Per foot	\$8.59
CPSCP18	18	Split Coupler	\$10.23
CPDPSL24	24	Per foot	\$13.37
CPSCP24	24	Split Coupler	\$15.94
CPDPSL30	30	Per foot	\$20.58
CPSCP30	30	Split Coupler	\$30.88
CPDPSL36	36	Per foot	\$26.38

CPSCP36	36	Split Coupler	\$39.58
CPDPSL42	42	Per foot	\$36.74
CPSCP42	42	Split Coupler	\$55.12
CPDPSL48	48	Per foot	\$44.87
CPSCP48	48	Split Coupler	\$67.29

EXPANDED SUPPLY PRODUCTS, INC.  
 3330 Route 9  
 Cold Spring, New York 10516

**Plastic & Polyethylene Corrugated Drainage Pipe Or Tubing**

<u>Index No.</u>	<u>Diameter</u>	<u>Description</u>	<u>2013 Rate</u>
CPDP4	4	Per foot	\$ 0.30
CPC4	4	Per coupler	\$ 1.10
CPDP6	6	Per foot	\$ 0.82
CPC6	6	Per coupler	\$ 2.15
CPDP8	8	Per foot	\$ 1.59
CPC8	8	Per coupler	\$ 3.20
CPDP10	10	Per foot	\$ 3.00
CPC10	10	Per coupler	\$ 4.73
CPDP15	15	Per foot	\$ 5.24
CPC15	15	Per coupler	\$ 6.91
CPDP18	18	Per foot	\$ 8.30
CPC18	18	Per coupler	\$ 10.23
CPDP24	24	Per foot	\$ 12.73
CPC24	24	Per coupler	\$ 15.94

**Polyethylene Corrugated High Capacity Smooth Interior Pipe**

CPDP12SI	12	Per foot	\$ 4.25
CPC12SI	12	Per coupler	\$ 5.32
CPDP15SI	15	Per foot	\$ 5.53
CPC15SI	15	Per coupler	\$ 6.91
CPDP18SI	18	Per foot	\$ 8.18
CPC18SI	18	Per coupler	\$ 10.23
CPDP24SI	24	Per foot	\$ 12.75
CPC24SI	24	Per coupler	\$ 15.94
CPDP30SI	30	Per foot	\$ 19.62
CPC30SI	30	Per coupler	\$ 39.23
CPDP42SI	42	Per foot	\$ 35.00
CPC42SI	42	Per coupler	\$ 70.00

LOCK CITY SUPPLY, INC.  
 650 West Avenue  
 Lockport, New York 14095

**Polyethylene Corrugated High Capacity Smooth Interior Pipe****2013 Rate**

CPDP12SI	12	Per foot	\$ 4.25
CPC12SI	12	Per coupler	\$ 5.32
CPDP18SI	18	Per foot	\$ 8.18
CPC18SI	18	Per coupler	\$ 10.23
CPDP24SI	24	Per foot	\$ 12.75
CPC24SI	24	Per coupler	\$ 15.94
CPDP36SI	36	Per foot	\$ 25.13
CPC36SI	36	Per coupler	\$ 50.26
CPDP42SI	42	Per foot	\$ 35.00
CPC42SI	42	Per coupler	\$ 70.00

and

WHEREAS, the lowest acceptable bids received for the provision of steel corrugated pipe and pipe arches were submitted by Chemung Supply Corp., as follows:

CHEMUNG SUPPLY CORP.

P.O. Box 527

Elmira, New York 13901

**Round Corrugated Steel Pipe And Pipe Arches****Perforated Plain Galvanized Corrugated Steel Pipe Underdrain**

<u>Index No.</u>	<u>Diameter</u>	<u>Description</u>	<u>2013 Rate</u>
<u>CMDP6</u>	6	(18 ga.) per linear foot	\$ 4.70
<u>CMDP8</u>	8	(16 ga.) per linear foot	\$ 6.20

**Plain Galvanized Helically Corrugated Pipe with Rerolled Ends**

CMDP10	10	(16 ga.) per linear foot	\$ 7.56
CMC1012	10	12" connect. band	\$ 7.56
CMC1024	10	24" connect. band	\$ 15.12
CMFE10	10	Flared End	\$ 139.00
CMDP12	12	(16 ga.) per linear foot	\$ 7.90
CMC1212	12	12" connect. band	\$ 7.90
CMC1224	12	24" connect. band	\$ 15.80
CMFE12	12	Flared End	\$ 50.74
CMDP15	15	(16 ga.) per linear foot	\$ 9.92
CMC1512	15	12" connect. band	\$ 9.92
CMC1524	15	24" connect. band	\$ 19.85
CMFE15	15	Flared End	\$ 65.37
CMDP18	18	(16 ga.) per linear foot	\$ 11.98
CMC1812	18	12" connect. band	\$ 11.98
CMC1824	18	24" connect. band	\$ 23.96
CMFE18	18	Flared End	\$ 86.40

**Round Corrugated Steel Pipe & Pipe Arches Class II**

CMDP21	21	(16 ga.) /linear foot	\$ 14.26
CMC2112	21	12" connect. band	\$ 14.26
CMC2124	21	24" connect. band	\$ 28.52

CMFE21	21	Flared End	\$ 116.88
CMDP24	24	(14 ga.) /linear foot	\$ 18.95
CMC2412	24	12" connect. band	\$ 18.95
CMC2424	24	24" connect. band	\$ 37.90
CMFE24	24	Flared End	\$ 132.48
CMDP30	30	(14 ga.) /linear foot	\$ 24.23
CMC3012	30	12" connect. band	\$ 24.23
CMC3024	30	24" connect. band	\$ 48.46
CMFE30	30	Flared End	\$ 309.10
CMDP36	36	(12 ga.) /linear foot	\$ 38.56
CMC3612	36	12" connect. band	\$ 38.56
CMC3624	36	24" connect. band	\$ 77.12
CMFE36	36	Flared End	\$ 418.38
CMDP42	42	(12 ga.) /linear foot	\$ 45.97
CMC4212	42	12" connect. band	\$ 68.95
CMC4224	42	24" connect. band	\$ 91.94
CMFE42	42	Flared End	\$ 795.64
CMDP48	48	(12 ga.) /linear foot	\$ 51.91
CMC4812	48	12" connect. band	\$ 77.87
CMC4824	48	24" connect. band	\$ 103.82
CMFE48	48	Flared End	\$ 960.75
CMDP60	60	(10 ga.) /linear foot	\$ 83.47
CMC6012	60	12" connect. band	\$ 125.21
CMC6024	60	24" connect. band	\$ 166.95
CMFE60	60	Flared End	\$1557.01
CMDP72	72	(10 ga.) /linear foot	\$ 106.67
CMC7212	72	12" connect. band	\$ 213.34
CMC7224	72	24" connect. band	\$ 213.34
CMFE72	72	Flared End	\$2094.79
CMDP84	84	(8 ga.) /linear foot	\$149.15
CMC8412	84	12" connect. band	\$ 298.30
CMC8424	84	24" connect. band	\$ 596.60
CMFE84	84	Flared End	\$2514.03

**Fully Bituminous Coated w/o Pavement Helically Corrugated Pipe Arch  
w/Rerolled Ends**

CMDP3524	35" x 24"	Per linear foot	\$ 36.15
CMSC3524		24" connect. band	\$ 72.30
CMDP4229	42" x 29"	Per linear foot	\$ 43.81
CMSC4229		24" connect. band	\$ 87.62
CMDP4933	49" x 33"	Per linear foot	\$ 57.74
CMSC4933		24" connect. band	\$ 115.48
CMDP5738	57" x 38"	Per linear foot	\$ 84.32
CMSC5738		24" connect. band	\$ 168.65
CMDP6443	64" x 43"	Per linear foot	\$ 97.85
CMSC6443		24" connect. band	\$ 195.71
CMDP7147	71" x 47"	Per linear foot	\$ 128.22
CMSC7147		24" connect. band	\$ 256.45



CMDP7752	77" x 52"	Per linear foot	\$ 151.95
CMSC7752		24" connect. band	\$ 303.91
CMDP8357	83" x 57"	Per linear foot	\$ 184.23
CMSC8357		24" connect. band	\$ 368.46

now, therefore, be it

RESOLVED, that the Commissioner of Public Works is authorized to contract for concrete pipe (Class III & IV) with Southern Tier Municipal & Construction Supply Co. and Chemung Supply Corp., as recommended by the Public Works Committee for the term May 1, 2013 through April 30, 2014, and be it further

RESOLVED, that the Commissioner of Public Works is authorized to contract for plastic corrugated drainage pipe with Southern Tier Municipal & Construction Supply Co., Chemung Supply Corp., Expanded Supply Products, Inc., and Lock City Supply, as recommended by the Public Works Committee for the term May 1, 2013 through April 30, 2014, and be it further

RESOLVED, that the Commissioner of Public Works is authorized to contract for steel corrugated pipe and pipe arches with Chemung Supply Corp., as recommended by the Public Works Committee for the term May 1, 2013 through April 30, 2014, and be it further

RESOLVED, that any county, 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 the aforementioned items at any time during the term for which the bids are taken and to require suitable bond to guarantee delivery.

Concrete Pipe – Round & Elliptical (Class III & IV):

No State Bid.

Four sets of specifications were sent out.

Two bids were received.

Plastic Corrugated Drainage Pipe:

State Bid. Prices will be compared with the prices on State Contract and be purchased from the source most beneficial to the County.

Eight sets of specifications were sent out.

Four bids were received.

Steel Corrugated Pipe and Pipe Arches:

State Bid. Prices will be compared with the prices on State Contract and be purchased from the source most beneficial to the County.

Six sets of specifications were sent out.

Three bids were received.

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

Adopted April 10, 2013 by voice vote.

**ACT NO. 156-2013** by Mr. Aiello and Mr. Weller

**ACCEPTING MATERIAL BIDS FOR HYDRAULIC AND MOTOR OIL  
(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 hydraulic oil and motor oil with the bidders recommended by the Public Works Committee for the season June 1, 2013 through May 31, 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.

Sandburg Oil Company  
1641 East State Road  
Olean, New York 14760

MOTOR OIL – Per Gallon Delivered

<u>Type</u>	<u>Delivery Units</u>	<u>Rate &amp; Brand</u>
15W-40 CJ-4, CI-4, CI-4+, CH-4, SL, CF/SM, API CF-2, ACEA E7/E5	Bulk delivery	\$8.16 /Shell Rimula
15W-40 Advanced Shell Rimula or Valvoline Premium Blue	Bulk delivery	\$8.16 /Shell Rimula

HYDRAULIC OIL – Per Gallon Delivered

Delivered any point Cattaraugus County in 55 gal. drums	\$6.18 Brad Penn
Bulk Delivery to DPW garages in Little Valley, Franklinville, Allegany	\$5.28 Brad Penn

NOCO Distribution, LLC  
2440 Sheridan Drive  
Tonawanda, New York 14150

MOTOR OIL – Per Gallon Delivered

<u>Type</u>	<u>Delivery Units</u>	<u>Rate &amp; Brand</u>
10W SL/CF	55 gallon drum	\$6.90 NOCO
5W-20 SM ILSAC GF-4	55 gallon drum	\$6.96 Mobil
5W-30 SM ILSAC GF-4	55 gallon drum	\$6.64 Mobil
10W-30 SM ILSAC GF-4	55 gallon drum	\$6.09 NOCO
10W-40 SM/CF	55 gallon drum	\$6.94 NOCO

Superior Lubricants Co.  
32 Ward Road  
North Tonawanda, New York 14150

MOTOR OIL – Per Gallon Delivered

<u>Type</u>	<u>Delivery Units</u>	<u>Rate &amp; Brand</u>
15W-40 SL/CF, CF-2, CF-4, CG-4, CH-4	Bulk delivery	\$8.31 /Gulf Super Duty Plus
Synthetic Motor Oil, GM dexos, ILSAC GF-5, API SN Classification	55 gallon drum	\$9.77 /Gulftec Dexos 1 Syn 5W30
Oil Analysis	Price Per Sample	\$5.45

State Bid does not meet specifications.  
Seven 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 April 10, 2013 by voice vote.

**ACT NO. 157-2013** by Mr. Aiello and Mr. Weller

**ACCEPTING MATERIAL BIDS FOR GALVANIZED  
SQUARE STEEL TUBING FOR SIGN POSTS  
(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 galvanized square steel tubing for sign posts 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, and be it further

RESOLVED, that the following bids be accepted:

Unistrut Buffalo, Div.  
Eberl Iron Works, Inc.  
128 Sycamore Street  
Buffalo, New York 14204-1492

Tubing: price per foot (min. order 600 ft.) F.O.B. Little Valley

<u>Size</u>	<u>Price</u>	<u>2013 Rate</u>
1" x 1"x 24 ft. w/o perforations	12 gauge	N/A
1½" x 1½" x 24 ft. w/perforations	12 gauge	\$2.50
1¾" x 1¾" x 24 ft. w/perforations	12 gauge	\$2.80
2" x 2" x 24 ft. w/perforations	12 gauge	\$3.04
2¼" x 2¼" x 24 ft. w/perforations	12 gauge	\$3.32

Other Items: price per 100

<u>Telspar or Description</u>	<u>Units</u>	<u>2013 Rate</u>
<u>Equivalent</u>		
TN-31 Tuff Nut 5/16" 18 thread	/100	\$ 66.80
TLO15 T Bracket, used on 1½", 1¾", 2" & 2¼"	/100	\$260.00
TLO16 90 Degree Bracket, used on 1½", 1¾", 2" & 2¼"	/100	\$365.00
TLO18 Straight Bracket, used on 1½", 1¾", 2" & 2¼"	/100	\$302.00
TLO19 Bracket, used on 1½", 1¾", 2" & 2¼"	/100	\$381.00
TLO20 Inside Corner Bracket, used on 1½", 1¾", 2" & 2¼"	/100	\$127.00

Corner Bolts – All 5/16"

	<u>Units</u>	<u>2013 Rate</u>
TLO50 1½" sq., 1¾" sq., 2" sq.	/100	\$53.00
TLO70 2¼" Sq., 2½" Sq.	/100	\$49.00
TLO62 Heavy Hex Jam Nut for above Bolts	/100	\$10.00*
SB30CCHG 32" Longbrace with 30" Centers	Each	\$7.20
TL130 Guard Rail Clamp	Each	\$22.61
TL132 Breakaway Plate	Each	\$3.64
HFLW031 Nylon Washer – White	/100	\$11.97
TL3806 3/8" diameter large head multi-grip drive rivet	/100	\$64.10*

\* - Will give 10% off orders of 5,000 pieces

The State Contract is for Channel Sign Post only, not Square Post

State Bid does not meet County specifications.

Four sets of specifications were sent out.

One bid was received.

Approved by 8 members of the Finance Committee and 9 members of the Public Works Committee.

Adopted April 10, 2013 by voice vote.

**ACT NO. 158-2013** by Mr. Aiello and Mr. Weller

**ACCEPTING MATERIAL BIDS FOR HIGHWAY SIGNS  
(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 the following 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.

*Custom Products Corporation  
P.O. Box 54091  
Jackson, Mississippi 39288-4091*

<u>Description</u>	<u>Price Per Square Foot</u>	<u>2013 Rate</u>
<u>New Domestic 0.080 inch thick 5052-H38 Alodized Aluminum:</u>		
Blank Aluminum		\$ 2.33
48" x 96" sheet, blank (no holes)		\$74.19
<u>Signs:</u>		
Scotchlite Engineers Grade Aluminum 1 side w/Legend 1 color		\$ 3.21
Scotchlite Engineers Grade Aluminum 1 side w/Legend 2 color		\$ 3.45
3M Prismatic High Intensity Grade Aluminum 1 side w/Legend 1 color		\$ 3.80
3M Prismatic High Intensity Grade Aluminum 1 side w/Legend 2 color		\$ 4.04
Scotchlite Diamond Grade Aluminum 1 side w/Legend 1 color		\$ 6.10
Scotchlite Diamond Grade Aluminum 1 side w/Legend 2 color		\$ 6.59
Scotchlite High Intensity, Pressure Sensitive Pre-Screened, Unmounted Faces w/Legend 1 color		\$ 1.67
Scotchlite High Intensity, Pressure Sensitive Pre-Screened, Unmounted Faces w/Legend 2 color		\$ 1.77
<u>Delineators-Reflectorized on Aluminum (per sq. in.)</u>		
Engineers Grade		\$ .04
High Intensity		\$ .04

No State Bid.

Ten sets of specifications were set out.

Five bids were received.

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

Adopted April 10, 2013 by voice vote.

**ACT NO. 159-2013** by Mr. Aiello and Mr. Weller

**ACCEPTING MATERIAL BIDS FOR SANDBLASTING ABRASIVES  
(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 the following 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.

*Gernatt Asphalt Products, Inc.  
P.O. Box 400  
Taylor Hollow Road  
Collins, New York 14043*

<u>Description</u>	<u>2013 Rate</u>
In 100 pound bags per ton delivered to Cattaraugus County Public Works, 8810 Route 242, Little Valley on pallets in 21 ton lots.	\$260.00
Pick-up at warehouse /100 lb. bag	\$ 13.00
<u>Black Beauty Grade 2040 Utility – Price Delivered</u>	
Bulk Per Ton	
Per Ton Bagged	\$300.00*
Per 100 lb. Bag	\$ 15.00*
<u>Black Beauty Grade 2040 Utility – Price Picked-Up</u>	
Bulk Per Ton	
Per Ton Bagged	\$280.00*
Per 100 lb. Bag	\$ 14.00*
<u>Black Beauty Grade Medium 1240 – Price Delivered</u>	
Per Ton Bagged	\$280.00
Per 100 lb. Bag	\$ 14.00
<u>Black Beauty Grade Medium 1240 – Price Picked-Up</u>	
Per Ton Bagged	\$260.00
Per 100 lb. Bag	\$ 13.00

Warehouse: 191 Broadway Road, Gowanda, New York

Delivery: When delivery is requested, delivery shall be to Cattaraugus County Department of Public Works, Little Valley, NY, on pallets in 21 ton lots unless ordered in bulk.

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

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

Adopted April 10, 2013 by voice vote.

**ACT NO. 160-2013** by Mr. Aiello and Mr. Weller

**BID ACCEPTANCE FOR PURCHASE OF TWO (2) 4.0 CUBIC YARD  
FOUR-WHEEL DRIVE ARTICULATED WHEEL LOADERS  
(Department of Public Works)**

Pursuant to Section 103 of the General Municipal Law.

WHEREAS, the Clerk of the Legislature was authorized to advertise for sealed bids for the purchase of two (2) 2013 4.0 Cubic Yard Four-Wheel Drive Articulated Wheel Loaders, with a three (3) year buy back guarantee, according to specifications provided by the Public Works Committee, and

WHEREAS, George & Swede Sales & Service, Inc., 7155 Big Tree Road, Pavilion, New York 14525, submitted the lowest "Net Cost After Buy Back" (with trade-in) bid for the purchase of two (2) 2013 Hyundai HL-760-9 4.0 Cubic Yard Four-Wheel Drive Articulated Wheel Loaders, as follows:

Cost Before Trade-In Allowance	\$ 298,364.00
Trade-In Allowance (two loaders) #2701 & #2601	<u>\$ -56,500.00</u>
Net Cost	\$ 244,364.00
Guaranteed Buy Back Amount at the End of Three Years	\$105,000.00 per loader

and

WHEREAS, sufficient funds are included in the 2013 budget to cover the costs of the aforementioned purchase, now, therefore, be it

RESOLVED, that the bid of George & Swede Sales & Service, Inc., be, and the same hereby is, accepted, and be it further

RESOLVED, that the vouchers submitted in accordance with the provisions of the General Municipal Law §106-b and certified by the Commissioner of the Department of Public Works be audited by the Auditor and paid by the County Treasurer.

State Bid does not offer buy back option.  
Twelve sets of specifications were sent out.  
Three bids were received.

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

Adopted April 10, 2013 by voice vote.

**ACT NO. 161-2013** by Mr. Aiello and Mr. Weller**BID ACCEPTANCE FOR ROAD STRIPING  
(Department of Public Works)**

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

WHEREAS, the Clerk of the Legislature was authorized to advertise for sealed bids for road striping for the period commencing May 1, 2013 and terminating April 30, 2014, according to specifications provided by the Public Works Committee, and

WHEREAS, road striping was bid in the following two formats:

- Method 1 – successful bidder doing the striping and supplying the paint and glass beads;
- Method 2 – successful bidder doing the striping, but the County supplying the paint and glass beads,

and

WHEREAS, the lowest bid received meeting specifications for Method 1, striping with acrylic waterborne paint was the bid of Seneca Pavement Marking, Inc., 3526 Watkins Road, Horseheads, New York 14845, as follows:

Method #1:

<u>Acrylic Waterborne Paint</u>	<u>Estimated Units</u>	<u>2013 Rate</u>
Fast Dry Acrylic Waterborne (Rate 320 LF/gal)		
Centerline Applications (25.5 gallon/mile and 140 lbs. of beads/mile) (Approximately 260 miles)      PER MILE	300	\$305.00
Fast Dry Acrylic Waterborne (Rate 320 LF/gal)		
Edgeline Applications (16.5 gallon/mile and 99 lbs. of beads/mile) (approximately 45 miles)      PER MILE	100	\$190.00
<u>Additional Items</u>		
No. 3 glass beads per pound		\$.34
Survey of passing & no passing zones	25	\$ 285.00
Indexing zones per mile	25	\$ 150.00
Intersection Stop Bar (acrylic waterborne) PER STOP BAR	105	\$ 25.00
Railroad Crossing (acrylic waterborne) PER CROSSING	37	\$ 150.00

Additional Paint Prices

Yellow Acrylic Waterborne traffic line paint	\$10.25/gallon
White Acrylic Waterborne traffic line paint	\$10.50/gallon

Price Adjustment: If the contractor uses less than the amounts of materials that bids are based on for centerline and edgeline application, then the County Department of Public Works shall require that those amounts be deducted from the final billing. Should the contractor use more material, it shall be taken into account on the final billing. Contractor prices which are bid for paint and beads shall be used



for any price adjustment.,  
and

WHEREAS, the lowest bid received meeting specifications for Method 2, striping with acrylic waterborne paint was the bid of Zebra Paint Striping, 365 Second Street, Hornell, New York 14843, as follows:

Method #2:

<u>Acrylic Waterborne Paint</u>	<u>Estimated Units</u>	<u>2013 Rate</u>
Fast Dry Acrylic Waterborne (Rate 320 LF/gal) Centerline Applications (25.5 gallon/mile and 140 lbs. of beads/mile) (Approximately 260 miles) PER MILE	300	\$90.00
Fast Dry Acrylic Waterborne (Rate 320 LF/gal) Edgeline Applications (16.5 gallon/mile and 99 lbs. of beads/mile) (approximately 45 miles) PER SIDE MILE	100	\$90.00
<u>Additional Items</u>		
Survey of passing & no passing zones	25	\$ 200.00
Indexing Zones PER MILE	25	\$100.00
Intersection Stop Bar (acrylic waterborne) PER STOP BAR	105	\$ 120.00
Railroad Crossing (acrylic waterborne) PER CROSSING	37	\$140.00

Price Adjustment: If the contractor uses less than the amounts of materials that bids are based on for centerline and edgeline application, then the County Department of Public Works shall require that those amounts be deducted from the final billing. Should the contractor use more material, it shall be taken into account on the final billing. Contractor prices which are bid for paint and beads shall be used for any price adjustment.

and

WHEREAS, the lowest bid received meeting specifications for Method 1, striping with epoxy paint or polyester paint was the bid of Accent Stripe, Inc., 3275 North Benzing Road, Orchard Park, New York 14127, as follows:

Method #1 – Accent Stripe, Inc.:

<u>Polyester Paint</u>	<u>Estimated Units</u>	<u>2013 Rate</u>
Polyester (Rate 330 LF/gal) Centerline Applications (25 gallon/mile and 450 lbs of beads/mile) (Approximately 25 miles) PER MILE	10	** \$1500.00
Polyester (Rate 330 LF/gal) Edgeline Applications (16 gallon/mile and 288 lbs. of beads/mile) (approximately 50 miles) PER MILE	25	** \$ 950.00

Additional Items

No. 3 glass beads per pound	---	\$.31
Survey of passing & no passing zones	25	\$ 200.00
Indexing zones per mile	25	\$ 150.00
Railroad Crossing (epoxied)		
PER CROSSING	---	\$3000.00

Additional Paint Prices

Yellow Polyester traffic line paint	\$22.00/gallon
White Polyester traffic line paint	\$22.00/gallon

Price Adjustment: If the contractor uses less than the amounts of materials that bids are based on for centerline and edgeline application, then the County Department of Public Works shall require that those amounts be deducted from the final billing. Should the contractor use more material, it shall be taken into account on the final billing. Contractor prices which are bid for paint and beads shall be used for any price adjustment.

\*\* - Accent Stripe is proposing the use of Epoxy Paint instead of Polyester Paint.

now, therefore, be it

RESOLVED, that the bid of Seneca Pavement Marking, Inc., be, and the same hereby is, accepted, and be it further

RESOLVED, that the bid of Zebra Paint Striping be, and the same hereby is, accepted, and be it further

RESOLVED, that the bid of Accent Stripe, Inc., be, and the same hereby is, accepted, and be it further

RESOLVED, that vouchers submitted in accordance with the provisions of the General Municipal Law §106-b and certified by the Commissioner of the Department of Public Works be audited by the Auditor and paid by the County Treasurer.

No State Bid.

Thirteen sets of specifications were sent out.

Three bids were received.

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

Adopted April 10, 2013 by voice vote.

**ACT NO. 162-2013** by Mr. Aiello, Mr. Klancer, Mr. Murphy and Mr. Weller

**AUTHORIZING THE CHAIR TO EXECUTE SUPPLEMENTAL AGREEMENT NO. 1 WITH  
 NYSDOT FOR COUNTY ROAD NO. 6 BRIDGE OVER MUD CREEK  
 FEDERAL-AID REPLACEMENT PROJECT AND  
 ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS  
 (Department of Public Works)**

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

WHEREAS, Act 421-2008 authorized a contract with New York State Department of Transportation (NYSDOT) for the replacement of the County Road No. 6 Bridge over Mud Creek, BIN 3-32211-0, in the Town of Leon, Cattaraugus County, PIN 5758.49 (the "Project"), and

WHEREAS, the Supplemental Agreement No. 1 to Federal Aid Project Agreement No. D031712 will change the previously executed Federal Aid Project (Non-Marchiselli) Agreement No. D031712 to a Marchiselli Aid Funding Agreement, and

WHEREAS, under Supplemental Agreement No. 1, the State will also reimburse the County, as the project progresses, State Marchiselli Aid to a maximum of \$29,250.00, as follows:

- 15%, the maximum reimbursement of the current \$180,000 cost of the project's Preliminary Engineering (Design I-VI) phase, which equals \$27,000 (under the previously executed Federal Aid Project (Non-Marchiselli) Agreement No. D031712, the County was not eligible to receive a State Marchiselli Aid reimbursement for the project phase), and
- 15%, the maximum reimbursement of the current \$15,000 of the project's Right-of-Way Incidentals Phase, which equals \$2,250 (under the previously executed Federal Aid Project (Non-Marchiselli) Agreement No. D031712, the County was not eligible to receive a State Marchiselli Aid reimbursement for the project phase),

and

WHEREAS, a Supplemental Agreement is also necessary in order to extend the term of the aforementioned contract to December 31, 2014, at no additional cost to the County, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute Supplemental Agreement No. 1, on behalf of Cattaraugus County, with the NYSDOT, in order to extend the term of the aforementioned contract to December 31, 2014, 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:

H.504.5197.5195.3591.01	State Aid, Highway Capital Projects	\$29,250.00
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Increase Appropriation Account:

H.504.5197.5195.25027.41603	Leon Bridge No. 7	\$29,250.00.
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Approved by 9 members of the Finance Committee and 9 members of the Public Works Committee.

Adopted April 10, 2013 by voice vote.

**ACT NO. 163-2013** by Ms. Edstrom and Mrs. Stockman  
*and Mrs. Labuhn*<sup>1</sup>

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
CATTARAUGUS COMMUNITY ACTION, INC., FOR CHILD ABUSE  
SERVICES FOR DEPARTMENT OF SOCIAL SERVICES**

Pursuant to 42 USCS 1397, 18 NYCRR Parts 405, 407 and 423,  
Article 6, Title 1 of the Social Services Law and  
Section 450 of the County Law.

WHEREAS, Act 454-2012 authorized a contract with the Cattaraugus Community Action, Inc., 25 Jefferson Street, Salamanca, New York 14779, for the provision of a Child Abuse Prevention Program, the term of which expired December 31, 2012, and

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

WHEREAS, Cattaraugus Community Action, Inc., can provide parent aid services, nurturing services and parent education programs for a Child Abuse Prevention Program for an amount not to exceed \$41,163.00, plus \$24.00 per hour for supervised visitation, to be paid on a monthly basis as invoiced, and

WHEREAS, this program is 62% federal and state and 38% county 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 Cattaraugus Community Action, Inc., 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, and be it further

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

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

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

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

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

Adopted April 10, 2013 by voice vote. Mr. Weller abstained from vote.

**ACT NO. 164-2013** by Ms. Edstrom and Mrs. Stockman

**AUTHORIZING THE CHAIR TO EXECUTE MEMORANDUM OF AGREEMENT WITH  
HEALTHY COMMUNITY ALLIANCE, INC. FOR DEPARTMENT OF SOCIAL SERVICES  
COMMUNITY PLACE DROP-IN CENTER**

Pursuant to Section 450 of the County Law.

WHEREAS, the Department of Social Services is desirous of locating a drop-in center in the Gowanda area for visitations between children in foster care situations and their biological parents, and for other visitations, interviews, conferences and trainings, as deemed appropriate by the Department, and

WHEREAS, Healthy Community Alliance, Inc., 1 School Street, Suite 100, Gowanda, New York 14070, has space available for use at the Street Outreach Drop-In Center located at Community Place, 1 School Street, Suite 106 in Gowanda, New York, at no cost to the County, and

WHEREAS, Chautauqua Opportunities is providing funding, through a grant, to renovate the above-described office space, pay utilities and hire a .75 FTE coordinator for the Drop-In Center, and

WHEREAS, the cost of this program is provided through a grant obtained by Chautauqua Opportunities, 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 space and services, for a term commencing upon the opening of the Drop-In Center and terminating December 31, 2013, according to the above-described terms, and be it further

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

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

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

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

Adopted April 10, 2013 by voice vote.

**ACT NO. 165-2013** by Ms. Edstrom and Mrs. Stockman

**AMENDING ACT 99-2013 REGARDING CONTRACTS WITH  
VARIOUS ENTITIES FOR PROVISION OF SERVICES  
FUNDED THROUGH COMMUNITY TRANSFORMATION GRANT**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 99-2013 authorized a contract with the ACCORD Corporation, 84 Schuyler Street, P.O. Box 573, Belmont, New York 14813, for the provision of certain components of the New York State Community Transformation Grant–Small Communities funding by the Centers for Disease Control and Prevention, and

WHEREAS, in addition to the services outlined in Act 99-2013, the ACCORD Corporation has agreed to provide a physical activity component, and

WHEREAS, the ACCORD Corporation shall provide a physical activity specialist for the provision of the physical activity component for a maximum of 25 hours per week, and

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

RESOLVED, that Act 99-2013 be, and hereby is, amended as follows to include the additional component: Under the item listed for the ACCORD Corporation, delete: "\$12,000.00" and replace with: "\$42,832.00", and add the following:

<u>Name &amp; Address of Entity</u>	<u>Description of Services</u>	<u>Amount</u>
ACCORD Corporation 84 Schuyler Street P.O. Box 573 Belmont, New York 14813	In 3 target areas: implement optional program standard in the County Child and Family Services Plan, requiring CACFP (Child and Adult Care Food Program) participation by legally exempt care providers who care for subsidized children 30 or more hours per week; increase participation by child care centers and homes serving low-income children that will participate in CACFP.  Train physical activity specialists to implement the provider curriculum and to coach and support child care providers to increase the quantity and quality of developmentally appropriate physical activity in child care settings.	\$42,832.00, which includes related mileage reimbursement

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

Adopted April 10, 2013 by voice vote.

**ACT NO. 166-2013** by Mr. Teachman and Mr. Padlo  
and Mr. Aiello  
*and Mrs. Stockman and Mrs. Labuhn<sup>1</sup>*

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
NEW YORK STATE BOARD OF ELECTIONS FOR  
HELP AMERICA VOTE ACT (HAVA) SHOEBOX PROGRAM FUNDS REIMBURSEMENT**

Pursuant to 42 USCS 15421, Sections 10 and 16 of the Laws of 2005 and  
Section 450 of the County Law.

WHEREAS, reimbursement is available through the New York State Board of Elections Help America Vote Act (HAVA) Shoebox program, and

WHEREAS, the County Board of Elections is eligible to receive Shoebox program reimbursement in the amount of \$128,483.78 for operations expenses, and

WHEREAS, a contract is necessary with the New York State Board of Elections in order to receive the aforementioned Shoebox program reimbursement, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute contracts, on behalf of Cattaraugus County, with the New York State Board of Elections, in order to receive the aforementioned Shoebox program funding, for a term commencing April 1, 2004 and terminating March 31, 2014, according to the above-described terms.

Approved by 9 members of the Finance Committee and 6 members of the County Operations Committee.

<sup>1</sup> The following Legislators requested their names be listed as additional sponsors: "Mrs. Stockman and Mrs. Labuhn".

Adopted April 10, 2013 by voice vote.

**ACT NO. 167-2013** by Mr. VanRensselaer and Mrs. Labuhn  
*and Mr. Aiello, Ms. Edstrom, Mr. Edwards, Mr. Felton, Mr. Hale, Mr. Klancer, Mr. Marsh,  
Mr. Murphy, Mr. Snyder, Jr., Mr. Snyder, Sr., Mrs. Stockman, Mr. Teachman, Ms. Vickman,  
Mr. Weller, Mr. Boser, Mr. Lamberson, Mr. Padlo and Mr. Sprague*<sup>1</sup>

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACTS WITH  
CATTARAUGUS COUNTY FEDERATION OF SNOWMOBILE CLUBS, INC. AND  
VARIOUS SNOWMOBILE CLUBS IN CATTARAUGUS COUNTY FOR  
SNOWMOBILE TRAIL GRANT PROGRAM AND ADJUSTING VARIOUS  
APPROPRIATION AND REVENUE ACCOUNTS  
(Department of Economic Development, Planning and Tourism)**

Pursuant to Article 27 of the Parks, Recreation and  
Historic Preservation Law and Sections 363, 366 and 450 of the County Law.

WHEREAS, Act 91-2012 authorized the Chair to execute contracts with the New York State Office of Parks, Recreation and Historic Preservation, the Cattaraugus County Federation of Snowmobile Clubs, Inc., and various snowmobile clubs for the snowmobile trail grant program, the terms of which expired March 31, 2012, and

WHEREAS, the Cattaraugus County Federation of Snowmobile Clubs, Inc., oversees the activities of various snowmobile clubs within the County, and

WHEREAS, the County desires that the development and maintenance of snowmobile trails be the responsibility of the Cattaraugus County Federation of Snowmobile Clubs, Inc., and

WHEREAS, the County shall act as a pass-through agency for purposes of disbursing the aforementioned grant funds, and

WHEREAS, the Cattaraugus County Federation of Snowmobile Clubs, Inc., shall distribute the aforementioned grant funds to the snowmobile clubs listed below:

	<u>2012 Grant</u>	<u>2013 Grant</u>
Ashford Snowmobile Club, Inc. PO Box 96 West Valley, NY 14171	\$ 8,820.00	\$6,580.00
Elibomwons, Inc. 4164 Elm Creek Road Randolph, NY 14772	\$ 27,765.00	\$ 17,700.00
Enchanted Mountains Border Riders, Inc. PO Box 325 Westons Mills, NY 14788	\$ 4,550.00	\$ 3,445.00
Franklinville Snow Sled Club, Inc. PO Box 22 Franklinville, NY 14737	\$ 23,430.00	\$ 18,280.00
Portville Snowmobile Club, Inc. PO Box 466 Portville, NY 14770	\$ 12,600.00	\$ 9,540.00
Snow Bounders, Inc. 9189 Cattaraugus-Otto Road Cattaraugus, NY 14719	\$ 64,565.00	\$ 42,190.00
Southern Tier Snow Drifters, Inc. PO Box 755 North Collins, NY 14111	\$ 11,200.00	\$ 8,375.00
Tri-County Drift Hoppers, Inc. Snowmobile Club PO Box 161 Sandusky, NY 14133-0161	\$ 14,180.00	\$ 10,480.00
Western New York Snowmobile Club of Boston, Inc. PO Box 137 Boston, NY 14025	\$ 4,410.00	\$ 3,290.00

and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute contracts, on behalf of Cattaraugus County, with the New York State Office of Parks, Recreation and Historic Preservation, the Cattaraugus County Federation of Snowmobile Clubs, Inc., and the above-listed snowmobile clubs, for the provision of the above-described services, for a term



commencing April 1, 2012 and terminating March 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.644.7180.0000.3889.01	NYS Snowmobile Trail Grant	\$119,880.00
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Increase Appropriation Account:

A.644.7180.0000.42037	NYS Snowmobile Trail Program	\$119,880.00.
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Approved by 9 members of the Finance Committee and 6 members of the Development and Agriculture Committee.

<sup>1</sup> The following Legislators requested their names be listed as additional sponsors: "Mr. Aiello, Ms. Edstrom, Mr. Edwards, Mr. Felton, Mr. Hale, Mr. Klancer, Mr. Marsh, Mr. Murphy, Mr. Snyder, Jr., Mr. Snyder, Sr., Mrs. Stockman, Mr. Teachman, Ms. Vickman, Mr. Weller, Mr. Boser, Mr. Lamberson, Mr. Padlo and Mr. Sprague".

Adopted April 10, 2013 by voice vote.

**ACT NO. 168-2013** by Ms. Edstrom, Mr. Felton, Mr. Hale, Ms. Vickman,  
Mr. Koch and Mrs. Labuhn

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH  
MEDICAL STAFFING NETWORK FOR  
CERTIFIED NURSES AIDE COVERAGE FOR  
DEPARTMENT OF NURSING HOMES**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 746-2010, as amended by Act 221-2011, authorized a contract with Medical Staffing Network, 97 Canal Landing Blvd., Suite 4, Rochester, New York 14626, for the coverage of registered nurse (RN), licensed practical nurse (LPN) and certified nurse aide (CNA) services, the term of which continues in full force and effect at the same rates until amended or terminated by either party, and

WHEREAS, Medical Staffing Network has requested a rate increase, effective April 1, 2013, for the registered nurse (RN) and licensed practical nurse (LPN) services, as follows:

		<u>Current Rate</u>	<u>New Rate</u>
LPN	Weekday and Weekend	\$36.00/hour	\$39.00/hour
RN	Weekday and Weekend	\$48.00/hour	\$51.00/hour,

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 Medical Staffing Network, for the provision of the above-described services, for a term commencing April 1, 2013 to continue in full

force and effect at the same rates until amended or terminated by either party hereto, according to the above-described terms, and be it further

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

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

Adopted April 10, 2013 by voice vote.

**ACT NO. 169-2013** by Mr. Marsh  
*and Mr. Aiello, Ms. Edstrom, 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, Mrs. Labuhn, Mr. Lamberson, Mr. Padlo and Mr. Sprague<sup>1</sup>*

**REQUESTING NEW YORK STATE LEGISLATURE TO AUTHORIZE EXTENSION OF  
ADDITIONAL 1% SALES TAX FOR CATTARAUGUS COUNTY**

Pursuant to Section 40 of the Municipal Home Rule Law.

WHEREAS, the New York State Legislature authorized the imposition of an additional 1% sales tax in Cattaraugus County by Chapter 242 of the Laws of 2011 of the State of New York, and

WHEREAS, that authorization expires on November 30, 2013, and

WHEREAS, the revenue generated by the 1% sales tax during 2011 was approximately \$8,829,603.00, and

WHEREAS, the additional 1% sales tax has been allocated in the 2013 budget for the maintenance, repair, rehabilitation and replacement of the infrastructure in Cattaraugus County, and

WHEREAS, due to the need to continue this infrastructure program, the additional 1% sales tax should be extended for a term commencing December 1, 2013 through November 30, 2015, and

WHEREAS, there should be an exemption for home heating fuels from this additional 1% sales tax, and

WHEREAS, a necessity exists for the passage of such legislation by the New York State Legislature, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature hereby requests the New York State Legislature adopt special legislation to amend such laws, including the New York State Tax Law, to authorize the Cattaraugus County Legislature to extend the additional 1% sales tax, for a term commencing December 1, 2013 and terminating November 30, 2015, and be it further

RESOLVED, that the Clerk of the Legislature is hereby directed to forward certified copies of this resolution to Senator Young and Assembly Member Giglio.

Approved by 9 members of the Finance Committee.

<sup>1</sup> The following Legislators requested their names be listed as additional sponsors: "Mr. Aiello, Ms. Edstrom, 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, Mrs. Labuhn, Mr. Lamberson, Mr. Padlo and Mr. Sprague".

Adopted April 10, 2013 by voice vote.

**ACT NO. 170-2013** by Mr. Aiello, Mr. Felton, Ms. Vickman and Mr. Weller

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
AUDUBON ARCHITECTURE, ENGINEERING, SURVEYING AND  
LANDSCAPE ARCHITECTURE, P.C. FOR ENGINEERING SERVICES FOR  
ROOF REPLACEMENT PROJECT**

Pursuant to Sections 215 and 450 of the County Law.

WHEREAS, Act 486-2012 authorized a contract with Audubon Architecture, Engineering, Surveying and Landscape Architecture, P.C., (formerly known as Wendel Duchscherer), 140 John James Audubon Parkway, Suite 201, Buffalo, New York 14228, for the provision of an "existing conditions survey" of the roof at the Pines Healthcare and Rehabilitation Center – Olean Campus, and

WHEREAS, engineering services are needed for the replacement of the aforementioned roof, and

WHEREAS, Audubon Architecture, Engineering, Surveying and Landscape Architecture, P.C., (formerly known as Wendel Duchscherer), can provide the aforementioned engineering services for an amount of \$47,000.00, plus reimbursable expenses not to exceed \$1,800.00, to be paid as invoiced and approved by the Department of Public Works, and

WHEREAS, sufficient funds are included in the 2013 budget to cover the cost of the aforementioned survey, 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 Audubon Architecture, Engineering, Surveying and Landscape Architecture, P.C., for the provision of the above-described services, for a term commencing April 11, 2013 and terminating December 31, 2014, according to the above-described terms.

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

Adopted April 10, 2013 by voice vote.

**ACT NO. 171-2013** by Mr. Felton, Mr. Hale, Mr. Klancer, Mr. Marsh, Mr. Murphy, Mr. Snyder, Jr., Mrs. Stockman, Mr. VanRensselaer, Ms. Vickman and Mr. Weller  
*and Mrs. Labuhn, Mr. Lamberson and Mr. Sprague<sup>1</sup>*  
who ask immediate consideration

**SALE OF TAX TITLE PROPERTY TO FORMER OWNERS  
(Towns of Coldspring, Dayton, East Otto, Ellicottville, Hinsdale,  
Humphrey, Ischua, Little Valley and Portville)**

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 Towns of Towns of Coldspring, Dayton, East Otto, Ellicottville, Hinsdale, Humphrey, Ischua, Little Valley and Portville, and

WHEREAS, the former owners of the properties have 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 County Treasurer's Deeds conveying these properties to the following individuals:

**TOWN OF COLDSRING**

PARCEL	TAX MAP NO.	FORMER OWNER(S)	ADDRESS	COUNTY INVOLVEMENT
107	80.017-2-15	Francis Stanz (life use) Virginia Stanz (life use) John Stanz	10267 Railroad Ave. Randolph, NY 14772 5578 Ripple Dr. Hamburg, NY 14075	\$3,365.96

**TOWN OF DAYTON**

PARCEL	TAX MAP NO.	FORMER OWNER(S)	ADDRESS	COUNTY INVOLVEMENT
125	34.001-1-28.4	Chad Silleman	12065 Route 322 South Dayton, NY 14138	\$2,176.36

**TOWN OF EAST OTTO**

PARCEL	TAX MAP NO.	FORMER OWNER(S)	ADDRESS	COUNTY INVOLVEMENT
127	28.001-1-13.2	David Gradler Viola Gradler	9336 Bowen Rd. East Otto, NY 14729	\$8,013.71
128	28.001-1-13.6	David Gradler Viola Gradler	9336 Bowen Rd. East Otto, NY 14729	\$1,879.98

**TOWN OF ELLICOTTVILLE**

PARCEL	TAX MAP NO.	FORMER OWNER(S)	ADDRESS	COUNTY INVOLVEMENT
140	37.004-1-3.1	Linda L. Moss	PO Box 805 Ellicottville, NY 14731	\$4,972.29

**TOWN OF HINSDALE**

PARCEL	TAX MAP NO.	FORMER OWNER(S)	ADDRESS	COUNTY INVOLVEMENT
200	77.004-3-16	Frank F. Brown Kathleen M. Brown	3696 Hedden Hollow Rd. Cuba, NY 14727	\$3,761.03

**TOWN OF HUMPHREY**

PARCEL	TAX MAP NO.	FORMER OWNER(S)	ADDRESS	COUNTY INVOLVEMENT
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216	66.002-1-7.7	Linda A. Flagg	1976 Genesee Rd. Arcade, NY 14009	\$10,394.31
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**TOWN OF ISCHUA**

PARCEL	TAX MAP NO.	FORMER OWNER(S)	ADDRESS	COUNTY INVOLVEMENT
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229	67.003-2-10.1	William See	4863 Hardscramble Rd. Hinsdale, NY 14743	\$1,593.87
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230	67.003-2-9	William See Betsy See	4863 Hardscramble Rd. Hinsdale, NY 14743	\$3,994.67
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**TOWN OF LITTLE VALLEY**

PARCEL	TAX MAP NO.	FORMER OWNER(S)	ADDRESS	COUNTY INVOLVEMENT
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251	54.004-1-40	Mary Skinner	101 Hill St. Little Valley, NY 14755	\$11,813.33
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**TOWN OF PORTVILLE**

PARCEL	TAX MAP NO.	FORMER OWNER(S)	ADDRESS	COUNTY INVOLVEMENT
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327	104.057-1-32	Robert W. Becker Barbara J. Becker	399 Butternut Brook Rd. Portville, 14770	\$9,107.11
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Mr. Klancer moved, seconded by Mr. Sprague to waive Rule 12. Carried.

<sup>1</sup> The following Legislators requested their names be listed as additional sponsors: "Mrs. Labuhn, Mr. Lamberson and Mr. Sprague".

Adopted April 10, 2013 by voice vote.

**ACT NO. 172-2013** by Mr. Klancer and Mr. Murphy  
who ask immediate consideration

**SALE OF TAX TITLE PROPERTY TO VILLAGE OF CATTARAUGUS AND  
WAIVING RULE 40 OF THE RULES OF ORDER**

Pursuant to Section 215 of the County Law, Rule 33 of the  
Rules of Order of the Cattaraugus County Legislature, and  
Section 72-h of the General Municipal Law.

WHEREAS, Cattaraugus County has tax title to certain properties in the Town of New Albion described as being that part of Parcel 291: 6539 NYS Rte 353, Tax Map No. 45.003-2-6.1, 146.75 acres, Rural Res, LCC: 240, which is outlined and identified as Parcels A and B on the attached map, and

WHEREAS, the Village of Cattaraugus has offered to purchase the above-described properties for an amount of \$9,000.00, which includes the buyback amount, taxes for 2013 and all filing fees, and

WHEREAS, that upon receipt of the aforementioned amount, the property should be conveyed to the Village of Cattaraugus, now, therefore, be it

RESOLVED, that the County Treasurer, upon receipt of the amount of \$9,000.00, is hereby authorized and directed to convey the aforementioned parcel to the Village of Cattaraugus, by the issuance of a County Treasurer's Deed the description for which will be prepared by the County Attorney's Office, after a survey of the property is completed, and be it further

RESOLVED, that Rule 40 of the Rules of Order of the Cattaraugus County Legislature is hereby waived for this sale.

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

Adopted April 10, 2013 by unanimous voice vote.



WHEREAS, engineering consultant services are needed in order to facilitate the relocation of the Board of Elections offices to the former Cattaraugus-Little Valley Elementary School, and

WHEREAS, Audubon Architecture, Engineering, Surveying & Landscape Architecture, P.C., (a/k/a Wendel Duchscherer), 140 John James Audubon Parkway, Suite 201, Buffalo, New York 14228, can provide the necessary engineering consultant services for an amount not to exceed \$15,000.00, plus reimbursable expenses not to exceed \$1,200.00, to be paid as invoiced, and

WHEREAS, sufficient funds are included in the 2013 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 Audubon Architecture, Engineering, Surveying & Landscape Architecture, P.C., (a/k/a Wendel Duchscherer), for the provision of the above-described engineering consultant services, for a term commencing April 1, 2013 and terminating December 31, 2013, according to the above-described terms.

MR. VANRENSSELAER moved, seconded by Mr. Edwards to waive Rule 12. Carried.

MR. SPRAGUE moved, seconded by Mr. Snyder, Jr. to refer Act No. 173-2013 to the Finance Committee and the County Operations Committee. Motion failed to receive majority vote.

Adopted April 10, 2013 by voice vote. Mr. Snyder, Jr. voting no.

**ACT NO. 174-2013** by Mr. Marsh  
who asks immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE REGISTRATION DOCUMENTS FOR  
ACCESS TO NEW YORK GRANTS GATEWAY SYSTEM**

Pursuant to Section 450 of the County Law.

WHEREAS, Governor Cuomo has implemented a web-based grants management system, which is a one-stop location that will improve the way grants are administered by the State, and

WHEREAS, the grant system's ability will include the following:

- Opportunity Portal – a simple way to search for available and anticipated grant opportunities, register to receive notification when specific types of grant opportunities are posted
- Document Vault – a secure online document repository for the grantees to store and share commonly requested documents with State agencies;
- Online Contracts – ability for grantees to apply for grants online, develop and execute contracts online; and
- Online Claims – ability to submit a request for payment and the supporting documentation online and track status,

and

WHEREAS, the County must register through the Division of Budget – Grants Reform, Agency Building 1, 5<sup>th</sup> Floor, Empire State Plaza, Albany, New York 12224, in order to access the Grants Gateway, now, therefore, be it



RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute registration documents, on behalf of Cattaraugus County, with the New York State Division of Budget – Grants Reform, in order to access the above-described Grants Gateway System, according to the above-described terms.

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

Adopted April 10, 2013 by voice vote.

**ACT NO. 175-2013** by Mr. Teachman and Mr. Padlo  
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACTS WITH  
VARIOUS SCHOOL DISTRICTS FOR  
USE OF ELECTRONIC VOTING MACHINES FOR SCHOOL ELECTIONS**

Pursuant to Section 450 of the County Law.

WHEREAS, school districts in Cattaraugus County are desirous of using the County's electronic voting machines for school elections, and

WHEREAS, the County Board of Elections has agreed to allow school districts to use its electronic voting machines for school elections for an amount based on the actual expenses incurred by the Board of Elections at each school election, and

WHEREAS, the County Board of Elections shall charge back to the school district 100% of the actual expenses incurred by the Board of Elections at each school election, not to exceed \$1,500.00 per election, and

WHEREAS, the school districts using the County's electronic voting machines must hire certified inspectors, which have been approved of by the County Board of Elections, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute contracts, on behalf of Cattaraugus County, with various school districts, for the use of the electronic voting machines, 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.

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

Adopted April 10, 2013 by voice vote.

**ACT NO. 176-2013** by Mr. Aiello, Mr. Felton, Mr. Hale, Mr. Klancer,  
Mr. Murphy, Mr. Snyder Sr., Mr. VanRensselaer,  
Mr. Weller, Mr. Boser and Mr. Koch  
who ask immediate consideration

**CREATING FIVE POSITIONS OF DEPUTY SHERIFF IN THE SHERIFF'S OFFICE  
TO BE FILLED ON A PART-TIME BASIS 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 Sheriff's Office is in need of expanding its pool of positions of part-time deputy sheriff to assist with transports, building security and other areas where needed, and

WHEREAS, many of the current part-time Deputies are restricted by local Civil Service Rules in the number of hours they can work on an annual basis, and

WHEREAS, the increase in the number and availability of part-time Deputies will help ensure the availability of part-time help at the end of the year, thereby reducing the need of full-time Deputies to work on an overtime basis, and

WHEREAS, the New Position Duties Statement has been submitted to the Cattaraugus County Civil Service Commission, which has approved and certified the titles as Deputy Sheriff in accordance with Section 22 of the Civil Service Law, now, therefore, be it

RESOLVED, that effective immediately, there is hereby created five positions of Deputy Sheriff to be filled on a part-time basis and to be compensated at Grade 23 (14.49 per hour), Sheriff's Department Deputy Unit.

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

Adopted April 10, 2013 by voice vote.

MR. TEACHMAN moved, seconded by Ms. Edstrom to adjourn until April 27, 2013 at 3:00 p.m. Carried.

Meeting adjourned at 3:57 p.m.

Ann M. Giglio  
Journal Clerk