

May 22, 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. Edwards. Mr. Edwards arrived at 3:22 p.m.

MR. TEACHMAN moved, seconded by Mr. Weller that the minutes of the May 8, 2013 session be approved. Carried.

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#### COMMUNICATIONS:

Allegany County Legislature: Resolution No. 16-13 entitled, “Resolution in Opposition to Assembly Bill No. A.00689 Which Amends the Election Law to Allow for Early Voting in New York State”.

Essex County Board of Supervisors: Resolution No. 148 entitled, “Resolution Declaring ‘Mayday for Mandate Relief’ and Urging New York State to Adopt Laws That Do Not Impose Further Fiscal Stress on Local Governments and Taxpayers and Build Upon Recent Efforts to Reform Costly Unfunded Mandates”.

Fulton County Board of Supervisors: Resolution No. 161 entitled, “Resolution Opposing New Unfunded Mandates to Require Early Voting in New York State” and Resolution No. 165 entitled, “Resolution Declaring ‘Mayday for Mandate Relief’ and Urging the State to Adopt Laws That Prohibit Unfunded Mandates on Local Governments”.

Niagara County Legislature: Resolution No. IL-023-13 entitled, “Resolution Calling on the New York State Legislature to Pass and Enact S.3948/A.6094, Legislation Repealing the NY-Safe Act”.

Seneca County Board of Supervisors: Resolution No.71-13 entitled, “Board of Supervisors Declares May 21, 2013 to be ‘Mayday for Mandate Relief’ and Urges the Mandate Relief Council to Take Swift Action in Submitting a Package of Mandate Relief Proposals to Governor Cuomo and the State Legislature to be Voted on This Session” and Resolution No. 72-13 entitled, “Supervisors Declare June 2013 as Donate Life Month in Seneca County”.

Yates County Legislature: Resolution No. 152-13 entitled, “Resolution Declaring ‘Mayday for Mandate Relief’ and Urging the State to Adopt Laws That Do Not Impose Further Fiscal Stress on Local Governments and Taxpayers and Build Upon Recent Efforts to Reform Costly Unfunded Mandates”.

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CHAIRMAN MARSH granted Privilege of the Floor to Joseph Pillittere, Commissioner of the Department of Public Works, who introduced Daniel Coyne, President and General Manager, CH2M Hill B & W West Valley, LLC. He stated that this company took over management of the facility in 2011. The scope of work is as follows:

Milestone #1: remove high level waste out of building and put outside on 3 foot thick concrete storage pad;

Milestone #2: remove legacy waste to off-site locations; already shipped 48,000 cu. ft. of legacy waste to date;

Milestone #3: tear down of main building-remove asbestos and perform deactivation work prior to demolition; and

Milestone #4: tear down 60 remaining buildings.

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**ACT NO. 213-2013** by Ms. Edstrom, Mr. Felton, Mr. Hale,  
Ms. Vickman, Mr. Koch and Mrs. Labuhn

**REJECTING CERTAIN DEPARTMENT OF PUBLIC WORKS BIDS  
FOR PURCHASE OF WHEELCHAIR BUS  
(Department of Nursing Homes)**

Pursuant to Section 103 of the General Municipal Law.

WHEREAS, the Department of Nursing Homes advertised for sealed bids for the purchase of a wheelchair bus, according to bid specifications and general information provided by the Senior Services Committee, and

WHEREAS, the bid specifications failed to include a trade-in provision and the bids should be rejected and rebid, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature hereby rejects the bids received for the purchase of a wheelchair bus, which were opened on April 23, 2013, authorizes the purchase of the wheelchair bus to be rebid, and authorizes all actions previously taken by the Department of Nursing Homes regarding such rejection and rebidding nunc pro tunc.

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

Adopted May 22, 2013 by voice vote.

**ACT NO. 214-2013** by Mr. Aiello and Mr. Weller  
*and Mr. Lamberson<sup>1</sup>*

**BID ACCEPTANCE FOR EMERGENCY STREAMBANK RESTORATION  
(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 emergency streambank restoration, according to specifications provided by the Public Works Committee, and

WHEREAS, the lowest bid received meeting specifications for the following two (2) sites was the bid of Union Concrete & Construction Corporation, 105 Center Road, P.O. Box 410, West Seneca, New York 14224, in the amount of \$34,976.00, as follows, to be paid as invoiced:

County Road No. 38 (Mutton Hollow)	\$24,376.00
County Road No. 12 (Brooklyn Project)	\$10,600.00,

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 bid of Union Concrete & Construction Corporation be, and the same hereby is, accepted, for a term commencing upon Notice of Award and terminating July 1, 2013, 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.

Twenty-Four sets of specifications were sent out.

Five bids were received.

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

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

Adopted May 22, 2013 by voice vote.

**ACT NO. 215-2013** by Mr. Aiello, Mr. Felton, Ms. Vickman and Mr. Weller

**BID ACCEPTANCE FOR MULTI-PLATE VERTICAL ELLIPSE  
FOR ASHFORD BRIDGE NO. 53**

Pursuant to Section 103 of the General Municipal Law and  
Section 215 of the County Law.

WHEREAS, the Clerk of the Legislature was authorized to advertise for sealed bids for a multi-plate vertical ellipse for Ashford Bridge No. 53, according to specifications provided by the Public Works Committee, and

WHEREAS, the lowest responsible bid received meeting specifications for the aforementioned multi-plate vertical ellipse, was the bid of Chemung Supply Corp., P.O. Box 527, Elmira, New York 14902, for an amount of \$111,996.00, and

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

RESOLVED, that the bid of Chemung Supply Corp., be, and the same hereby is, accepted, for a term commencing upon Notice to Proceed and terminating sixty (60) days from approval, and be it further

RESOLVED, that the vouchers accordingly certified by the Commissioner of the Department of Public Works be audited by the Auditor and paid by the County Treasurer.

No State Bid.

Thirteen sets of specifications were sent out.

Three bids were received that meet specifications.

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

Adopted May 22, 2013 by voice vote.

**ACT NO. 216-2013** by Mr. Felton and Ms. Vickman

**AMENDING ACT 117-2013 REGARDING CONTRACT WITH  
KENT A. LIEBER, M.D. FOR PINES HEALTHCARE &  
REHABILITATION CENTER-MACHIAS CAMPUS MEDICAL DIRECTOR SERVICES**

Pursuant to 10 NYCRR Section 415.15 and Section 450 of the County Law.

WHEREAS, Act 764-2009 authorized a contract with Kent A. Lieber, M.D., for the provision of medical director and staff physician services at The Pines Healthcare and Rehabilitation Center in Machias for a term commencing January 1, 2010 and terminating March 31, 2013, and

WHEREAS, Act 764-2009 authorized the payment of \$41,200.00 to Dr. Lieber for the period January 1, 2012 through March 31, 2013, and

WHEREAS, the term under Act 764-2009 should have expired December 31, 2012, and

WHEREAS, Act 117-2013 authorized a contract with Kent A. Lieber, M.D., for the provision of medical director and staff physician services at The Pines Healthcare and Rehabilitation Center in Machias, for a term commencing April 1, 2013 and terminating March 31, 2016, and

WHEREAS, Act 117-2013 should be amended to include the term January 1, 2013 through March 31, 2013, now, therefore, be it

RESOLVED, that Act 117-2013 be, and hereby is, amended as follows: In the 3<sup>rd</sup> Whereas, add the following term and amount:

"1/1/2013 – 3/31/2013                      \$10,300.00",

and be it further

RESOLVED, that Act 117-2013 be, and hereby is, further amended as follows: In the 1<sup>st</sup> Resolved, delete: "April" and replace with: "January".

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

Adopted May 22, 2013 by voice vote.

**ACT NO. 217-2013** by Mr. Felton and Ms. Vickman

**ABOLISHING ONE POSITION OF NUTRITION SERVICES COORDINATOR AND  
CREATING ONE POSITION OF NUTRITION PROGRAM DIRECTOR (AGING)  
IN THE DEPARTMENT OF AGING AND ESTABLISHING COMPENSATION FOR THE SAME**

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

WHEREAS, the Department of Aging and the Department of Nursing Homes have consolidated the food services operation in order to achieve efficiencies, and

WHEREAS, due to this consolidation, the duties, responsibilities and essential functions incorporated within the current classification of Nutrition Services Coordinator will experience a permanent and material change in such duties, responsibilities and functions as to warrant a separate and distinct classification, 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 Nutrition Program Director (Aging), in accordance with Section 22 of the Civil Service Law, now, therefore, be it

RESOLVED, that effective June 1, 2013, there is hereby abolished one position of Nutrition Services Coordinator in the Department of Aging, and be it further

RESOLVED, that effective June 2, 2013, there is hereby created one Nutrition Program Director (Aging), designated as Management/Confidential to be compensated at a bi-weekly rate of \$2,288.50 (\$59,501.00 annually) and be otherwise afforded all the rights and benefits provided for in the "Benefit Manual For Managerial and Confidential Officers and Employees" as approved, effective January 2, 2009.

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

Adopted May 22, 2013 by voice vote.

**ACT NO. 218-2013** by Mr. Felton and Ms. Vickman  
*and Mr. Koch<sup>1</sup>*

**TRANSFER OF FOOD SERVICE FUNCTIONS FROM  
DEPARTMENT OF NURSING HOMES (PINES MACHIAS) TO DEPARTMENT OF AGING  
AND ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS  
(Department of Aging)**

Pursuant to Sections 205, 363 and 366 of the County Law and  
Section 70(2) of the Civil Service Law.

WHEREAS, by adoption of the 2013 County budget (Act No. 580-2012), the food service operations of the Department of Nursing Homes (Pines-Machias) were to be transferred to the Department of Aging effective June 16, 2013, and

WHEREAS, this consolidation of food service operations is expected to provide for a more effective and efficient manner in which to provide meals for both Department of Aging clientele as well as residents of the Department of Nursing Homes (Pines-Machias), and

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

RESOLVED, that effective June 16, 2013, the following positions of employment within the Department of Nursing Homes, along with the permanent incumbents thereof, are hereby transferred to the Department of Aging:

<b>TITLE:</b>	<b>POSITION NO.:</b>
<u>Food Service Manager:</u>	300-146-111
<u>Cooks ( full time):</u>	300-064-111
	300-064-112
	300-064-114
	300-064-115
<u>Food Service Helpers:</u>	300-145-111 (Full)
	300-145-112 (Part)
	300-145-113 (Part)
	300-145-114 (Part)
	300-145-115 (Part)
	300-145-116 (Part)
	300-145-118 (Full)
	300-145-119 (Full)
	300-145-120 (Part)
	300-145-124 (Full)
	300-145-126 (Part)
	300-145-128 (Full)
	300-145-129 (Part)
	300-145-130 (Full)
	300-145-131 (Part)
	300-145-132 (Part)
	300-145-133 (Part)
	300-145-134 (Part)
	300-145-135 (Part)
	300-145-136 (Part)
	300-145-137 (Part)
	300-145-138 (Full)
<u>Substitute Food Service Helpers:</u>	300-913-001
	300-913-005
	300-913-002
	300-913-006
	300-913-003
	300-913-007
	300-913-004
	300-913-008,

and be it further

RESOLVED, that in accordance with Civil Service Law Section 70, a copy of this resolution be conspicuously posted in the Department of Nursing Homes, Pines Healthcare and Rehabilitation Center – Machias Campus, and be it further

RESOLVED, that upon such transfer, all such permanent incumbents thereof shall continue to be employed with all the rights and benefits heretofore acquired through Civil Service in the classified service as provided in Civil Service Law Section 70(2), and be it further

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

Increase Estimated Revenue Account:

A.677.6712.0000.1360	Machias Dietary Reimbursement	\$33,227.00
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Increase Appropriation Accounts:

A.677.6712.0000.11000	Full Time Wages	\$16,831.00
A.677.6712.0000.12000	Part Time Wages	\$ 5,446.00
A.677.6712.0000.13000	Overtime	\$ 489.00
A.677.6712.0000.81000	FICA	\$ 1,760.00
A.677.6712.0000.82000	Retirement	\$ 4,061.00
A.677.6712.0000.83000	Health Insurance	\$ 4,579.00
A.677.6712.0000.84000	Dental Insurance	\$ 61.00.

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

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

Adopted May 22, 2013 by voice vote.

**ACT NO. 219-2013** by Mr. Marsh

*and 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<sup>1</sup>*

**REQUESTING NEW YORK STATE LEGISLATURE ENACT SENATE BILL S.4608 AND  
ASSEMBLY BILL A.6738 REGARDING ADDITIONAL ONE  
PERCENT 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 one percent sales tax in Cattaraugus County by Chapter 242 of the Laws of 2011 of the State of New York, and

WHEREAS, that authorization expires November 30, 2015, and

WHEREAS, the revenue generated by the additional one percent sales tax during 2011 was approximately \$8,829,603 million, and

WHEREAS, Senate Bill S.4608 and Assembly Bill A.6738 have been introduced in the New York State Legislature, which authorize the Cattaraugus County Legislature to implement an additional one percent sales tax for a term commencing December 1, 2013 and ending November 30, 2015, and

WHEREAS, the additional one percent sales tax has been allocated in the 2013 County budget for the maintenance, repair, rehabilitation and replacement of the infrastructure in Cattaraugus County, 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 enact Senate Bill S.4608 and Assembly Bill A.6738, which authorizes the Cattaraugus County Legislature to implement an additional one percent sales tax, in accordance with the above-described terms, and be it further

RESOLVED, that the County Attorney be, and hereby is, authorized and directed to submit one or more Home Rule Requests to the New York State Legislature pursuant hereto, 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 and 9 members of the Public Works 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. 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".

Adopted May 22, 2013 by voice vote.

**ACT NO. 220-2013** by Ms. Edstrom and Mrs. Stockman

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
FIELDS RESEARCH, INC. FOR  
DEPARTMENT OF HEALTH HH-CAHPS SURVEY**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 371-2012 authorized a contract with Fields Research, Inc., 3814 West Street, Cincinnati, Ohio 45227, for the provision of mandated patient satisfaction surveys, the term of which expires July 31, 2013, and

WHEREAS, the Centers for Medicare & Medicaid Services require that all home health care agencies that receive Medicare/Medicaid conduct a HH-CAHPS survey on a monthly basis, and

WHEREAS, the Consumer Assessment of Healthcare Providers and Systems (CAHPS®) Home Health Care Survey, hereafter referred to as the "HH-CAHPS Survey", is designed to measure the experiences of people receiving home health care from Medicare-certified home health agencies, and

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

WHEREAS, Fields Research, Inc., 3814 West Street, Cincinnati, Ohio 45227, can conduct 300 HH-CAHPS surveys for a flat fee of \$300.00 per month, to be paid 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, on behalf of Cattaraugus County, with Fields Research, Inc., for the provision of the above-described services, for a term commencing August 1, 2013 and terminating July 31, 2014, according to the above-described terms.



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

Adopted May 22, 2013 by voice vote.

**ACT NO. 221-2013** by Ms. Edstrom and Mrs. Stockman

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
OLEAN GENERAL HOSPITAL FOR FAMILY PLANNING CLINIC  
LABORATORY SERVICES**

Pursuant to Section 2406 of the Public Health Law and  
Section 450 of the County Law.

WHEREAS, Act 519-2011 authorized a contract with Olean General Hospital, 515 Main Street, Olean, New York 14760, for the provision of laboratory services for the family planning clinic, which includes the provision of services such as collection, testing, and analyzing of specimens and reporting the results to various providers, the term of which expires June 30, 2013, and

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

WHEREAS, Olean General Hospital, 515 Main Street, Olean, New York 14760, can provide laboratory services for the County Health Department's family planning clinic, in accordance with the following rate schedule:

88142	Thin Layer Pap Smear	\$18.00
87621	HPV DNA, High Risk	\$35.00
88305	Biopsy	\$45.00
88175	Thin Layer Pap Smear with Imaging	\$25.00,

and

WHEREAS, this program is fee-based and funded through private insurances, Medicaid and State Family Planning Grant funds, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Olean General Hospital, for the provision of the above-described services, for a term commencing July 1, 2013 and terminating June 30, 2015, 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 May 22, 2013 by voice vote.

**ACT NO. 222-2013** by Ms. Edstrom and Mrs. Stockman

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
TOTAL SENIOR CARE, INC. FOR  
IN-HOME NURSING AND THERAPY SERVICES**

Pursuant to 10 NYCRR Part 40-1 and Section 450 of the County Law.

WHEREAS, Act 63-2012 authorized a contract with Total Senior Care, Inc., 519 North Union Street, Olean, New York 14760, for the operation of the PACE Program for the Health Department, the term of which expired December 31, 2012, and

WHEREAS, Total Senior Care, Inc., is authorized by New York State Department of Health and the Centers for Medicare and Medicaid Services to operate a Program for All Inclusive Care for the Elderly (PACE Program) as a comprehensive program of services to participants, and

WHEREAS, Total Senior Care, Inc., is desirous of obtaining in-home nursing and therapy services from the County Department of Health for PACE Program participants, and

WHEREAS, the Department of Health has agreed to provide the following in-home nursing and therapy services to PACE Program participants in accordance with the following rates:

<u>Service</u>	<u>Rate</u>
Nursing/LPN	\$135.00/ visit
Physical Therapy	\$110.00/visit
Speech Therapy	\$125.00/visit
Occupational Therapy	\$110.00/visit
Medical Social Service	\$125.00/visit
Nutrition	\$138.00/visit
Home Health Aide	\$35.00/hour
PCA II – Personal Care	\$32.00/hour
PERS Monitor	\$23.96/month
Meals on Wheels	\$6.25 each
Telehealth – Monitoring	\$15.00/day
Telehealth – Installation	\$125.00 each
Electronic Medication Monitoring	\$49.00/month/unit,

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 Total Senior Care, Inc., for the provision of the above-described in-home nursing and therapy 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 7 members of the Human Services Committee.

Adopted May 22, 2013 by voice vote.

**ACT NO. 223-2013** by Mr. Felton and Ms. Vickman

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH FOURTH & MAPLE, LLC  
FOR ALLEGANY SENIOR WELLNESS AND NUTRITION PROGRAM**

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

WHEREAS, Act 311-2012 authorized a contract with Fourth & Maple, LLC, 221 Homer Street, Olean, New York 14760, for the rental of space for the Senior Wellness and Nutrition Program (SWAN) kitchen operation, and

WHEREAS, the County Department of Aging is desirous of continuing the operation of the Senior Nutrition program congregate dining site; however, it is relocating the SWAN kitchen operation effective July 1, 2013, and

WHEREAS, the current contract with Fourth & Maple, LLC, should be amended to reflect the reduction in the monthly rent and the square footage of space to be used, and

WHEREAS, Fourth & Maple, LLC, has agreed to rent to the County a total of 1,480 square feet consisting of an eating area on the first floor for the SWAN congregate dining site for the remainder of the current three (3) year term, as follows:

- July 1, 2013 – June 30, 2014  
1,480 square feet of space - \$740.40 per month, which includes utilities
- July 1, 2014 – June 30, 2015  
Increase based on annual Consumer Price Index (CPI)  
with the County's option to renew for a 4<sup>th</sup> year at the 2014-2015 rate and terms,

and

WHEREAS, this program is 75% state and 25% county funded, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute an amended contract, on behalf of Cattaraugus County, with Fourth & Maple, LLC, for the rental of the above-described premises, for a term commencing July 1, 2013 and terminating June 30, 2015, with the County's option to renew for a one-year period at the same rate, 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 Senior Services Committee.

Adopted May 22, 2013 by voice vote.

ACT NO. 224-2013 by Ms. Edstrom and Mrs. Stockman

**APPROVING CONTRACT BETWEEN  
CATTARAUGUS COUNTY COMMUNITY SERVICES BOARD AND  
ACCUMEDIC COMPUTER SYSTEMS, INC. FOR  
DEPARTMENT OF COMMUNITY SERVICES ACCUMED SOFTWARE SYSTEM AND  
ADJUSTING VARIOUS APPROPRIATION ACCOUNTS  
(Department of Community Services)**

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

WHEREAS, Act 598-2009, as amended, authorized a contract with Accumedic Computer Systems, Inc., for the provision of the AccuMed Software System, including licenses for the AccuMed System, the QuicDoc System, and the Scheduler and Patient Accounts modules and training, and

WHEREAS, the Department of Community Services is desirous of purchasing five (5) additional Accumedic software licenses for use in the Mental Health Clinic for scheduling and billing, and

WHEREAS, the Department of Community Services is also desirous of continuing the annual customer support and maintenance for the aforementioned software system, and

WHEREAS, Accumedic Computer Systems, Inc., 11 Grace Avenue, Suite 401, Great Neck, New York 11021, can provide five (5) additional Accumedic software licenses for an amount of \$6,277.50, plus continued customer support and maintenance for the AccuMed Software System for an amount of \$1,255.50, for a total amount of \$7,533.00, to be paid as invoiced, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract between the Cattaraugus County Community Services Board and Accumedic Computer Systems, Inc., to signify the County's approval, for the provision of the above-described additional software licenses and customer support and maintenance, for a term commencing May 22, 2013, continuing in full force and effect until terminated by either party, according to the above-described terms, and be it further

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

Decrease Appropriation Account:

A.431.4335.2100.41229	Social Worker Contracted	\$7,533.00
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Increase Appropriation Account:

A.431.4335.2100.20006	Computer/Equipment Software	\$7,533.00.
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Approved by 9 members of the Finance Committee, 7 members of the County Operations Committee and 7 members of the Human Services Committee.

MS. EDSTROM moved, seconded by Mr. Teachman to refer Act No. 224-2013 back to the Finance Committee, County Operations Committee and Human Services Committee. Carried.

**ACT NO. 225-2013** by Ms. Edstrom and Mrs. Stockman

**APPROVING AMENDED CONTRACT BETWEEN  
CATTARAUGUS COUNTY COMMUNITY SERVICES BOARD AND  
CATTARAUGUS COUNTY CHAPTER, NYSARC, INC., AND  
CATTARAUGUS REHABILITATION CENTER, INC. FOR PROVISION OF SERVICES AND  
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS  
(Department of Community Services)**

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

WHEREAS, Act 76-2011, as amended by Act 367-2011, authorized a contract with the Cattaraugus County Chapter, NYSARC, Inc., and the Cattaraugus Rehabilitation Center, Inc., 1439 Buffalo Street, Olean, New York 14760, for the provision of services, the term of which expired December 31, 2011, and

WHEREAS, the New York State Office for People With Developmental Disabilities has awarded additional funds in the amount of \$3,092.00 to the Cattaraugus County Chapter, NYSARC, Inc., for services provided during the term January 1, 2011 through December 31, 2011, and

WHEREAS, an amended contract is necessary in order to accept the aforementioned additional funds, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute an amended contract, between the Cattaraugus County Community Services Board and the Cattaraugus County Chapter, NYSARC, Inc., and the Cattaraugus Rehabilitation Center, Inc., to signify the County's approval, in order to accept additional funds for the 2011 closeout process, for a term commencing January 1, 2011 and terminating December 31, 2011, according to the above-described terms, and be it further

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

Increase Estimated Revenue Account:

A.434.4322.0340.3491.OT620	State Aid, OMRDD, Other than 620	\$ 3,092.00
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Increase Appropriation Account:

A.434.4322.0340.42021.OT620	NYSARC, Other than 620	\$ 3,092.00.
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Approved by 9 members of the Finance Committee and 6 members of the Human Services Committee.

Adopted May 22, 2013 by voice vote. Mrs. Labuhn and Mr. Padlo abstained from vote.

**ACT NO. 226-2013** by Ms. Edstrom and Mrs. Stockman

**APPROVING AMENDED CONTRACT BETWEEN  
CATTARAUGUS COUNTY COMMUNITY SERVICES BOARD AND  
TLC HEALTH NETWORK FOR RESIDENTIAL DRUG-FREE PROGRAM AND  
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS  
(Department of Community Services)**

Pursuant to Section 41.55 of the Mental Hygiene Law, and  
Sections 363, 366 and 450 of the County Law.

WHEREAS, Act 32-2013 authorized approval for a contract with TLC Health Network for the operation of a residential drug-free program in Cattaraugus County, the term of which expires December 31, 2013, and

WHEREAS, the New York State Office of Alcoholism and Substance Abuse Services has awarded additional funding in the amount of \$5,720.00 to Cattaraugus County for the operation of a Residential Drug-Free Program for the 2013 fiscal year, and

WHEREAS, TLC Health Network, Lake Shore Health Care Center, 845 Routes 5 & 20, Irving, New York 14081, shall operate a Residential Drug-Free Program in Cattaraugus County for the 2013 program year for an amount not to exceed \$585,094.00, to be paid on a quarterly basis as invoiced, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute an amended contract, between the Cattaraugus County Community Services Board and TLC Health Network, to signify the County's approval, for the operation of the above-described Residential Drug-Free Program, for a term commencing January 1, 2013 and terminating December 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.442.4322.3560.3492.013M	State Aid, OASAS MH Local Assistance	\$5,720.00
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Increase Appropriation Account:

A.442.4322.3560.42028.013M	TLC Health Network, Intensive Residential	\$5,720.00.
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Approved by 9 members of the Finance Committee and 7 members of the Human Services Committee.

Adopted May 22, 2013 by voice vote.

**ACT NO. 227-2013** by Ms. Edstrom and Mrs. Stockman

**APPROVING CONTRACT BETWEEN  
CATTARAUGUS COUNTY COMMUNITY SERVICES BOARD AND  
MENTAL HEALTH ASSOCIATION IN CATTARAUGUS  
COUNTY, INC., FOR PROS PROGRAM SUMMER INTERN**

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

WHEREAS, Act 233-2012 authorized a contract with the Mental Health Association in Cattaraugus County, Inc., P.O. Box 833, 121 North Union Street, Olean, New York 14060, for the provision of an intern for ten (10) weeks during the summer months in order to maintain the level of programming for the County Department of Community Services PROS Program during summer vacation time, and

WHEREAS, the County Department of Community Services is again in need of an intern for the summer months, and

WHEREAS, the Mental Health Association in Cattaraugus County, Inc., can provide an intern for ten (10) weeks during the summer months in order to maintain the level of programming for the County Department of Community Services PROS Program during summer vacation time, for an amount not to exceed \$2,000.00, to be paid on a monthly basis, as invoiced, 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 between the Cattaraugus County Community Services Board and the Mental Health Association in Cattaraugus County, Inc., to signify the County's approval, for the provision of the above-described intern, for a term commencing May 22, 2013 and terminating September 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.

Adopted May 22, 2013 by voice vote. Mr. Weller abstained from vote.

**ACT NO. 228-2013** by Mr. Snyder, Sr.  
and Mrs. Stockman<sup>1</sup>

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
PANAMERICAN ENVIRONMENTAL, INC., FOR TAX TITLE PROPERTY  
PHASE I ASSESSMENT ON FOUR COUNTY PROPERTIES AND  
TRANSFER OF FUNDS  
(Contingent Fund-Treasurer's Office)**

Pursuant to Sections 215, 363, 365 and 450 of the County Law.

WHEREAS, the County foreclosed on the following properties:

<u>Name &amp; Address</u>	<u>Tax Map No.</u>	<u>Parcel Size</u>
Eagle Forest Products, Inc.	33.041-1-5	3.86 acres
50 First Avenue	33.041-1-6	104 x 270
South Dayton, New York		
Kraig Munzert	40.062-2-15	3.52 acres
29 Elm Street		
Franklinville, New York		
Buffalo Turbine Agric Equipment Co.	16.028-1-1.3	158 x 188
Industrial Place	16.027-2-12	200 x 243
Gowanda, New York		
John A. Burrell	55.043-1-33.1	3.86 acres
24 Rockwell Avenue		
Ellicottville, New York,		

and

WHEREAS, a Phase I environmental site assessment should be conducted on each of the above-described properties to determine the environmental status of the property, and

WHEREAS, Panamerican Environmental, Inc., 2390 Clinton Street, Buffalo, New York 14227, has proposed to perform the Phase I environmental site assessment on each of the above-described properties for the total sum of \$9,300.00, as follows:

Eagle Forest Products, Inc.	\$2,500.00
Kraig Munzert	\$2,100.00
Buffalo Turbine Agric Equipment Co.	\$2,500.00
John A. Burrell	\$2,200.00,

and

WHEREAS, a transfer of funds is necessary in order 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 Panamerican Environmental, Inc., for a term commencing May 22, 2013 and terminating September 30, 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:



## Decrease Appropriation Account:

A.901.1990.0000.40601	Contingent Fund	\$9,300.00
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## Increase Appropriation Account:

A.132.1364.0000.44401	Building Repair and Maintenance	\$9,300.00.
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Approved by 9 members of the Finance Committee and 6 members of the County Operations Committee.

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

Adopted May 22, 2013 by voice vote.

**ACT NO. 229-2013** by Mr. Marsh

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
NEW YORK STATE UNIFIED COURT SYSTEM FOR  
COURT SPACE RENOVATION PROJECT AND  
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS**

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

WHEREAS, the Unified Court System has requested the County to perform certain renovations for court space located at the County Center, 303 Court Street, Little Valley, and

WHEREAS, a majority of the renovation work is to open up space on the second floor of the County Center to allow for shared offices for the Surrogate, Supreme and County Courts' Clerk's offices, and

WHEREAS, the NYS Unified Court System will reimburse the County an amount not to exceed \$240,000.00 for the aforementioned renovation project, and

WHEREAS, various appropriation and revenue accounts must be adjusted for the aforementioned renovation project, 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 Unified Court System, for reimbursement for the court space renovation project, for a term commencing April 1, 2013 and terminating June 30, 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.504.1620.0000.21061.3021	State Aid, Court Facilities	\$240,000.00
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## Increase Appropriation Account:

H.504.1620.0000.21061.41603	Court Facilities Renovation	\$240,000.00.
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Approved by 9 members of the Finance Committee and 9 members of the Public Works Committee.

Adopted May 22, 2013 by voice vote.

**ACT NO. 230-2013** by Mr. Aiello, Mr. Hale, Mr. Snyder, Jr. and Mr. Weller  
who ask immediate consideration

**BID ACCEPTANCE FOR REHABILITATION OF COUNTY ROAD NO. 27  
(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 rehabilitation of County Road No. 27 (a/k/a Haskell Road), according to specifications provided by the Public Works Committee, and

WHEREAS, the lowest bid received meeting specifications was the bid of SICAR Management & Construction, Inc., 1128 Jamison Road, Elma, New York 14059, in the total amount of \$2,253,893.85, to be paid by the County 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 bid of SICAR Management & Construction, Inc., be, and the same hereby is, accepted, for a term commencing upon Notice to Proceed and terminating December 31, 2013, and be it further

RESOLVED, that the vouchers accordingly certified by the Commissioner of the Department of Public Works be audited by the Auditor and paid by the County Treasurer.

No State Bid.

Seventeen sets of specifications were sent out.

Nine bids were received.

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

Adopted May 22, 2013 by voice vote.

**ACT NO. 231-2013** by Senior Services Committee:  
Ms. Vickman, Mr. Felton, Ms. Edstrom, Mr. Hale,  
Mr. Snyder, Jr., Mr. Koch and Mrs. Labuhn  
who ask immediate consideration

**ABOLISHING ONE POSITION OF FULL-TIME CASEWORKER AND CREATING ONE POSITION OF  
REGISTERED NURSE TO BE FILLED ON A PART-TIME BASIS AND ONE POSITION OF  
AGING SERVICES AIDE TO BE FILLED ON A PART-TIME BASIS IN THE DEPARTMENT OF AGING  
AND ESTABLISHING COMPENSATION FOR THE SAME**

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

WHEREAS, the Department of Aging is desirous of re-structuring their methodology of providing services to clients through the use of a Registered Nurse which allows the Department to

allocate resources in a more cost effective manner, while still being sensitive to the needs of the elderly, and

WHEREAS, the Department of Aging recommends that the current vacant position of Caseworker be changed from full-time status to part-time Registered Nurse as a part of this restructuring plan, and

WHEREAS, the additional position of Aging Services Aide, to be filled on a part-time basis, is necessary to help assist with the current caseload handled by Caseworkers, and

WHEREAS, this restructuring will result in cost savings while at the same time increasing efficiencies in providing services to the elderly, and

WHEREAS, the New Position Duties Statements have been submitted to the Cattaraugus County Civil Service Commission, which has approved and certified the title as Registered Nurse and Aging Services Aide, respectively, in accordance with Section 22 of the Civil Service Law, now, therefore, be it

RESOLVED, that effective immediately, there is hereby abolished one position of Caseworker, currently vacant, in the Department of Aging, and be it further

RESOLVED, that effective immediately there is hereby created one position of Registered Nurse to be filled on a part-time basis, Grade 24, Part Time Bargaining Unit, \$18.69 per hour, and be it further

RESOLVED, that effective immediately there is hereby created one position of Aging Services Aide to be filled on a part-time basis, Grade 13, Part Time Bargaining Unit, \$11.70 per hour.

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

Adopted May 22, 2013 by voice vote.

**ACT NO. 232-2013** by County Operations Committee:

Mr. Teachman, Mr. Padlo, Mr. Klancer, Mr. Snyder, Jr.,

Mrs. Stockman, Mr. Weller and Mr. Sprague

who ask immediate consideration

**CREATING ONE POSITION OF RECORDS AND INVENTORY CLERK TO BE FILLED  
ON A SEASONAL BASIS IN THE OFFICE OF THE COUNTY CLERK,  
CREATING COMPENSATION FOR SAME AND ADJUSTING VARIOUS APPROPRIATION ACCOUNTS  
(County Clerk)**

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

WHEREAS, the Office of the County Clerk has sufficient funds available to hire an additional Records and Inventory Clerk to work during the summer months, and

WHEREAS, this individual will assist in alleviating the backlog caused by the recent displacement of the Records Center due to radon and the process of its abatement, 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 Records and Inventory Clerk, to be filled on a seasonal basis in accordance with Section 22 of the Civil Service Law, and

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

RESOLVED, that effective June 1, 2013, there is hereby created one position of Records and Inventory Clerk, to be filled on a seasonal basis, Grade 14 (\$10.60 per hour, seasonal salary schedule), and be it further

RESOLVED, that effective September 1, 2013 this position #677-034-006 be automatically abolished, and be it further

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

Decrease Appropriation Account:

A.146.1460.0000.11000	Full Time Wages	\$30,492.00
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Increase Appropriation Account:

A.146.1460.0000.12000	Part Time Wages	\$30,492.00.
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MR. MURPHY moved, seconded by Mr. Koch to waive Rule 12. Carried.

Adopted May 22, 2013 by voice vote.

**ACT NO. 233-2013** by Mr. Snyder, Sr.  
who asks immediate consideration

### **SALE OF TAX TITLE PROPERTIES**

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

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

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

WHEREAS, the highest bids received for the properties were the bids listed below, now, therefore, be it

RESOLVED, that if the tender by the high bidder of the total purchase price is not made within 30 days after the adoption hereof, then the acceptance of that individual's bid shall thereafter be void and of no further effect, as of course, and the bid deposit shall be forfeited pursuant to Rule 40.8 of the Rules of Order, and be it further

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

#### **CITY OF OLEAN**

<b>PARCEL NO.</b>	<b>TAX MAP NO.</b>	<b>HIGH BIDDER</b>	<b>ADDRESS</b>	<b>COUNTY INVOLVEMENT</b>	<b>BID AMOUNT</b>
1	94.057-4-10	Gary L. Miles, Sr.	1440 Four Mile Road, Lot 8 Allegany, NY 14706	\$532.59	\$175

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5	94.065-4-49	Kevin Dougherty	1409 W. Henley, PO Box 148 Olean, NY 14760	\$1,001.58	\$400
21	94.065-6-43	Robert Givan	3869 Canal St. Hinsdale, NY 14743	\$14,646.31	\$31,000
22	94.065-6-44	Mark Pettit	129 S. 12th St. Olean, NY 14760	\$16,780.81	\$21,000
26	94.074-1-33	Timothy Marlett	3996 Gile Hollow Rd. Hinsdale, NY 14743	\$4,723.97	\$3,000
36	94.063-5-28	Jon Farleo	305 N. 19th St. Olean, NY 14760	\$12,164.31	\$33,000
37	94.048-1-42	Michelle Pancio Steven Pancio	103 Eagle Crest Dr. Olean, NY 14760	\$7,841.50	\$11,500
41	94.050-4-12	Lloyd Hundley, Jr.	116 W. Water St. Olean, NY 14760	\$22,484.65	\$14,500
43	94.047-2-23	Mary Kay Booth Michelle L. Johnson	109 N. 9th St. Olean, NY 14760	\$7,378.34	\$20,000
45	94.055-2-1	Angela M. Oliverio	23 Cherry St. Franklinville, NY 14737	\$2,040.90	\$150
46	94.065-5-36	Daryl Clark	5757 Southwestern Blvd. Hamburg, NY 14075	\$7,186.98	\$22,000
47	94.067-7-13	Jon Farleo	305 N. 19th St. Olean, NY 14760	\$8,077.50	\$16,000
50	94.065-5-47	Edward Isaacs Melinda Goodwin	140 Adams St. Olean, NY 14760	\$9,585.74	\$12,500
51	94.065-7-11	Bernard Dempsey, Jr. Richard A. Gerringer	7809 Peachtree Ave. Panarama City, CA 91402	\$7,456.57	\$14,000
55	94.065-9-29	Jason Clemons	127 S. 2nd St. Olean, NY 14760	\$1,330.58	\$1,250
56	94.065-9-30	Jason Clemons	127 S. 2nd St. Olean, NY 14760	\$3,493.89	\$1,100

56a	94.064-5-15	Lori A. Palumbo	135 N. 12th St. Olean, NY 14760	\$7,855.54	\$800
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**TOWN OF ALLEGANY**

<b>PARCEL NO.</b>	<b>TAX MAP NO.</b>	<b>HIGH BIDDER</b>	<b>ADDRESS</b>	<b>COUNTY INVOLVEMENT</b>	<b>BID AMOUNT</b>
69	93.036-1-2.5	Mark Pettit	129 S. 12th St. Olean, NY 14760	\$7,207.02	\$4,500

**TOWN OF ASHFORD**

<b>PARCEL NO.</b>	<b>TAX MAP NO.</b>	<b>HIGH BIDDER</b>	<b>ADDRESS</b>	<b>COUNTY INVOLVEMENT</b>	<b>BID AMOUNT</b>
84	11.003-2-2	David A. West	10179 Rt. 240 West Valley, NY 14171	\$56,386.29	\$54,000
88	20.004-1-9	Richard Perkins	11045 Rt. 240 West Valley, NY 14171	\$13,927.73	\$16,000

**TOWN OF CARROLLTON**

<b>PARCEL NO.</b>	<b>TAX MAP NO.</b>	<b>HIGH BIDDER</b>	<b>ADDRESS</b>	<b>COUNTY INVOLVEMENT</b>	<b>BID AMOUNT</b>
101	110.023-1-12	Gary Knowlton II	721 Streeter Brook Rd. Little Genesee, NY 14754	\$6,593.56	\$14,000

**TOWN OF DAYTON**

<b>PARCEL NO.</b>	<b>TAX MAP NO.</b>	<b>HIGH BIDDER</b>	<b>ADDRESS</b>	<b>COUNTY INVOLVEMENT</b>	<b>BID AMOUNT</b>
114	25.003-1-14	Daniel L. Miller Lydia L. Miller	8484 Rt. 62 South Dayton, NY 14138	\$7,271.86	\$10,000
115	27.004-1-11.3	Paul Feger	177 Tremont Ave. Kenmore, NY 14217	\$812.97	\$1,000
116	33.033-6-32	Terry Snyder	19 First St. South Dayton, NY 14138	\$15,177.15	\$10,000
121	33.033-6-40	Daniel Pfaffenbach	6688 Main St. Cherry Creek, NY 14723	\$14,985.43	\$25,000

**TOWN OF EAST OTTO**

<b>PARCEL NO.</b>	<b>TAX MAP NO.</b>	<b>HIGH BIDDER</b>	<b>ADDRESS</b>	<b>COUNTY INVOLVEMENT</b>	<b>BID AMOUNT</b>
130	27.004-1-11.3	Louis Spetz	12 Alton Pl. Jamestown, NY 14701	\$5,392.55	\$5,600

## TOWN OF FARMERSVILLE

PARCEL NO.	TAX MAP NO.	HIGH BIDDER	ADDRESS	COUNTY INVOLVEMENT	BID AMOUNT
151	32.001-1-31.3	Thomas Randolph Linda Randolph	9401 Keller Hill Rd. Cuba, NY 14727	\$11,735.23	\$12,000
153	31.002-1-42	James H. Burdick	10666 Rt. 16 Delevan, NY 14042	\$1,483.02	\$1,400
153a	31.004-1-12.1	Henry Miller Elizabeth Miller	9407 Older Hill Rd. Franklinville, NY 14737	Co-Owned	\$38,000
153b	31.004-1-16.2	Chad Osgood Brandy Osgood	9091 Rt. 98 N. Franklinville, NY 14737	Co-Owned	\$29,000
153c	31.004-1-22.1	Ura E. Hershberger Lizzie M. Hershberger	970 C.R. 175 Polk, OH 44866	Co-Owned	\$45,000

## TOWN OF FRANKLINVILLE

PARCEL NO.	TAX MAP NO.	HIGH BIDDER	ADDRESS	COUNTY INVOLVEMENT	BID AMOUNT
155	40.063-4-19.3	Erica M. Quarles	31 Pine St. Franklinville, NY 14737	\$220.96	\$100
160	39.004-1-24	Carrie Newman	12801 Pleasant Ave. Irving, NY 14081	\$6,364.68	\$11,200
162	40.003-2-12	Janice A. Bronson	6103 Rt. 16 S. Franklinville, NY 14737	\$7,479.54	\$17,000
164	40.070-3-10	Jerome Giles	317 S. 3rd St. Olean, NY 14760	\$22,186.35	\$11,000
168	57.001-1-53.3	Daryl Clark	5757 Southwestern Blvd. Hamburg, NY 14075	\$10,204.97	\$13,000
173	48.003-1-10	Shamrock Pine, Inc.	3900 Jarecki Rd. Franklinville, NY 14737	\$2,107.56	\$7,500

## TOWN OF FREEDOM

PARCEL NO.	TAX MAP NO.	HIGH BIDDER	ADDRESS	COUNTY INVOLVEMENT	BID AMOUNT
176	14.002-2-7.5	Gene Tingue	10731 Rt. 16, PO Box 734 Olean, NY 14760	\$5,740.49	\$17,000

## TOWN OF GREAT VALLEY

PARCEL NO.	TAX MAP NO.	HIGH BIDDER	ADDRESS	COUNTY INVOLVEMENT	BID AMOUNT
183	56.004-2-1.3	Carrie Newman	12801 Pleasant Ave. Irving, NY 14081	\$3,734.82	\$9,000

## TOWN OF HINSDALE

PARCEL NO.	TAX MAP NO.	HIGH BIDDER	ADDRESS	COUNTY INVOLVEMENT	BID AMOUNT
198	86.002-2-43	Jerry Osgood	10344 Pleasant Valley Rd. Delevan, NY 14042	\$3,010.03	\$13,000
206	86.002-2-46.2	Jerome Giles	317 S. 3rd St. Olean, NY 14760	\$840.11	\$6,700
208	77.013-3-17	James H. Burdick	10666 Rt. 16 Delevan, NY 14042	\$5,774.33	\$1,000
210	68.004-2-1.12	Jerry Osgood	10344 Pleasant Valley Rd. Delevan, NY 14042	\$1,398.89	\$7,200

## TOWN OF HUMPHREY

PARCEL NO.	TAX MAP NO.	HIGH BIDDER	ADDRESS	COUNTY INVOLVEMENT	BID AMOUNT
215	66.003-1-30.1	Andrew LaBorde	514 3rd Ave. Olean, NY 14760	\$4,590.22	\$5,800

## TOWN OF ISCHUA

PARCEL NO.	TAX MAP NO.	HIGH BIDDER	ADDRESS	COUNTY INVOLVEMENT	BID AMOUNT
224	67.003-2-11	William See Betsy See	4863 Hardscramble Rd. Hinsdale, NY 14743	\$715.49	\$200
231	58.004-1-5.14	Bruce Crawford David Wirfel	223 Lakeview Drive Orchard Park, NY 14027	\$2,246.65	\$7,000

## TOWN OF LEON

PARCEL NO.	TAX MAP NO.	HIGH BIDDER	ADDRESS	COUNTY INVOLVEMENT	BID AMOUNT
232	52.001-1-18.1	Tammy M. Utley	220 Oak St. South Dayton, NY 14138	\$8,228.71	\$21,000



## TOWN OF LITTLE VALLEY

PARCEL NO.	TAX MAP NO.	HIGH BIDDER	ADDRESS	COUNTY INVOLVEMENT	BID AMOUNT
240	64.001-2-12.1	Ryan Woodard	200 Ransom Rd. Lancaster, NY 14086	\$1,245.87	\$5,400

## TOWN OF LYNDON

PARCEL NO.	TAX MAP NO.	HIGH BIDDER	ADDRESS	COUNTY INVOLVEMENT	BID AMOUNT
256	40.004-2-1.4	Timothy Marlett	3996 Gile Hollow Rd. Hinsdale, NY 14743	\$1,168.14	\$1,400
257	59.001-1-51.1	Matthew Harrington	4557 Rt. 305 Cuba, NY 14727	\$9,420.79	\$15,000

## TOWN OF MACHIAS

PARCEL NO.	TAX MAP NO.	HIGH BIDDER	ADDRESS	COUNTY INVOLVEMENT	BID AMOUNT
257a	22.013-3-34	Dennis Smilnich Emily Secreta	240 Grove St. Tonawanda, NY 14150	\$1,007.08	\$250
262	22.013-3-26	Lois A. Fisher James Lozinsky	9322 Champlain Ave. Niagara Falls, NY 14304	\$946.44	\$2,100
266	21.020-2-46	Mark A. Kless	108 Hazelmere Ave. Machias, NY 14101	\$363.92	\$1,100

## TOWN OF MANSFIELD

PARCEL NO.	TAX MAP NO.	HIGH BIDDER	ADDRESS	COUNTY INVOLVEMENT	BID AMOUNT
270	36.020-1-12	William Leek Ryan Phelan	58 Victory Ave. Lackawanna, NY 14218	\$3,842.96	\$3,600

## TOWN OF NAPOLI

PARCEL NO.	TAX MAP NO.	HIGH BIDDER	ADDRESS	COUNTY INVOLVEMENT	BID AMOUNT
276	70.002-2-33	Nathan A.J. Bowers	270 S. Main St. Cattaraugus, NY 14719	\$1,678.33	\$1,800
277	71.001-2-18	Angela Oliverio	23 Cherry St. Franklinville, NY 14737	\$7,875.90	\$9,600
278	62.070-5-22	Conn Keogh	22 Carriage Hill Ct. Williamsville, NY 14221	\$300.70	\$10

279	62.003-1-43.1	Jeffrey S. Nagle Susan J. Nagle	10102 Rt. 242 Little Valley, NY 14755	\$6,762.23	\$1,300
280	62.046-2-24	Charlene Rohwer	8876 Rt. 242 Little Valley, NY 14755	\$494.04	\$800

## TOWN OF NEW ALBION

PARCEL NO.	TAX MAP NO.	HIGH BIDDER	ADDRESS	COUNTY INVOLVEMENT	BID AMOUNT
285	54.029-1-19.4	Jeremy Fuller	521 Rock City St. Little Valley, NY 14755	\$1,732.20	\$1,200
288	54.029-1-19.1	John N. Brancato	297 Schenck St. N. Tonawanda, NY 14120	\$685.59	\$2,100

## TOWN OF OLEAN

PARCEL NO.	TAX MAP NO.	HIGH BIDDER	ADDRESS	COUNTY INVOLVEMENT	BID AMOUNT
300	94.002-1-42.6	Bernard A. Dempsey, Jr.	7809 Peachtree Ave. Panorama City, CA 91402	\$6,987.56	\$7,400
301	94.002-1-42.8	Bernard A. Dempsey, Jr.	7809 Peachtree Ave. Panorama City, CA 91402	\$4,871.78	\$6,000
305	85.004-1-2.33	Ryan Reed Lisa Reed	341 Pleasant St. Olean, NY 14760	\$757.15	\$1,600

## TOWN OF OTTO

PARCEL NO.	TAX MAP NO.	HIGH BIDDER	ADDRESS	COUNTY INVOLVEMENT	BID AMOUNT
307	36.009-2-8	Crystal Oliver	PO Box 92 Colenwood, NY 14069	\$8,900.82	\$7,800
309	36.009-2-2	Jennifer Priest	5 Second St. Cattaraugus, NY 14719	\$5,900.04	\$8,400

## TOWN OF PERRYSBURG

PARCEL NO.	TAX MAP NO.	HIGH BIDDER	ADDRESS	COUNTY INVOLVEMENT	BID AMOUNT
313	1.004-1-41.1	Paul Feger	177 Tremont Ave. Kenmore, NY 14217	\$3,289.04	\$4,100

**TOWN OF PORTVILLE**

<b>PARCEL NO.</b>	<b>TAX MAP NO.</b>	<b>HIGH BIDDER</b>	<b>ADDRESS</b>	<b>COUNTY INVOLVEMENT</b>	<b>BID AMOUNT</b>
330	95.004-2-5.3	Conn Keogh	22 Carriage Hill Ct. Williamsville, NY 14221	\$1,167.66	\$600
331	113.002-1-20.1	Timothy Combs	1140 Four Mile Rd. Allegany, NY 14706	\$930.86	\$1,700

**TOWN OF RANDOLPH**

<b>PARCEL NO.</b>	<b>TAX MAP NO.</b>	<b>HIGH BIDDER</b>	<b>ADDRESS</b>	<b>COUNTY INVOLVEMENT</b>	<b>BID AMOUNT</b>
354	70.004-1-4.2	Valorie Barzak	3340 Ireland Rd. Randolph, NY 14772	\$640.29	\$125
356	70.058-2-30	Tammy Utley	220 Oak St. South Dayton, NY 14138	\$8,229.15	\$11,000
364	79.002-1-5.2	Valorie Barzak James Barzak	3340 Ireland Rd. Randolph, NY 14772	\$2,864.34	\$4,600

**TOWN OF SOUTH VALLEY**

<b>PARCEL NO.</b>	<b>TAX MAP NO.</b>	<b>HIGH BIDDER</b>	<b>ADDRESS</b>	<b>COUNTY INVOLVEMENT</b>	<b>BID AMOUNT</b>
370	97.004-1-2.2	Patricia Rusiniak	3035 Union Rd. Cheektowaga, NY 14227	\$26,367.89	\$107,000

**TOWN OF YORKSHIRE**

<b>PARCEL NO.</b>	<b>TAX MAP NO.</b>	<b>HIGH BIDDER</b>	<b>ADDRESS</b>	<b>COUNTY INVOLVEMENT</b>	<b>BID AMOUNT</b>
378	12.036-3-20	Bryan Milks	36 N. Main St. Delevan, NY 14042	\$18,840.76	\$10,500
387	12.004-1-10	Joseph Miller	11545 Eldredge Rd. Conewango Valley, NY 14726	\$673.37	\$400
Totals				\$488,343.27	\$832,460
Gain				\$344,116.73	

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

Adopted May 22, 2013 by voice vote.

**ACT NO. 234-2013** by Mr. Murphy

*Mr. Aiello, Ms. Edstrom, Mr. Edwards, Mr. Felton, Mr. Hale, Mr. Klancer, Mr. Marsh, 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<sup>1</sup>*  
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH CHAUTAUQUA COUNTY FOR  
SOUTHERN TIER TASK FORCE DRUG ENFORCEMENT PROGRAM AND  
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS  
(Sheriff's Office)**

Pursuant to Section 119-o of the General Municipal Law and  
Sections 363, 366 and 450 of the County Law.

WHEREAS, a contract is necessary with Chautauqua County, whereby Cattaraugus County will be reimbursed for expenses related to the Southern Tier Task Force Drug Enforcement Program for overtime and fringe benefits for personnel, an amount of \$42,857.14 for the period July 1, 2012 through June 30, 2013, as follows:

Overtime for personnel	\$39,812.00
Fringe Benefits for personnel	\$ 3,045.14,

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 a contract, on behalf of Cattaraugus County, with Chautauqua County and the New York State Division of Criminal Justice Services for the provision of the Southern Tier Task Force Drug Enforcement Program, for a term commencing July 1, 2012 and terminating June 30, 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 Accounts:

A.311.3115.0000.3389.13	Public Safety Member Item	\$42,857.14
A.311.3110.0000.2626	Forfeiture of Crime Proceeds, Restricted	\$13,218.00

Increase Appropriation Accounts:

A.311.3115.0000.13000	Overtime	\$39,812.00
A.311.3115.0000.81000	FICA	\$ 3,045.14
A.311.3115.0000.82000	Retirement	\$13,218.00.

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

<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. 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".

Adopted May 22, 2013 by voice vote.

**ACT NO. 235-2013** by Mr. Murphy  
who asks immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE GRANT DOCUMENTS WITH  
NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES  
OFFICE OF PROBATION AND CORRECTIONAL ALTERNATIVES FOR  
ALTERNATIVES TO INCARCERATION PROGRAMS FOR JAIL DIVERSION  
AND/OR RE-ENTRY IN NEW YORK STATE**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 65-2013 authorized the Chairman to apply for funding through the New York State Division of Criminal Justice Services Grants Management System for the Alternatives to Incarceration (ATI) Programs and Adult Re-Entry Employment Programs currently supported under the Byrne Jag American Recovery and Reinvestment Act through April 30, 2013, and

WHEREAS, the County Probation Department is desirous of applying for a grant to support the Alternatives to Incarceration program through December 31, 2013, and

WHEREAS, the aforementioned grant award is supported with both Byrne Jag American Recovery and Reinvestment Act (ARRA) funds and New York State general funds, which were appropriated in the 2012-2013 State budget, and

WHEREAS, contracts are necessary in order to accept and receive the aforementioned grant funds, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute grant documents, on behalf of Cattaraugus County, with the New York State Division of Criminal Justice Services Office of Probation and Correctional Alternatives, in order to apply for the aforementioned grant funding, according to the above-described terms.

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

Adopted May 22, 2013 by voice vote.

**ACT NO. 236-2013** by Mr. Murphy  
who asks immediate consideration

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

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

WHEREAS, Act 529-2012 authorized a contract with the New York State Division of Probation and Correctional Alternatives for an Alternatives to Incarceration Program for the 2012-2013 program year, the term of which expires June 30, 2013, and

WHEREAS, the Alternatives to Incarceration Program consists of a pre-trial release component with a total program cost of \$28,165.00, with an amount of \$10,595.00 being funded

through the New York State Office of Probation and Correctional Alternatives for the contract term of July 1, 2013 through June 30, 2014, and

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

WHEREAS, this program is 39% state funded and 61% locally funded, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with the New York State Office of Probation and Correctional Alternatives, for the provision of the above-described program, for a term commencing July 1, 2013 and terminating June 30, 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.

MS. EDSTROM moved, seconded by Mr. Snyder, Jr., to waive Rule 12. Carried.

Adopted May 22, 2013 by voice vote.

**ACT NO. 237-2013** by Mr. Murphy  
who asks immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT  
WITH SWANSON SERVICES CORPORATION  
FOR COBRA BANKER SOFTWARE FOR JAIL COMMISSARY**

Pursuant to Sections 217 and 450 of the County Law.

WHEREAS, Act 387-2010 authorized a contract with Swanson Services Corporation, 1133 Pennsylvania Street, Denver, Colorado 80203, for the provision of the software and equipment necessary to collect, disburse and account for funds used by Jail inmates, the term of which expired May 16, 2013, and

WHEREAS, the Sheriff's Office is desirous of continuing the aforementioned services, and

WHEREAS, Swanson Services Corporation can provide, at no charge to the County, the software and equipment necessary to collect, disburse and account for funds used by Jail inmates through the installation of one (1) combo Booking Cashier and one (1) combo Lobby Cashier, 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 Swanson Services Corporation, for the

provision of the above-described services, for a term commencing May 17, 2013 and terminating May 16, 2016, with automatic three (3) year renewals, unless cancelled at least ninety (90) days prior to the expiration of the contract term or an extension thereof, according to the above-described terms.

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

Adopted May 22, 2013 by voice vote.

**ACT NO. 238-2013** by Mr. Marsh  
who asks immediate consideration

**ESTABLISHING MODIFIED LIST OF APPROVED PROFESSIONAL ORGANIZATIONS**

Pursuant to Section 203(1) of the County Law.

WHEREAS, Cattaraugus County is involved in numerous governmental and proprietary activities, and

WHEREAS, there are professional organizations in which the membership of various officers and employees would be beneficial to the County, and

WHEREAS, these organizations provide ideas for implementation of cost-saving measures and provide a means of disseminating information on current trends in specialized fields, and

WHEREAS, payment of dues in these organizations is beneficial to the County and serves a public purpose, and

WHEREAS, there is a reasonable connection between the activities of these organizations and the official duties of the officers or employees whose membership dues will be paid therein, and

WHEREAS, the dues and/or membership fees required to become a participating member of the organizations listed below exceed \$2,500.00, and should be approved by the Cattaraugus County Legislature, now, therefore, be it

RESOLVED, that effective January 1, 2013, the following constitutes the list of approved organizations in which Cattaraugus County authorizes membership and the payment of dues which exceed \$2,500.00:

<u>Department</u>	<u>Organization</u>
Community Services	New York Association of Psychiatric Rehabilitation Services
Health	WNY Public Health Alliance Home Care Association of New York State
Legislature	NYS Association of Counties
Nursing Homes	Leading Age County Nursing Facilities of New York, Inc.
Social Services	New York Public Welfare Association.

MR. FELTON moved, seconded by Mr. Hale to waive Rule 12. Carried.

MR. KOCH moved, seconded by Mr. Sprague to refer Act No. 238-2013 back to the Finance Committed, Human Services Committee and Senior Services Committee. Carried.

**ACT NO. 239-2013** by Mr. Koch and Mrs. Labuhn  
who ask immediate consideration

**CONGRATULATING CITY OF SALAMANCA ON 100TH ANNIVERSARY**

Pursuant to Section 153 of the County Law.

WHEREAS, the City Charter for the City of Salamanca was first proposed on February 17, 1913, and

WHEREAS, the City of Salamanca was officially incorporated and chartered on May 14, 1913, and

WHEREAS, the City of Salamanca, as one of two cities located in Cattaraugus County, has represented a significant portion of the County's population and economic activity, and

WHEREAS, the City of Salamanca, as the only city in America situated almost entirely on Native American territory, is the site of one of the most culturally significant areas in New York State, and

WHEREAS, the residents of the City of Salamanca have contributed greatly over the years to the economic growth and cultural growth of Cattaraugus County, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature hereby congratulates the City of Salamanca on its 100th anniversary, and be it further

RESOLVED, that the Clerk of the Legislature is hereby directed to forward a certified copy of this resolution to Carmen Vecchiarella, Mayor.

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

Adopted May 22, 2013 by voice vote.

**MOTION TO ADJOURN IN MEMORY OF  
ANDRZEJ COLONNA KLACZYNSKI, MD**

WHEREAS, Andrzej Colonna Klaczynski, MD, 83, of Allegany, passed away on May 15, 2013 at his home, and

WHEREAS, Dr. Klaczynski has served as President of the Cattaraugus County Board of Health since 2008, and

WHEREAS, Dr. Andy emigrated with his family in 1947 from Poland to the United States where he attended Weidner College in Chester, Pennsylvania, graduating in 1954, and

WHEREAS, he then enlisted in the U.S. Army, serving as a medic in the Korean War from 1954 to 1956 and continued his service in the U.S. Army Reserves until 1962, and

WHEREAS, moving to Olean with his wife in 1962, Dr. Andy established a family medical practice and continued that practice until 2001, and

WHEREAS, Dr. Andy became a member of the Board of Health in December 1992, and



WHEREAS, he was a member of St. Mary of the Angels Church, enjoyed working outdoors and gardening and was an avid model train hobbyist as well as a voracious reader of science fiction, and

WHEREAS, Dr. Klaczynski is survived by Evelyn, his wife of 52 years; three children, John of Spotsylvania, Virginia, Paul of Greeley, Colorado, and Ann Smiarowski of Oviedo, Florida; five grandchildren, one sister and several nephews, and

WHEREAS, the loss of his presence will be sadly felt by his many friends and colleagues in Cattaraugus County, now, therefore, Legislators Boser and Lamberson hereby

MOVE, that the Cattaraugus County Legislature hereby adjourns, and stands adjourned, in memory of Andrzej Colonna Klaczynski, MD, and this Motion be seconded by the rest of the Legislature, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature hereby adjourns, and stands adjourned, until its next meeting, unless specially convened, in memory of Andrzej Colonna Klaczynski, MD, and be it further

RESOLVED, that the Clerk of the Legislature be, and hereby is, directed to forward a certified copy of this Motion to Evelyn Klaczynski.

#### **MOTION TO ADJOURN IN MEMORY OF WILLIAM S. KANKOLENSKI**

WHEREAS, William S. Kankolenski, 55, of Edgar Springs, Missouri, passed away unexpectedly on May 13, 2013, and

WHEREAS, Mr. Kankolenski was presently employed by the Cattaraugus County Department of Public Works as a licensed land surveyor, and

WHEREAS, prior to his County employment, Mr. Kankolenski had been the Director of Surveying, Senior Project Manager with the U.S. Forest Service, the U.S. Air Force and Air National Guard in Michigan and Missouri, and

WHEREAS, Mr. Kankolenski had been a professional land surveyor for the past 32 years and was licensed in Missouri, Illinois, Kansas and New York, and

WHEREAS, he was also an Adjunct Professor in land surveying at Washington University, the University of Missouri-Rolla and St. Louis Community College, all in Missouri, and

WHEREAS, Mr. Kankolenski served in the U.S. Air Force from 1976 until 1980, and

WHEREAS, Mr. Kankolenski was a licensed Cessna pilot and real estate agent, a member of the Missouri State Board of Architects, Engineers and Land Surveyors and the N.C.E.E.S., as well as a member of several State and Local Surveying Associations, and

WHEREAS, Mr. Kankolenski loved spending time with his family and grandchildren and was an outdoors man who enjoyed hunting, fishing, skiing and golfing, and

WHEREAS, he attended every football game his sons played in throughout their high school and college years and was an avid Buffalo Bills fan, and

WHEREAS, Mr. Kankolenski is survived by his wife Belinda; his parents, William and Mary of Lewiston; his children, Jeffrey and Jonathan of St. Charles, Missouri, Tyson of Overland Park, Kansas, Kelly of St. Louis, Missouri, Matthew McCarter of Rolla, Missouri, and Amanda Hensley of Salem, Missouri; six grandchildren; two brothers, one sister, and several nieces and nephews, and

WHEREAS, the loss of his presence will be sadly felt by his many friends and colleagues in Cattaraugus County, now, therefore, Legislators Aiello and Weller hereby

MOVE, that the Cattaraugus County Legislature hereby adjourns, and stands adjourned, in memory of William S. Kankolenski, and this Motion be seconded by the rest of the Legislature, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature hereby adjourns, and stands adjourned, until its next meeting, unless specially convened, in memory of William S. Kankolenski, and be it further

RESOLVED, that the Clerk of the Legislature be, and hereby is, directed to forward a certified copy of this Motion to Belinda Kankolenski.

**MOTION TO ADJOURN IN MEMORY OF  
WARREN G. SCHMIDT**

WHEREAS, Warren G. Schmidt, 62, of Freedom, passed away unexpectedly on May 7, 2013 at his home, and

WHEREAS, Mr. Schmidt was presently serving as a Town of Freedom councilman, and

WHEREAS, Mr. Schmidt had been a teacher for 33 years in the Cuba-Rushford School District after which he taught for two years with BOCES overseeing the county government intern program in Allegany and Cattaraugus counties, and

WHEREAS, Mr. Schmidt was also an aerospace education officer for the Condor Composite Squadron Civil Air Patrol in Perry, and

WHEREAS, he was involved in politics having previously served as Chairman of the Cattaraugus County Conservative Party for many years, and

WHEREAS, Mr. Schmidt was a member of the Hope Lutheran Church in Arcade, and

WHEREAS, Mr. Schmidt is survived by Brenda, his wife of 39 years; one brother, Paul Schmidt, one niece, three nephews, two grandnieces and one grandnephew, and

WHEREAS, the loss of his presence will be sadly felt by his many friends and colleagues in Cattaraugus County, now, therefore, Legislators Felton, Vickman and Weller hereby

MOVE, that the Cattaraugus County Legislature hereby adjourns, and stands adjourned, in memory of Warren G. Schmidt, and this Motion be seconded by the rest of the Legislature, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature hereby adjourns, and stands adjourned, until its next meeting, unless specially convened, in memory of Warren G. Schmidt, and be it further

RESOLVED, that the Clerk of the Legislature be, and hereby is, directed to forward a certified copy of this Motion to Brenda Schmidt.

MR. HALE moved, seconded by Mr. Klancer to adjourn until June 12, 2013 at 3:00 p.m. Carried.

Meeting adjourned at 4:07 p.m.

Ann M. Giglio  
Journal Clerk