

October 9, 2013

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

The invocation was given by Rev. Kay.

The Attendance Roll Call disclosed all Legislators present.

MS. EDSTROM moved, seconded by Mr. Weller that the minutes of the September 18, 2013 session and the September 23, 2013 session be approved. Carried.

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CHAIRMAN MARSH granted Privilege of the Floor to Dianne Baker, Executive Director, Cornell Cooperative Extension, who thanked the Legislators for their support and announced her upcoming retirement in November 2013. Ms. Baker then introduced Kate O'Stricker who spoke regarding the Complete Streets project which assists municipalities in Cattaraugus and Allegany counties to build the infrastructure needed to develop streets that invite physical activity. This initiative focuses on helping municipalities pass a "Complete Streets" policy which asks transportation planners and engineers to consistently design and alter the rights-of-way with all users in mind (bicyclists, pedestrians and persons with disabilities). This policy focuses on new construction, reconstruction and maintenance projects to make a more walkable community. Ms. O'Stricker introduced Gretchen Taft from the Village of Little Valley who talked about how the Village utilized this project.

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ACT NO. 428-2013 by Mr. Aiello and Mr. Weller

**BID ACCEPTANCE FOR RIVETED STEEL BRIDGE DECKING
(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 riveted steel bridge decking, according to specifications provided by the Public Works Committee, and

WHEREAS, Chemung Supply Corp., P.O. Box 527, Elmira, New York 14902, submitted the lowest bid for the provision of riveted steel bridge decking in the amount of \$52,997.60, and

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

RESOLVED, that the bid of Chemung Supply Corp. be, and the same hereby is, accepted, and be it further

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

No State Bid.

Eight sets of specifications were sent out.

Two bids were received.

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

Adopted October 9, 2013 by voice vote.

ACT NO. 429-2013 by Labor Relations Committee:
Mr. Aiello, Mr. Lamberson, Mr. Edwards, Ms. Vickman and Mr. Boser

**AMENDING "BENEFIT MANUAL FOR MANAGERIAL AND
CONFIDENTIAL OFFICERS AND EMPLOYEES"**

Pursuant to Article 205 of the County Law.

WHEREAS, Act 564-2008 re-established the fringe benefit package for employees designated as Management/Confidential, and

WHEREAS, it is necessary to update the plan based on recent changes to state and federal regulations as well as County policy, and

WHEREAS, this update will not provide for any enhancement of benefits beyond what is required under such statutes, and

WHEREAS, based on a recent audit of the County by the Office of the State Comptroller, it is also necessary to define a standard work day for all employees, now, therefore, be it

RESOLVED, that effective immediately, the following revisions be made to the "Benefit Manual For Managerial and Confidential Officers and Employees":

- Under Section 4.5 Administrative Employees, delete: "Risk Manager", and add:
"Insurance and Workers Compensation Coordinator
Privacy, Security and Compliance Officer"
- Under Section 5 Hours of Work, add:
"Section 5.1(a):
The term "salaried employees" shall be deemed to establish a standard work day of seven hours per day, and a standard work week of thirty-five hours per week, for purposes of retirement system reporting."

"Section 5.2(b):
The term "hourly employees" shall be deemed to establish a standard work day of seven hours per day, and a standard work week of thirty-five hours per week, for purposes of retirement system reporting."
- Under Section 8 Sick Leave with Pay, delete:
"Section 8.4.b: Hourly Employees.
If sick leave is approved, then it shall not be granted in less than one-day hour units."
(NOTE: This sentence is redundant)

- Under Section 8 Sick Leave with Pay, delete:

"Section 8.7: Sick Leave Bank.

Each employee shall contribute one (1) day per year to a sick bank to be deducted from the employee's accrual on January 1 of each year of this contract. The Employer will contribute an amount of days equal to the total employee's contribution. An employee unable to contribute cannot participate. Effective January 1, 1998, employee and Employer contribution to the Sick Leave Bank will be suspended until such time as the balance of hours in the sick leave bank is less than 10,000 hours. Should the balance drop below 10,000 hours, employee and Employer contributions would resume on the following January 1st date."

and replace with:

"Section 8.7: Sick Leave Bank.

Each employee shall contribute one (1) day per year to a sick bank to be deducted from the accrual on January 1 of each year. The Employer will contribute an amount of days equal to the total employee's contribution. An employee unable to contribute cannot participate. Effective January 1, 2013, employee and Employer contribution to the Sick Leave Bank will be suspended until such time as the balance of hours in the sick leave bank is less than 5,000 hours. Should the balance drop below 5,000 hours, employee and Employer contributions would resume on the following January 1st date."

(NOTE: The previous section reflected the number of hours for the Supervisory Unit and should be amended to reflect the number of Management/Confidential employees.)

- Under Section 11 Family and Medical Leaves, delete:

"Section 11.2: Maternity Leave for Employees. An employee may use sick leave benefits to cover time lost from duties because of pregnancy as provided in Article 18 of this Agreement. If the employee suffers a pregnancy-related disability and has exhausted all accrued sick leave and vacation credits, then she is eligible to apply for unpaid leave pursuant to Section 11.1."

and replace with:

"Section 11.2: Maternity Leave for Employees. An employee may use sick leave benefits to cover time lost from duties because of pregnancy. If the employee suffers a pregnancy-related disability and has exhausted all accrued sick leave and vacation credits, then she is eligible to apply for unpaid leave."

(NOTE: The references contained in the prior language are Articles within the Collective Bargaining Agreements. There are no such Articles within the Management/Confidential plan.)

- Under Section 17 Insurance, delete:

"Section 17.1(a): The Health Insurance Plan.

The Employer shall provide a Health Insurance Plan to full-time active employees, which shall be the only plan available. Effective October 1, 2008, the employee desiring family coverage will pay \$35.00 of the annual Health Insurance premium costs per pay period, the employee desiring two person coverage will pay \$32.50 of the annual Health Insurance premium costs per pay period and employees desiring single coverage will pay \$27.50 per pay period towards the annual premium costs of the plan. Effective January 1, 2009, the employee desiring family coverage will pay \$50.00 of the annual Health Insurance premium costs per pay period, the employee desiring two person coverage will pay \$40.00 of the annual Health Insurance premium

costs per pay period and employees desiring single coverage will pay \$35.00 per pay period towards the annual premium costs of the plan. Effective January 1, 2010, the employee desiring family coverage will pay \$55.00 of the annual Health Insurance premium costs per pay period, the employee desiring two person coverage will pay \$42.50 of the annual Health Insurance premium costs per pay period and employees desiring single coverage will pay \$40.00 per pay period towards the annual premium costs of the plan. Effective January 1, 2011, the employee desiring family coverage will pay \$60.00 of the annual Health Insurance premium costs per pay period, the employee desiring two person coverage will pay \$50.00 of the annual Health Insurance premium costs per pay period and employees desiring single coverage will pay \$45.00 per pay period towards the annual premium costs of the plan. Effective December 31, 2011, the employee desiring family coverage will pay \$65.00 of the annual Health Insurance premium costs per pay period, the employee desiring two person coverage will pay \$55.00 of the annual Health Insurance premium costs per pay period and employees desiring single coverage will pay \$50.00 per pay period towards the annual premium costs of the plan.

New employees must wait until the first of the month following ninety (90) days from the date of hire. An employee or his/her spouse shall not be eligible for double health insurance coverage under the County's plan. If the County employs both spouses', then they shall be eligible for only one (1) coverage policy."

and replace with:

"Section 17.1(a): The Health Insurance Plan.

Effective December 31, 2011, the employee desiring family coverage will pay \$65.00 of the annual Health Insurance premium costs per pay period, the employee desiring two-person coverage will pay \$55.00 of the annual Health Insurance premium costs per pay period and employees desiring single coverage will pay \$50.00 per pay period towards the annual premium costs of the plan.

New employees **are eligible for Health Insurance upon the completion of five pay periods not including the initial pay period in which they were hired.** An employee or his/her spouse shall not be eligible for double health insurance coverage under the County's plan. If both spouses' are employed by the County, then they shall be eligible for only one (1) coverage policy."

(NOTE: New language in bold)

- Under Section 22 Compensation, delete:

"Section 22.3: Longevity Increments.

Employees shall be paid longevity increments pursuant to the following schedule:

10 years of service	\$ 500.00
15 years of service	\$ 1,000.00
20 years of service	\$ 1,500.00
25 years of service	\$ 2,000.00
30 years of service	\$ 2,500.00

Payment of longevity increments will begin on January 1st of the year the employee becomes eligible to receive longevity.

The longevity payment shall be added to either the annual salary for salaried employees, or hourly rate of the salary schedule in Appendix A and shall a part of the employees' hourly rate. Employees with years of service between the years stated above shall be placed on the longevity step immediately below their accrual years of service, i.e. 11 years (10 year increment), 23 years (20 year increment)."

"Section 22.6: Meal Reimbursement.

The County of Cattaraugus at the rates heretofore established as follows will reimburse noonday meals:

Section 22.6a: Business Meetings. At business meetings where a meal is served.

Section 22.6b: Out-of-County. All "out-of-County business" which requires or necessitates the eating of a meal, either because of a business meeting or because business was continued through the mealtime and a meal is eaten thereafter. Such meals shall be reimbursed at the actual reasonable costs as documented by a receipt.

Section 22.6c: In-County. In-County where an employee is necessitated to leave his or her office or area prior to 11:00 AM and does not return to his or her office location or area because of business prior to 2:00 PM will be reimbursed up to the maximum allowed for a meal eaten during this time period. No reimbursement will be allowed for any employee who falls within the time frame above described if that employee eats a meal during that time at his usual or customary office or area or is not inconvenienced by the work assignment.

The current in-County meal allowances are:

Breakfast	\$ 5.00
Lunch	\$ 10.00
Dinner	\$ 20.00"

and replace with:

"Section 22.3: Longevity Increments.

Employees shall be paid longevity increments pursuant to the following schedule:

10 years of service	\$ 500.00
15 years of service	\$ 1,000.00
20 years of service	\$ 1,500.00
25 years of service	\$ 2,000.00
30 years of service	\$ 2,500.00

Payment of longevity increments will begin on January 1st of the year the employee becomes eligible to receive longevity. Payment will be made in full prior to the end of February of each year of eligibility and will not be added to either the bi-weekly or hourly wages."

"Section 22.6: Meal Reimbursement.

The County of Cattaraugus will reimburse meals as follows:

Section 22.6a: Business Meetings. Meal expenses for attendance at business meetings where a meal is served will be reimbursed at the actual reasonable cost as documented by a receipt.

Section 22.6b: Out-of-County. All "out-of-County business" which requires or necessitates one to be out of the County through the mealtime shall be reimbursed at the actual reasonable costs as documented by a receipt. **Such meal reimbursement shall not exceed:**

Breakfast	\$10.00
Lunch	\$15.00
Dinner	\$30.00

Meal costs in excess of the above chart shall require approval of the County Administrator."

- Under Appendix B, Allocation of Hourly Positions, delete:
 "Grade 21
 Secretary to County Attorney
 Grade 24
 Personnel Technician Trainee
 Grade 28
 Paralegal"

and replace with:

"Grade 22
 Secretary to County Attorney
 Grade 24
 Human Resources Specialist Trainee
 Grade 29
 Paralegal".

Approved by 9 members of the Finance Committee.

Adopted October 9, 2013 by voice vote.

ACT NO. 430-2013 by Mr. Murphy

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT
 WITH NEW YORK STATE OFFICE OF INDIGENT SERVICES
 FOR COUNSEL AT FIRST APPEARANCE GRANT AND
 ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
 (Indigent Legal Services-Counsel at Arraignment)**

Pursuant to Article 30 of the Executive Law, Article 18-B of the County Law
 and Sections 363, 366 and 450 of the County Law.

WHEREAS, funding is available through the New York State Office of Indigent Legal Services for the Counsel at First Appearance Grant, and

WHEREAS, the purpose of the grant is to make demonstrable and measurable improvements in the delivery of indigent defense services to eligible persons at a defendant's first appearance before a judge, and

WHEREAS, Cattaraugus County has been awarded a grant in the total amount of \$595,573.00 over a three-year period for the Counsel at First Appearance Program, as follows:

<u>Year One</u>	<u>Year Two</u>	<u>Year Three</u>
\$191,655.00	\$199,901.00	\$204,017.00,

and

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

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute grant documents, on behalf of Cattaraugus County, with the New York State Office of Indigent Legal Services, for the acceptance and receipt of the aforementioned grant, for a term commencing June 1, 2013 and terminating May 31, 2016, 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.117.1170.1177.3025	Counsel at Arraignment Grant	\$34,069.00
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Increase Appropriation Accounts:

A.117.1170.1177.11000	Full Time Wages	\$15,744.00
A.117.1170.1177.12000	Part Time Wages	\$ 3,848.00
A.117.1170.1177.20006	Computer Equipment/Software	\$ 4,550.00
A.117.1170.1177.45401	Small Equipment/Tools	\$ 2,750.00
A.117.1170.1177.46101	Employee Meal Reimbursements	\$ 125.00
A.117.1170.1177.46102	Employee Mileage Reimbursements	\$ 750.00
A.117.1170.1177.46103	Employee Other Travel Expenses	\$ 200.00
A.117.1170.1177.46106	Training	\$ 500.00
A.117.1170.1177.46108	Cellular Phone Charges	\$ 300.00
A.117.1170.1177.47002	Office Supplies	\$ 200.00
A.117.1170.1177.47011	Law Books	\$ 100.00
A.117.1170.1177.48001	Advertising	\$ 1,000.00
A.117.1170.1177.48002	Dues	\$ 250.00
A.117.1170.1177.81000	FICA	\$ 1,499.00
A.117.1170.1177.82000	Retirement	\$ 2,253.00.

Approved by 9 members of the Finance Committee, 6 members of the Public Safety Committee and 5 members of the Labor Relations Committee.

Adopted October 9, 2013 by voice vote.

ACT NO. 431-2013 by Mr. Murphy

**AUTHORIZING THE CHAIR TO APPLY FOR FUNDING THROUGH
NEW YORK STATE OFFICE OF INDIGENT LEGAL SERVICES FOR
UPSTATE QUALITY IMPROVEMENT AND CASELOAD REDUCTION GRANT**

Pursuant to Article 30 of the Executive Law and
Article 18-B of the County Law.

WHEREAS, the New York State Indigent Legal Services Board has authorized that \$4 million from the State Fiscal Year 2012-13 appropriation be dedicated to support local initiatives aimed at alleviating excessive caseloads in upstate public defender offices and the development of quality control measures in upstate assigned counsel programs, and

WHEREAS, this funding will provide upstate attorneys and their clients relief from excessive workloads, which is essential to improving the quality of indigent legal services in upstate New York, and

WHEREAS, the intent of the aforementioned grant is to support local initiatives which address the quality of representation, including reduced attorney caseloads and improved supervision of attorneys and staff in indigent legal service provider programs, and

WHEREAS, it is in the best interests of Cattaraugus County to apply for the aforementioned funding, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a grant application, on behalf of Cattaraugus County, to apply for the above-described Upstate Quality Improvement and Caseload Reduction Grant through the New York State Office of Indigent Legal Services.

Approved by 9 members of the Finance Committee, 6 members of the Public Safety Committee and 5 members of the Labor Relations Committee.

Adopted October 9, 2013 by voice vote.

ACT NO. 432-2013 by Mr. Teachman and Mr. Padlo

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
JAMES MACK, d/b/a JIMMY MACK'S AUCTION CO. FOR
AUCTIONEER SERVICES**

Pursuant to Section 450 of the County Law and Rule 40.3 of
the Rules of Order of the Cattaraugus County Legislature.

WHEREAS, Cattaraugus County obtained title to several parcels of real property through foreclosure proceedings, and

WHEREAS, the County is desirous of selling the aforementioned parcels at public auction, and

WHEREAS, the County is also desirous of selling surplus equipment from various County departments at public auction, and

WHEREAS, the County is in need of the services of an auctioneer to conduct the auctions for the sale of the real property and the sale of the surplus equipment, and

WHEREAS, James Mack, d/b/a Jimmy Mack's Auction Co., 4530 Windmill Road, Randolph, New York 14772, has agreed to conduct the following two separate auctions for an amount of \$300.00 for each auction for a total amount of \$600.00:

Surplus Equipment Auction	November 2, 2013
Real Property Auction	October 26, 2013,

and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with James Mack, d/b/a Jimmy Mack's Auction Co., for the provision of auctioneer services, for a term commencing October 26, 2013 and terminating upon completion of the auction on November 2, 2013, according to the above-described terms.

Approved by 9 members of the Finance Committee, 6 members of the County Operations Committee and 8 members of the Public Works Committee.

Adopted October 9, 2013 by voice vote.

ACT NO. 433-2013 by Mr. Teachman and Mr. Padlo

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
SYSTEMS DEVELOPMENT GROUP, INC. FOR
REAL PROPERTY TAX SERVICES
IMAGE MATE ONLINE SUPPORT AGREEMENT AND
IMAGE MATE GIS SUPPORT AGREEMENT**

Pursuant to Section 1532 of the Real Property Tax Law and
Section 450 of the County Law.

WHEREAS, Act 563-2012 authorized a contract with Systems Development Group, Inc., 441 Trenton Avenue, Utica, New York 13502, for the provision of imaging software and services for the County Real Property Tax Service Agency online support, the term of which expires December 31, 2013, and

WHEREAS, the County Real Property Tax Service Agency is desirous of continuing the aforementioned technical support for the Image Mate online, and

WHEREAS, Systems Development Group, Inc., can provide the necessary online support of the Image Mate Online System for an amount as follows:

Annual Fee	\$7,420.00
Software Support	\$ 85.00/hr, including travel time
Custom Software Enhancement	\$ 100.00/hr,

and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, contingent upon, and subject to, inclusion in the 2014 budget of sufficient funds to cover the costs of the aforementioned services, on behalf of Cattaraugus County, with Systems Development Group, Inc., for the provision of the above-described services, for a term commencing January 1, 2014 and terminating December 31, 2014, according to the above-described terms.

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

Adopted October 9, 2013 by voice vote.

ACT NO. 434-2013 by Ms. Edstrom and Mrs. Stockman
and Mr. Padlo¹

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
REHABILITATION TODAY, PT, OT, REGISTERED NURSING, PLLC FOR
HEALTH DEPARTMENT HOME HEALTH CARE PROGRAM OCCUPATIONAL SERVICES**

Pursuant to 10 NYCRR 763.3, Section 3602 of the Public Health Law
and Section 450 of the County Law.

WHEREAS, Act 449-2012 authorized a contract with Rehabilitation Today, PT, OT, Registered Nursing, PLLC, 2416 Constitution Avenue, Olean, New York 14760, for the provision of physical therapy services, occupational therapy visits, and speech therapy visits, to patients of the County Health Department home health care program, the term of which expires December 31, 2013, and

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

WHEREAS, Rehabilitation Today, PT, OT, Registered Nursing, PLLC, has agreed to provide occupational therapy services to Cattaraugus County Health Department patients at the following rates:

<u>Service</u>	<u>2013 Rate</u>	<u>2014 Rate</u>
Occupational Therapist	\$73 per visit	\$73 per visit
Attendance at Meetings	\$28 per hour	\$28 per hour
Office Visits:		
per standard visit - (any combination of modalities and/or procedures; CHAA or patient to provide all dressings and ointments)	\$50 per visit	\$50 per visit
per short visit - (less than 15 minutes)	\$22 per visit	\$22 per visit
Office Visit Evaluations	\$72.50 per visit	\$72.50 per visit
Recruitment & Retention	(to be determined by NYSDOH),	

and

WHEREAS, if Rehabilitation Today, PT, OT, Registered Nursing, PLLC, refuses any occupational therapy visits during the term of the 2014 contract, then the rates for such services shall revert back to the base rate of \$68/visit for the duration of the contract, and

WHEREAS, this program is funded through a variety of sources, including, but not limited to, state and federal funding, private pay, private and third-party insurance and the County, 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, contingent upon and subject to the inclusion in the 2014 budget of sufficient funds to cover the costs of the aforementioned services, with Rehabilitation Today, PT, OT, Registered Nursing, PLLC, for the provision of the above-described services, for a term commencing January 1, 2014 and terminating December 31, 2014, according to the above-described terms, and be it further

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

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

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

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

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

Adopted October 9, 2013 by voice vote.

ACT NO. 435-2013 by Ms. Edstrom and Mrs. Stockman
and Mr. Teachman, Mr. Lamberson and Mr. Padlo¹

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
OLEAN YMCA, INC. FOR REPRODUCTIVE HEALTH PROGRAM LOCK-IN**

Pursuant to Section 450 of the County Law.

WHEREAS, the County Health Department is desirous of providing a reproductive health program to approximately 200 Cattaraugus County youth in 6th to 8th grades, and

WHEREAS, the "The Lock-In" event will consist of fun activities and workshops run by local agencies and will focus on factors such as teen pregnancy, high STD rates, poverty, bullying, and drug and alcohol use, and will also teach positive protective factors, such as leadership, communication and refusal skills, and

WHEREAS, the Olean YMCA, Inc., Council on Addiction Services, Cattaraugus Community Action, Inc., Catholic Charities, the Seneca Nation of Indians, the Cattaraugus County Youth Bureau,

Americorps members and the Sheriff's Office have committed to provide the aforementioned workshops free of charge, and

WHEREAS, the Olean YMCA, Inc., 1101 Wayne Street, Olean, New York 14760, shall provide use of Family Prime Time, Nursery School, Break Room, Activity Center and all three (3) of its gymnasiums including staff to run the rock wall and sport wall, and cleanup upon completion of the Lock-In for an amount of \$875.00, to be paid as follows: \$437.50 upon signing of contract and \$437.50 on or before November 5, 2013, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with the Olean YMCA, Inc., for the provision of the above-described services, for a term commencing September 24, 2013 and terminating November 30, 2013, according to the above-described terms.

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

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

Adopted October 9, 2013 by voice vote.

ACT NO. 436-2013 by Ms. Edstrom and Mrs. Stockman
and Mr. Padlo¹

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
CAROLYN C. RUFFNER, P.T. FOR HEALTH DEPARTMENT
PHYSICAL THERAPY SERVICES**

Pursuant to 10 NYCRR Section 763.3,
Section 3602 of the Public Health Law and
Section 450 of the County Law.

WHEREAS, Act 452-2012 authorized a contract with Carolyn C. Ruffner, P.T., 3676 Buffalo Road, Allegany, New York 14706, for the provision of physical therapy services for the patients of the County Health Department's Long-Term Home Health Care Program, the term of which expires December 31, 2013, and

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

WHEREAS, Carolyn C. Ruffner, P.T., has agreed to renew the aforementioned contract for an amount as follows:

<u>Service</u>	<u>2013 Rate</u>	<u>2014 Rate</u>
Physical Therapist	\$68 per visit	\$68 per visit
Evaluations	\$70 per evaluation	\$70 per evaluation
PT only admission visit	\$100 per visit	\$100 per visit

Attendance at Meetings	\$28 per hour	\$28 per hour
Recruitment & Retention	(to be determined by NYSDOH),	

and

WHEREAS, this program is funded through a variety of sources, including, but not limited to, state and federal funding, private pay, private and third-party insurance and the County, 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, contingent upon, and subject to, inclusion in the 2014 budget of sufficient funds to cover the costs of the aforementioned services, with Carolyn C. Ruffner, P.T., for the provision of the above-described physical therapy services, for a term commencing January 1, 2014 and terminating December 31, 2014, according to the above-described terms, and be it further

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

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

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

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

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

Adopted October 9, 2013 by voice vote.

ACT NO. 437-2013 by Ms. Edstrom and Mrs. Stockman

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
JAMESTOWN REHAB SERVICES, PT, OT, SLP, PLLC FOR
HEALTH DEPARTMENT HOME HEALTH CARE PROGRAM
THERAPY SERVICES**

Pursuant to 10 NYCRR 763.3, Section 3602 of the Public Health Law
and Section 450 of the County Law.

WHEREAS, Act 435-2012 authorized a contract with Jamestown Rehab Services, PT, OT, SLP, PLLC, 4482 Kathleen Street, Hamburg, New York 14075, for the provision of various therapy services for the patients of the Health Department Home Health Care Program, the term of which expires December 31, 2013, and

WHEREAS, the County Department of Health is desirous of continuing the provision of physical, occupational and speech therapy services, and

WHEREAS, Jamestown Rehab Services, PT, OT, SLP, PLLC, has agreed to provide physical, occupational and speech therapy services to Cattaraugus County Health Department patients at the following rates:

<u>Service</u>	<u>2013 Rate</u>	<u>2014 Rate</u>
Physical Therapist	\$72.83/visit	\$72.83/visit
Occupational Therapist	\$72.83/visit	\$72.83/visit
Speech Therapist	\$72.83/visit	\$72.83/visit
Physical Therapy Assistant	\$57.22/visit	\$57.22/visit
Attendance at Meetings	\$29.13/hour	\$29.13/hour
Evaluations	\$72.83/visit	\$72.83/visit
PT only admission visit	\$102.00/visit	\$102.00/visit
Recruitment & Retention	(to be determined by NYSDOH),	

and

WHEREAS, if Jamestown Rehab Services, PT, OT, SLP, PLLC, refuses any physical therapy homecare cases, occupational therapy visits or speech therapy services during the term of the 2014 contract, then the rates for such services shall revert back as follows for the duration of the contract:

Physical Therapy Services	Base Rate of \$68/visit
Occupational Therapy Services	Base Rate of \$68/visit
Speech Therapy Services	Base Rate of \$68/visit
Physical Therapy Assistant Services	Base Rate of \$45/visit,

and

WHEREAS, this program is funded through a variety of sources, including, but not limited to, state and federal funding, private pay, private and third-party insurance and the County, 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, contingent upon and subject to the inclusion in the 2014 budget of sufficient funds to cover the costs of the aforementioned services, with Jamestown Rehab Services, PT, OT, SLP, PLLC, for the provision of the above-described services, for a term commencing January 1, 2014 and terminating December 31, 2014, according to the above-described terms, and be it further

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

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

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

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

Adopted October 9, 2013 by voice vote.

ACT NO. 438-2013 by Ms. Edstrom and Mrs. Stockman

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
PEDIATRIC HOME CARE SERVICES FOR
PEDIATRIC SKILLED NURSING SERVICES IN SCHOOL SETTING**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 239-2012 authorized a contract with Pediatric Home Care Services, for the provision of pediatric skilled nursing services in a school setting, the term of which expired June 30, 2013, and

WHEREAS, the Youth Bureau is desirous of continuing the provision of pediatric skilled nursing services in a school setting, and

WHEREAS, Pediatric Home Care Services, Wehrle Drive, Williamsville, New York, can provide the aforementioned services in a school setting for an amount in accordance with the following rate schedule:

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

and

WHEREAS, this program is 59% federal, 25% state and 16% county funded, 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 Pediatric Home Care Services, for the provision of the above-described services, 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.

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

Adopted October 9, 2013 by voice vote.

ACT NO. 439-2013 by Mr. Felton and Ms. Vickman
and Mr. Aiello¹

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
LINSTAR, INC. FOR EXPANSION OF GALAXY ACCESS CONTROL SYSTEM
(The Pines Healthcare and Rehabilitation Center – Machias Campus)**

Pursuant to Section 450 of the County Law.

WHEREAS, the Department of Nursing Homes is desirous of expanding the existing LINSTAR Galaxy Access Control System at The Pines Healthcare and Rehabilitation Center – Machias Campus, to include card access control for the Evergreen door, two (2) stairwell doors, the patio door and two (2) kitchen doors, and

WHEREAS, Linstar, Inc., 430 Lawrence Bell Drive, Buffalo, New York 14221-7085, shall provide the services and equipment necessary to expand the existing LINSTAR Galaxy Access Control System at The Pines Healthcare and Rehabilitation Center – Machias Campus, adding card access control and monitoring with sounders on the Evergreen door, two (2) stairwell doors, the patio door and two (2) kitchen doors, for an amount of \$14,444.54, which includes an amount of \$888.52 to add the equipment to the existing annual maintenance contract, 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 Cattaugus County, with Linstar, Inc., for the provision of the above-described services and equipment, for a term commencing September 20, 2013 and terminating March 31, 2014, according to the above-described terms.

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

¹The following Legislator requested his name be listed as an additional sponsor: “Mr. Aiello”.

Adopted October 9, 2013 by voice vote.

ACT NO. 440-2013 by Mr. Felton and Ms. Vickman

**AUTHORIZING THE CHAIR TO EXECUTE LEASE DOCUMENTS WITH
ECOLAB, INC. AND FAST SOURCE LEASING FOR DISHMACHINE EQUIPMENT AT
PINES HEALTHCARE AND REHABILITATION CENTER-MACHIAS CAMPUS**

Pursuant to Section 450 of the County Law.

WHEREAS, the County Department of Nursing Homes is in need of two (2) dishmachines for The Pines Healthcare and Rehabilitation Center – Machias Campus, and

WHEREAS, an application must be submitted with Fast Source Leasing, a division of Kingswood Leasing, Inc., in order to be approved for the aforementioned lease, and

WHEREAS, Ecolab, Inc., Ecolab Center, 370 Wabasha Street, St. Paul, Minnesota 55102, can provide through a lease, and install at The Pines Healthcare and Rehabilitation Center – Machias Campus, two (2) dishmachines Model #UHT-100, for an amount of \$139.95 per month for each dishmachine, for a total monthly amount of \$279.90, for a term of one (1) year, plus a minimum chemical purchase of \$100.00 per month, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute lease documents, on behalf of Cattaraugus County, with Ecolab, Inc. and Fast Source Leasing, for the provision of the above-described leased dishmachines, for a term commencing on the date the dishmachines are delivered and continuing for one (1) year, according to the above-described terms.

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

MS. VICKMAN moved, seconded by Ms. Edstrom to refer Act No. 440-2013 to the Finance Committee and the Senior Services Committee. Carried.

ACT NO. 441-2013 by Ms. Edstrom

**AUTHORIZING THE CHAIR TO EXECUTE LEASE AGREEMENT
WITH CITY OF SALAMANCA FOR
DEPARTMENT OF COMMUNITY SERVICES**

Pursuant to Sections 215 and 450 of the County Law.

WHEREAS, the Department of Community Services currently leases approximately 3,000 square feet of space located at 97 Main Street in the City of Salamanca from Community Bank, 1,500 square feet of which is situated in the basement and unusable for the County's purposes, and

WHEREAS, the Department of Community Services is desirous of moving its Salamanca offices to another location, and

WHEREAS, the City of Salamanca has agreed to lease 3,192 square feet of space in its building located at 117½ Main Street in the City of Salamanca for an amount of \$10.50 per square foot, and

WHEREAS, the County's agreement to lease the above-described property is subject to, and contingent upon, the City's agreement to renovate the space to the County's specifications prior to the date of commencement of the lease, and

WHEREAS, the County is desirous of leasing the above-described property for a term of five (5) years, with the option to renew for additional three (3) year terms thereafter, and

WHEREAS, the aforementioned lease shall further provide that if the County does not renew the lease or terminates it before the expiration of the initial term, the County shall pay to the City a percentage of the cost of renovation of the property, based on a formula establishing that no such payment shall be required if the County leases the property for a term of six (6) years or longer, and

WHEREAS, if the County fails to renew the aforementioned lease after the first five (5) year term, then the County will be responsible for reimbursement to the City of Salamanca of 17% of the renovation expenses, and

WHEREAS, it is in the best interests of the County to enter into the aforementioned lease agreement with the City of Salamanca, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a lease agreement, on behalf of Cattaraugus County, with the City of Salamanca, for a lease of office space, for an initial term commencing upon completion of the renovations and terminating five (5) years thereafter, with the option of the County to renew for three (3) year terms thereafter, according to the above-described terms.

Held in the Finance Committee and the Human Services Committee.

ACT NO. 442-2013 by Ms. Edstrom and Mrs. Stockman

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
RAJAN GULATI PHYSICIAN, P.C. FOR DEPARTMENT OF
COMMUNITY SERVICES MEDICAL SERVICES**

Pursuant to 14 NYCRR Section 587.8(d)(3) and (i) and
Section 450 of the County Law.

WHEREAS, Act 616-2012 authorized a contract with Rajan Gulati Physician, P.C., 45 West Main Street, Cuba, New York 14727, for the provision of medical services for the Department of Community Services, the term of which expires December 31, 2013, and

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

WHEREAS, Rajan Gulati Physician, P.C., shall provide medical services for the Department of Community Services mental health clinic, at a rate of \$130.00 per hour of direct care for a maximum of 90 hours annually, plus \$50.00 per hour for travel not to exceed 18 hours annually, for a total contract amount not to exceed \$12,600.00, to be paid on a monthly basis as invoiced, and

WHEREAS, this program is funded through federal, state and local 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, contingent upon and subject to the inclusion in the 2014 budget of sufficient funds to cover the costs of the aforementioned services, with Rajan Gulati Physician, P.C., for the provision of the above-described medical services, for a term commencing January 1, 2014 and terminating December 31, 2014, according to the above-described terms, and be it further

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

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

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

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

Adopted October 9, 2013 by voice vote.

ACT NO. 443-2013 by Ms. Edstrom and Mrs. Stockman

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
JAMESTOWN PSYCHIATRIC, P.C. FOR DEPARTMENT OF
COMMUNITY SERVICES MEDICAL DIRECTOR SERVICES**

Pursuant to 14 NYCRR Section 587.8(d)(3) and (i),
Section 41.07 of the Mental Hygiene Law and
Section 450 of the County Law.

WHEREAS, Act 615-2012 authorized a contract with Jamestown Psychiatric, P.C., 305 East Fairmount Avenue, Lakewood, New York 14750, for the provision of medical director services to oversee the provision of medical services in the Department of Community Services mental health clinics, the term of which expires December 31, 2013, and

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

WHEREAS, Jamestown Psychiatric, P.C., 305 East Fairmount Avenue, Lakewood, New York 14750, through Israr Abbasi, M.D., shall provide the services of Medical Director for the Department of Community Services mental health clinics for an annual amount of \$16,000.00, to be paid on a monthly basis, as invoiced, and

WHEREAS, this 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 a contract, on behalf of Cattaraugus County, contingent upon and subject to the inclusion in the 2014 budget of sufficient funds to cover the costs of the aforementioned services, with Jamestown Psychiatric, P.C., for the provision of the above-described services, for a term commencing January 1, 2014 and terminating December 31, 2014, according to the above-described terms, and be it further

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

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

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

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

Adopted October 9, 2013 by voice vote.

ACT NO. 444-2013 by Ms. Edstrom and Mrs. Stockman
and Mr. Padlo¹

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
KIMBERLY CONROY, RN, MS, CS, NPP FOR
DEPARTMENT OF COMMUNITY SERVICES
PSYCHIATRIC NURSE PRACTITIONER SERVICES**

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

WHEREAS, Act 614-2012 authorized a contract with Kimberly Conroy, RN, MS, CS, NPP, 2656 West State Street, Suite 502, Olean, New York 14760, for the provision of psychiatric nurse practitioner services for clients in the PROS program, the term of which expires December 31, 2013, and

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

WHEREAS, Kimberly Conroy, RN, MS, CS, NPP, an independent contractor, can provide psychiatric nurse practitioner services to clients in the PROS facility for an amount of \$115.00 per direct care hour, for a maximum of 286 hours per year, not to exceed an annual amount of \$32,890.00, to be paid on a monthly basis, as invoiced, 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, contingent upon and subject to the inclusion in the 2014 budget of sufficient funds to cover the costs of the aforementioned services, with Kimberly Conroy, RN, MS, CS, NPP, for the provision of the above-described services, for a term commencing January 1, 2014 and terminating December 31, 2014, according to the above-described terms, and be it further

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

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

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

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

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

Adopted October 9, 2013 by voice vote.

ACT NO. 445-2013 by Ms. Edstrom and Mrs. Stockman

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
HOUSING OPTIONS MADE EASY, INC. FOR
PEER SPECIALISTS FOR THE PROS PROGRAM**

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

WHEREAS, Act 625-2012 authorized a contract with Housing Options Made Easy, Inc., 75 Jamestown Street, Gowanda, New York 14070, for the provision of peer specialists for the PROS program, the term of which expires December 31, 2013, and

WHEREAS, the County Department of Community Services is desirous of contracting for the services of two (2) part-time peer specialists for the Personalized Recovery Oriented Services (PROS) program, and

WHEREAS, Housing Options Made Easy, Inc., can provide two (2) part-time peer specialists for the PROS program for an amount not to exceed \$35,670.00, to be paid in installments on a monthly basis, as invoiced, 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, contingent upon and subject to the inclusion in the 2014 budget of sufficient funds to cover the costs of the aforementioned services, with Housing Options Made Easy, Inc., for the provision of the above-described services, for a term commencing January 1, 2014 and terminating December 31, 2014, according to the above-described terms, and be it further

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

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

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

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

Adopted October 9, 2013 by voice vote.

ACT NO. 446-2013 by Ms. Edstrom and Mrs. Stockman

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
JAMESTOWN PSYCHIATRIC, P.C., FOR DEPARTMENT OF COMMUNITY SERVICES
MENTAL HEALTH PSYCHIATRIC SERVICES FOR PROS CLIENTS**

Pursuant to 14 NYCRR Section 587.8(d)(3) and (i),
Section 41.07 of the Mental Hygiene Law and
Section 450 of the County Law.

WHEREAS, Act 624-2012 authorized a contract with Jamestown Psychiatric, P.C., 305 East Fairmount Avenue, Lakewood, New York 14750, for the provision of psychiatric services for the Department of Community Services, the term of which expires December 31, 2013, and

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

WHEREAS, Jamestown Psychiatric, P.C., shall provide psychiatric services for the Department of Community Services' clients in the PROS program through a psychiatrist at a rate of \$165.00 per hour of direct care for a maximum amount of 286 hours, plus an amount of \$100.00 per hour for travel not to exceed 104 hours, for a total contract amount not to exceed \$57,590.00, to be paid on a monthly basis, as invoiced, and

WHEREAS, this program is funded through federal, state and local 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, contingent upon and subject to the inclusion in the 2014 budget of sufficient funds to cover the costs of the aforementioned services, with Jamestown Psychiatric, P.C., for the provision of the above-described services, for a term commencing January 1, 2014 and terminating December 31, 2014, according to the above-described terms, and be it further

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

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

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

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

Adopted October 9, 2013 by voice vote.

ACT NO. 447-2013 by Ms. Edstrom and Mrs. Stockman
and Mr. Teachman and Mr. Lamberson¹

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
CATTARAUGUS REHABILITATION CENTER, INC. FOR
DEPARTMENT OF COMMUNITY SERVICES
VOCATIONAL SERVICES FOR PROS PROGRAM**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 621-2012 authorized a contract with Cattaraugus Rehabilitation Center, Inc., 1439 Buffalo Street, Olean, New York 14760, for the provision of vocational services for its PROS Program, the term of which expires December 31, 2013, and

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

WHEREAS, the Cattaraugus Rehabilitation Center, Inc., can provide vocational services for the Department of Community Services PROS Program for an amount not to exceed \$85,000.00, to be paid on a monthly basis, as invoiced, 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, contingent upon and subject to the inclusion in the 2014 budget of sufficient funds to cover the costs of the aforementioned services, with the Cattaraugus Rehabilitation Center, Inc., for the provision of the above-described vocational services, for a term commencing January 1, 2014 and terminating December 31, 2014, according to the above-described terms, and be it further

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

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

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

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

¹The following Legislators requested their names be listed as additional sponsors: "Mr. Teachman and Mr. Lamberson".

Adopted October 9, 2013 by voice vote. Mrs. Labuhn and Mr. Padlo abstained from vote.

ACT NO. 448-2013 by Ms. Edstrom and Mrs. Stockman

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
ACCUMEDIC COMPUTER SYSTEMS, INC. FOR
DEPARTMENT OF COMMUNITY SERVICES ACCUMED SOFTWARE SYSTEM**

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

WHEREAS, Act 408-2012 authorized a contract with Accumedic Computer Systems, Inc., for the provision of the AccuMed Software System, including licenses for the AccuMed System and the Scheduler and Patient Accounts modules and training, the term of which expires November 30, 2013, and

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

WHEREAS, Accumedic Computer Systems, Inc., 11 Grace Avenue, Suite 401, Great Neck, New York 11021, can provide continued customer support for the AccuMed Software System for an amount not to exceed \$14,076.90, and

WHEREAS, the aforementioned services are 100% federally funded, and

WHEREAS, sufficient funds are included in the budget to cover the cost of the aforementioned expenses, 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 Accumedic Computer Systems, Inc., for the provision of the above-described services, for a term commencing December 1, 2013 and terminating November 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.

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

Adopted October 9, 2013 by voice vote.

ACT NO. 449-2013 by Mr. Hale

and Mr. Aiello, Ms. Edstrom, Mr. Edwards, Mr. Klancer, Mr. Snyder, Sr., Mrs. Stockman, Mr. Teachman, Ms. Vickman, Mr. Weller, Mr. Lamberson and Mr. Padlo¹

**ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
FOR ASSISTANCE WITH REVITALIZATION OF DOWNTOWN OLEAN AREA AND
ESTABLISHMENT OF DESTINATION BUSINESSES IN CATTARAUGUS COUNTY AND
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
(Department of Economic Development, Planning & Tourism)**

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

WHEREAS, it is in the best interest of Cattaraugus County to assist with tourism-related efforts within the County, and

WHEREAS, the City of Olean is desirous of revitalizing the downtown North Union Street area of the City, and

WHEREAS, the County is desirous of assisting the City with the aforementioned revitalization by contributing the amount of \$500,000.00 towards the cost of a farmers' market to be located on North Union Street in the City of Olean, and

WHEREAS, the County is also desirous of assisting with the establishment of various "destination businesses" within the County, and

WHEREAS, for the purposes of this resolution, the term "destination businesses" shall mean a business which shall draw visitors and tourism to Cattaraugus County, and

WHEREAS, the County shall make available an amount of \$1 Million for the purpose of establishing and advancing destination businesses within Cattaraugus County, and

WHEREAS, the aforementioned \$1.5 Million shall be provided through Casino funds, and

WHEREAS, various appropriation and revenue accounts must be adjusted in order to accommodate the aforementioned \$1.5 Million, now, therefore, be it

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

Increase Estimated Revenue Account:

A.901.0000.0000.2725.1	Tribal Compact Moneys, Tax Immune Proceeds	\$1,500,000.00
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Increase Appropriation Accounts:

A.101.6420.0000.48519	Community Revitalization	\$1,000,000.00
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A.298.8750.0000.42040	City of Olean Farmers' Market	\$ 500,000.00.
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¹The following Legislators requested their names be listed as additional sponsors: “Mr. Aiello, Ms. Edstrom, Mr. Edwards, Mr. Klancer, Mr. Snyder, Sr., Mrs. Stockman, Mr. Teachman, Ms. Vickman, Mr. Weller, Mr. Lamberson and Mr. Padlo”.

Held in the Finance Committee and the Development and Agriculture Committee.

MR. TEACHMAN moved, seconded by Mr. Sprague to adjourn until October 23, 2013 at 3:00 p.m. Carried.

Meeting adjourned at 3:45 p.m.

Ann M. Giglio
Journal Clerk