

October 23, 2013

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

The invocation was given by Rev. leFeber.

The Attendance Roll Call disclosed all Legislators present.

MR. TEACHMAN moved, seconded by Mr. Boser that the minutes of the October 9, 2013 session be approved. Carried.

* * * * *

COMMUNICATIONS:

New York State Department of State: Notification of filing of Local Law No. 5-2013 (Intro No. 4-2013) on October 11, 2013.

Delaware County Board of Supervisors: Resolution No. 159 entitled, "Resolution Requesting Introduction of Home Rule Legislation Authorizing Imposition of a Wireless Surcharge in Delaware County Department of Emergency Services"; Resolution No. 160 entitled, "Resolution Urging New York State to Restore the Historic 50/50 State/Local Cost Sharing for the State's Mandated Safety Net Program or Provide More Program Control to Local Social Service Districts Commensurate with Counties Increased Fiscal Responsibility for the Program Department of Social Services"; and Resolution No. 161 entitled, "Resolution Calling on the Governor and State Legislature to Continue to Partner with Counties to Successfully Reform Juvenile Justice Programs While Avoiding Cost Shifts to Counties Department of Social Services".

Niagara County Legislature: Resolution No. IL-045-13 entitled, "Resolution Requesting the State of New York Establish a Residency Requirement in Order to Receive Welfare Benefits".

* * * * *

CHAIRMAN MARSH called up **Act No. 441-2013**, Authorizing the Chair to Execute Lease Agreement with City of Salamanca for Department of Community Services. MS. EDSTROM moved, seconded by Mr. Murphy to waive Rule 12. Carried.

Approved by 8 members of the Finance Committee and 7 members of the Human Services Committee.

Adopted October 23, 2013 by voice vote. Mrs. Labuhn abstained from vote.

* * * * *

ACT NO. 450-2013 by Mr. Aiello and Mr. Weller

BID ACCEPTANCE FOR WASTE DISPOSAL AT VARIOUS COUNTY BUILDINGS (Department of Public Works)

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

WHEREAS, Act 518-2010 authorized a contract with SDS @ Olean a/k/a Casella Waste Management of NY, Inc., for the provision of waste disposal services at various County buildings, the term of which expires October 31, 2013, and

WHEREAS, the Clerk of the Legislature was authorized to advertise for waste disposal services at various County buildings, according to specifications provided by the Public Works Committee, and

WHEREAS, the lowest bid received meeting specifications for three (3) of the eight (8) locations was the bid of SDS @ Olean a/k/a Casella Waste Management of NY, Inc., 225 Homer Street, Olean, New York 14760, for a three (3) year contract total amount of \$35,244.00, as follows:

<u>Quantity</u>	<u>Size Container</u>	<u>Type of Container</u>	<u>Number of Pickups Per Week</u>	<u>Amount Per Month</u>
<u>SOCIAL SERVICES BUILDING: 200 Erie Street, Little Valley, NY</u>				
One (1) each	8 cubic yard	Trash Container	1 time	\$162.00
<u>PINES HEALTHCARE & REHABILITATION CENTER - OLEAN CAMPUS: 2245 West State Street, Olean, NY</u>				
Two (2) each	8 cubic yard	Trash Container	3 times	\$675.00
One (1) each	8 cubic yard	Cardboard/Recycle	1 time	\$ 50.00
<u>STONEHOUSE - MACHIAS: Rte 16, Machias, NY</u>				
One (1) each	6 cubic yard	Trash Container	1 time	\$ 92.00

and

WHEREAS, the lowest bid received meeting specifications for three (3) of the eight (8) locations was the bid of Modern Disposal Services, Inc., 4746 Model City Road, Model City, New York 14107, for a three (3) year contract total amount of \$49,104.00, as follows:

<u>Quantity</u>	<u>Size Container</u>	<u>Type of Container</u>	<u>Number of Pickups Per Week</u>	<u>Amount Per Month</u>
<u>COUNTY CENTER BUILDING: 303 Court Street, Little Valley, NY</u>				
One (1) each	8 cubic yard	Trash Container	3 times	\$350.00
One (1) each	8 cubic yard	Cardboard/Recycle	1 time	\$ 45.00
<u>COUNTY JAIL: 301 Court Street, Little Valley, NY</u>				
One (1) each	6 cubic yard	Trash Container	3 times	\$300.00
One (1) each	6 cubic yard	Cardboard/Recycle	1 time	\$ 45.00
<u>PINES HEALTHCARE & REHABILITATION CENTER - MACHIAS CAMPUS: Rte 16, Machias, NY</u>				
Four (4) each	8 cubic yard	Trash Container	2 times	\$579.00
One (1) each	8 cubic yard	Cardboard/Recycle	1 time	\$ 45.00

and

WHEREAS, the lowest bid received meeting specifications for two (2) of the eight (8) locations was the bid of Beichner Waste Systems, Inc., P.O. Box 158, Jamestown, New York 14701, for a three (3) year contract total amount of \$13,104.00, as follows:

<u>Quantity</u>	<u>Size Container</u>	<u>Type of Container</u>	<u>Number of Pickups Per Week</u>	<u>Amount Per Month</u>
<u>OLEAN OFFICE BUILDING: One Leo Moss Drive, Olean, NY</u>				
One (1) each	8 cubic yard	Trash Container	2 times	\$194.00
One (1) each	8 cubic yard	Cardboard/Recycle	2 times	\$ 85.00
<u>COMMUNITY SERVICES – FOUNDATIONS FOR CHANGE BUILDING: 203 Laurens Street, Olean, NY</u>				
One (1) each	4 cubic yard	Trash Container	1 time	\$ 85.00

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 SDS @ Olean a/k/a Casella Waste Management of NY, Inc., be, and the same hereby is, accepted, for a term commencing November 1, 2013 and terminating October 31, 2016, and be it further

RESOLVED, that the bid of Modern Disposal Services, Inc., be, and the same hereby is, accepted, for a term commencing November 1, 2013 and terminating October 31, 2016, and be it further

RESOLVED, that the bid of Beichner Waste Services, Inc., be, and the same hereby is, accepted, for a term commencing November 1, 2013 and terminating October 31, 2016, 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.

Seven sets of specifications were sent out.

Four bids were received.

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

Adopted October 23, 2013 by voice vote.

ACT NO. 451-2013 by Public Works Committee:

Mr. Aiello, Mr. Weller, Ms. Edstrom, Mr. Klancer, Mr. Snyder, Jr.,
Mr. Teachman, Mr. Koch, Mr. Lamberson and Mr. Sprague

**ABOLISHING ONE (1) VACANT POSITION OF SIGN TECHNICIAN AND CREATING
ONE (1) POSITION OF TRAFFIC CONTROL ENGINEER AND ESTABLISHING
COMPENSATION FOR SAME IN THE DEPARTMENT OF PUBLIC WORKS**

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

WHEREAS, due to a vacancy caused by the recent retirement of the Sign Technician in the Department of Public Works, there is a need to provide expertise in the maintenance and planning of improvements to existing County roads, traffic control devices, signs and pavement markings, and

WHEREAS, the Department of Public Works has determined that these services and expertise can best be provided by a Traffic Control Engineer, and

WHEREAS, sufficient funds are available within the budget to accommodate the slight increase in cost, 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 Traffic Control Engineer in accordance with Section 22 of the Civil Service Law, now, therefore, be it

RESOLVED, that effective immediately, there is hereby abolished one (1) position of Sign Technician, Pay Grade 23, Supervisory Bargaining Unit, (\$20.23 - \$22.62 per hour) in the Department of Public Works, and be it further

RESOLVED, that effective immediately there is hereby created one (1) position of Traffic Control Engineer, Pay Grade 26, Supervisory Bargaining Unit, (\$22.62 - \$25.52 per hour) in the Department of Public Works.

Approved by 7 members of the Finance Committee and 4 members of the Labor Relations Committee.

Adopted October 23, 2013 by voice vote.

ACT NO. 452-2013 by Public Safety Committee:
Mr. Murphy, Mr. Hale, Mr. Felton, Mr. Snyder, Sr.,
Mr. VanRensselaer, Mr. Weller and Mr. Koch

**CREATING ONE (1) POSITION OF ASSISTANT PUBLIC DEFENDER, ONE (1) POSITION OF INVESTIGATOR
AND ONE (1) POSITION OF KEYBOARD SPECIALIST (TO BE FILLED ON A PART-TIME BASIS) IN THE
DEPARTMENT OF PUBLIC DEFENDER 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 Public Defender's Office has applied for, and received, a grant from the NYS Office of Indigent Legal Services for the purposes of making 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, in order to provide these improvements in the delivery of indigent defense services to eligible persons at a defendant's first appearance before a judge will require additional staff, and

WHEREAS, this grant will cover 100% of the personnel costs associated with the proposed increase in staff, 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 Assistant Public Defender, Investigator and Keyboard Specialist in accordance with Section 22 of the Civil Service Law, now, therefore, be it

RESOLVED, that effective November 4, 2013, there is hereby created one (1) position of Assistant Public Defender in the Public Defender's Office to be compensated at the rate of \$1,923.07 on a bi-weekly basis, Management/Confidential, and be it further

RESOLVED, that effective November 4, 2013, there is hereby created one (1) position of Investigator to be compensated at Pay Grade 26, Management/Confidential (\$24.06 - \$27.00 per hour), and be it further

RESOLVED, that effective November 4, 2013, there is hereby created one (1) position of Keyboard Specialist to be filled on a part-time basis, not to exceed 25 hours per week, and compensated at Pay Grade 11, Part-Time Bargaining Unit (\$10.86 per hour), and be it further

RESOLVED, that upon cessation of NYS Office of Indigent Legal Services funding for any of these positions, the Public Defender shall notify the Chairman of the Public Safety Committee and the affected position(s) shall be automatically abolished as of the effective date of such lack of funding.

Approved by 7 members of the Finance Committee and 4 members of the Labor Relations Committee.

Adopted October 23, 2013 by voice vote.

ACT NO. 453-2013 by Mr. Murphy

ABOLISHING ONE (1) VACANT POSITION OF PART-TIME KEYBOARD SPECIALIST AND ONE (1) VACANT POSITION OF PART-TIME RECEPTION CLERK AND CREATING ONE (1) POSITION OF KEYBOARD SPECIALIST TO BE FILLED ON A FULL TIME BASIS IN THE DEPARTMENT OF PROBATION AND CORRECTIONAL ALTERNATIVES 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 Probation and Correctional Alternatives has experienced substantial turnover in the positions of part-time Keyboard Specialist and part-time Reception Clerk, and

WHEREAS, this turnover has created difficulties in terms of operational efficiency and expediency, and

WHEREAS, the additional cost of training and re-training incumbents of these two positions outweighs the minimal increase in cost of full time benefits, and

WHEREAS, there are sufficient funds within the current budget to cover the minimal 2013 increase in costs, and

WHEREAS, the full-time Keyboard Specialist position has been included within the context of the proposed 2014 Department of Probation and Correctional Alternatives' budget, 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 Keyboard Specialist, in accordance with Section 22 of the Civil Service Law, now, therefore, be it

RESOLVED, that effective October 27, 2013, there is hereby abolished one (1) position of part-time Keyboard Specialist and one (1) position of part-time Reception Clerk, both currently vacant, in the Department of Probation and Correctional Alternatives, and be it further

RESOLVED, that effective October 28, 2013 there is hereby created one (1) position of Keyboard Specialist, to be filled on a full-time basis, Pay Grade 11, General Bargaining Unit (\$14.75 - \$16.13 per hour) in the Department of Probation and Correctional Alternatives.

Approved by 7 members of the Finance Committee, 7 members of the Public Safety Committee and 4 members of the Labor Relations Committee.

Adopted October 23, 2013 by voice vote.

ACT NO. 454-2013 by Mr. Marsh

**ESTABLISHING STANDARD WORK DAY FOR CERTAIN
APPOINTED OFFICIALS FOR REPORTING PURPOSES TO
NEW YORK STATE RETIREMENT SYSTEM**

Pursuant to 2 NYCRR Section 315.4.

WHEREAS, 2 NYCRR Section 315.4, effective August 12, 2009, requires that all newly elected or appointed officials participating in the New York State Retirement System maintain a record of activities for a period three months within 150 days of appointment or the start of a term of office, for purposes of establishing a standard work day, and

WHEREAS, 2 NYCRR Section 315.4 requires that the governing board shall establish, by resolution, a standard work day for each appointed position, and

WHEREAS, certain newly appointed officials have submitted their three-month record of activities, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature hereby establishes the following as standard work days for appointed officials and will report the following days worked to the New York State and Local Employees Retirement System, based on the record of activities maintained and submitted by these officials to the Clerk of the Legislature:

<u>Title</u>	<u>Name</u>	<u>Ret. Reg.</u>	<u>Authority</u>	<u>Term</u>	<u>Standard Work Hrs/Day</u>	<u>Days/ Month</u>
Election Commissioner	Kevin Burleson	41396813	Appointed	1/01/2013- 12/31/2016	7	21.67
Director, Real Property Tax	Daniel Martonis	38781050	Appointed	10/01/2013- 9/30/2019	7	21.67
Deputy Comm. Social Services	Anthony Turano	39540406	Appointed	02/28/2013- 02/27/2018	7	21.67

and be it further

RESOLVED, that the Clerk of the Legislature is hereby directed to post conspicuously, on the bulletin board in the front lobby of the Little Valley County Center, for a period of thirty days, a copy of this adopted resolution and thereafter forward a certified copy of this resolution, along with a certification of such public posting, to the New York State and Local Employees Retirement System in accordance with 2 NYCRR Section 315.4.

Approved by 7 members of the Finance Committee, 7 members of the County Operations Committee, 7 members of the Human Services Committee and 4 members of the Labor Relations Committee.

Adopted October 23, 2013 by voice vote.

ACT NO. 455 by Mr. Snyder, Sr.

**DIRECTING COUNTY TREASURER TO ISSUE
CERTIFICATES OF PROSPECTIVE CANCELLATION**

Pursuant to Section 1138(6)(d) of the Real Property Tax Law.

WHEREAS, there are several parcels of property on the assessment rolls for which there is no practical method to enforce the collection of delinquent tax liens arising hereafter against the parcels, and

WHEREAS, the County Treasurer should issue certificates of Prospective Cancellation, and

WHEREAS, the parcels shall then become exempt from taxation notwithstanding any other provision of law, and shall remain exempt until the County Legislature determines that the parcels should be restored to the taxable portion of the assessment rolls, now, therefore, be it

RESOLVED, that the County Treasurer is hereby directed to issue Certificates of Prospective Cancellation for the following properties:

<u>TOWN</u>	<u>OWNER</u>	<u>TAX MAP NO.</u>
Dayton	Eagle Forest Products	33.041-1-6
Dayton	Eagle Forest Products	33.041-1-5
Franklinville	Kraig Munzert	40.062-2-15
Little Valley	H2K Ventures LLC	54.071-4-24
Little Valley	H2K Ventures LLC	54.071-4-25
Little Valley	H2K Ventures LLC	54.071-4-26
Little Valley	H2K Ventures LLC	54.071-4-22
Persia	Buffalo Turbine Co.	16.028-1-1.3
Persia	Buffalo Turbine Co.	16.027-2-12.

Approved by 7 members of the Finance Committee.

Adopted October 23, 2013 by voice vote.

ACT NO. 456-2013 by Mr. Marsh and Mr. Padlo

ADOPTION OF CATTARAUGUS COUNTY FUND BALANCE POLICY

Pursuant to Section 153 of the County Law.

RESOLVED, that the following policy is hereby adopted by the Cattaraugus County Legislature:

CATTARAUGUS COUNTY FUND BALANCE POLICY

Section 1. PURPOSE.

1.1 The purpose of a fund balance policy is to insure against unanticipated events that could have an adverse impact on the financial condition of Cattaraugus County and the public services which it provides.

1.2 The Governmental Accounting Standards Board (GASB) has issued Statement 54, Fund Balance and Governmental Fund Type Definitions, which is required to be incorporated into the County's financial statements. It is also recommended by the Government Finance Officers Association (GFOA) that governments establish a policy detailing the minimum amount of fund balance to be maintained within the General Fund.

Section 2. DEFINITIONS.¹

2.1 Non-Spendable Fund Balance:

The portion of the net position of a governmental fund that cannot be spent either because the underlying resources are not in spendable form or because the government is legally or contractually required to maintain the resources intact.

2.2 Restricted Fund Balance:

The portion of the net position of a governmental fund that represents resources subject to externally enforceable constraints.

2.3 Committed Fund Balance:

The portion of the net position of a governmental fund that represents resources whose use is subject to a legally binding constraint that is imposed by the government itself at its highest level of decision making authority and that remains legally binding unless removed in the same manner.

2.4 Assigned Fund Balance:

The portion of the net position of a governmental fund that represents resources set aside ("earmarked") by the government for a specific purpose.

2.5 Unassigned Fund Balance:

The difference between total fund balance in the general fund and its non-spendable, restricted, committed, and assigned components. Unassigned amounts are technically available for any purpose.

Section 3. POLICY STATEMENT.

3.1 The finances of Cattaraugus County will be managed so as to maintain balances of the various funds at levels sufficient to provide for the following:

- 1) Cash flow for daily financial needs.
- 2) Offset revenue shortfalls and unanticipated expenditures.
- 3) Unforeseen expenditures due to emergencies or natural disasters.
- 4) Maintain the creditworthiness of the County (Bond Rating).

3.2 To ensure the appropriate level, within the County's General Fund, the County will maintain a minimum unassigned fund balance of 15% of the total General Fund appropriations.

Section 4. RESTORATION OF MINIMUM FUND BALANCE.

Should the General Fund balance fall below the minimum level as set forth in this policy, the County Administrator, as budget officer, shall prepare and submit a proposed plan for the restoration of the fund balance to the target level within the following fiscal year. This plan will be presented to the legislature of Cattaraugus County for review and approval, prior to implementation.

Section 5. ANNUAL REVIEW.

Compliance with the provisions of this policy shall be reviewed as part of the annual budget adoption process.

Held in the Finance Committee.

ACT NO. 457-2013 by Mr. Murphy

**AUTHORIZING THE CHAIR TO EXECUTE MEMORANDUM OF UNDERSTANDING WITH
U.S. DEPARTMENT OF ENERGY WEST VALLEY DEMONSTRATION PROJECT,
NEW YORK STATE ENERGY RESEARCH AND DEVELOPMENT AUTHORITY, AND
CH2M HILL - B&W WEST VALLEY, LLC FOR EMERGENCY RESPONSE ACTIVITIES**

Pursuant to U.S. DOE Order 151.1C and Section 450 of the County Law.

WHEREAS, Act 257-2002 authorized a memorandum of understanding with the U.S. Department of Energy and the New York State Energy Research and Development Authority for the provision of timely and effective responses as a result of operational emergencies or other incidents arising out of, or caused by, West Valley Demonstration Project activities, and

WHEREAS, the U.S. Department of Energy West Valley Demonstration Project, the New York State Energy Research and Development Authority, and CH2M Hill - B&W West Valley, LLC, have amended the terms of the aforementioned memorandum of understanding, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a new Memorandum of Understanding, on behalf of Cattaraugus County, with the U.S. Department of Energy West Valley Demonstration Project, the New York State Energy Research and Development Authority, and CH2M Hill - B&W West Valley, LLC, for the provision of the above-described services, effective upon the date of the last signature to the Memorandum of Understanding and will remain in effect until canceled by the mutual agreement of the parties or by either party upon providing a 30-day written notice to the other party by certified mail.

Approved by 7 members of the Finance Committee and 6 members of the Public Safety Committee.

Adopted October 23, 2013 by voice vote.

ACT NO. 458-2013 by Ms. Edstrom and Mrs. Stockman

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
UNIVERA COMMUNITY HEALTH, INC. FOR
HOME ASSESSMENTS FOR MEDICAID ELIGIBLE RECIPIENTS**

Pursuant to 42 CFR Section 431.53, Section 365(a)(2)(i) of the Social Services Law,
10 NYCRR Section 505.10 and Section 450 of the County Law.

WHEREAS, Act 358-2011 authorized a contract with Univera Community Health, Inc., 205 Park Club Lane, Buffalo, New York 14221, for home assessments for Medicaid eligible recipients, the term of which has expired, and

WHEREAS, Univera Community Health, Inc., is desirous of renewing the aforementioned contract and continuing the provision of home assessments for their clients, and

WHEREAS, the Department of Social Services can continue to provide the aforementioned home assessments for an amount of \$175.00 per assessment, and

WHEREAS, the aforementioned services are 50% federal, 25% 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 a contract, on behalf of Cattaraugus County, with Univera Community Health, Inc., for the provision of the above-described services, for a term commencing October 1, 2013 and terminating December 31, 2014, according to the above-described terms, and be it further

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

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

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

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

Adopted October 23, 2013 by voice vote.

ACT NO. 459-2013 by Ms. Edstrom and Mrs. Stockman

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
SOUTHWESTERN NY CHAPTER OF THE AMERICAN RED CROSS FOR
EMERGENCY DISASTER ASSISTANCE**

Pursuant to P.L. 93-288, 36 USCS 2 and Section 450 of the County Law.

WHEREAS, Act 512-2012 authorized a contract with the Southwestern NY Chapter of the American Red Cross for the provision of such care, assistance and treatment that may be necessary to assure that persons are maintained in, or restored to, their domicile(s) with sufficient food and clothing to meet their needs pursuant to the New York State Social Services Law, which includes the responsibility for emergency assistance to recipients of public assistance, if made necessary as a result of disaster, the term of which expires December 31, 2013, and

WHEREAS, the parties are desirous of continuing the provision of the aforementioned services, and

WHEREAS, the Southwestern NY Chapter of the American Red Cross has agreed to continue providing the aforementioned emergency assistance, and

WHEREAS, the County Department of Social Services is responsible for the payment of emergency needs only, as follows:

Clothing:

\$89.00 per individual

Food:

An allowance of \$10.00 per day per individual up to a maximum of 3 days

Shelter:

Shelter provided for a maximum of 3 days at reasonable cost,

and

WHEREAS, it is economically and organizationally feasible for the County to contract with the Southwestern NY Chapter of the American Red Cross for the provision of this assistance, and

WHEREAS, this program is 50% federal, 25% 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 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 Southwestern NY Chapter of the American Red Cross for the provision of the above-described emergency disaster assistance 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 7 members of the Finance Committee and 7 members of the Human Services Committee.

Adopted October 23, 2013 by voice vote.

ACT NO. 460-2013 by Ms. Edstrom and Mrs. Stockman

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH THE BONADIO GROUP
FOR ACCOUNTING SERVICES FOR
DEPARTMENT OF SOCIAL SERVICES CLIENT ACCOUNTS**

Pursuant to Public Law 104-193 and Section 450 of the County Law.

WHEREAS, Act 515-2012 authorized a contract with The Bonadio Group, 171 Sully's Trail, Pittsford, New York 14534, for the provision of accounting services for the Department of Social Services client accounts, the term of which expires December 31, 2013, and

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

WHEREAS, The Bonadio Group can provide the necessary accounting services for an amount of \$150.00 per hour, with no travel time or mileage paid, to be paid on a monthly basis, as invoiced, and

WHEREAS, the above-described services are 50% federal, 25% state funded and 25% county funds, 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 the inclusion in the 2014 budget of sufficient funds to cover the costs of the aforementioned services, on behalf of Cattaraugus County, with The Bonadio Group 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 7 members of the Finance Committee and 7 members of the Human Services Committee.

Adopted October 23, 2013 by voice vote.

ACT NO. 461-2013 by Ms. Edstrom and Mrs. Stockman

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
CATTARAUGUS COMMUNITY ACTION, INC. FOR
ALTERNATE HOURS VISITATION FOR AT-RISK CHILDREN**

Pursuant to CFR Parts 74 and 92 and Section 450 of the County Law.

WHEREAS, Act 517-2012 authorized contracts for the provision of alternate hours visitation services for at-risk children, the term of which expires December 31, 2013, and

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

WHEREAS, Cattaraugus Community Action, Inc., 25 Jefferson Street, Salamanca, New York 14779, can provide both planned and unplanned visits to families working with the Cattaraugus County Child Welfare Unit for an annual amount not to exceed \$27,000.00, 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 Cattaraugus Community Action, 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 7 members of the Finance Committee and 7 members of the Human Services Committee.

Adopted October 23, 2013 by voice vote.

ACT NO. 462-2013 by Ms. Edstrom and Mrs. Stockman

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
ENRIQUE BARRERA FOR SPANISH INTERPRETER SERVICES**

Pursuant to 14 NYCRR Section 527.4 (a),(b) and (c) and
Section 450 of the County Law.

WHEREAS, Act 63-2013 authorized a contract with Enrique Barrera for Spanish interpreter services for various County departments, the term of which expires December 31, 2013, and

WHEREAS, County departments are desirous of continuing the aforementioned services, and

WHEREAS, Enrique Barrera, 6750 Poverty Hill Road, Ellicottville, New York 14731, shall provide Spanish interpreter services at a rate not to exceed \$36.00 per hour, plus mileage at the County rate in effect at the time services are rendered, and

WHEREAS, this service may be paid through various funding streams ranging from 50% federal funds, 25% state funds and 25% county 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 Enrique Barrera, for the provision of the above-described Spanish interpreter 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 7 members of the Finance Committee and 7 members of the Human Services Committee.

Adopted October 23, 2013 by voice vote.

ACT NO. 463-2013 by Ms. Edstrom and Mrs. Stockman
and Mr. Koch¹

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
DOYLE SECURITY SYSTEMS, INC. FOR
PERSONAL EMERGENCY RESPONSE UNITS MONITORING SERVICES
FOR DEPARTMENTS OF HEALTH, AGING AND SOCIAL SERVICES**

Pursuant to Section 95-a of the General Municipal Law and
Section 450 of the County Law.

WHEREAS, Act 478-2012 authorized a contract with Doyle Security Systems, Inc., 792 Calkins Road, Rochester, New York 14623, for the provision of various services to the County Departments of Health, Aging and Social Services, the term of which expires December 31, 2013, and

WHEREAS, the County Departments of Health, Aging and Social Services are desirous of continuing the aforementioned services, and

WHEREAS, Doyle Security Systems, Inc., has agreed to provide services to the County Departments of Health, Aging and Social Services, as follows:

<u>Category of Service</u>	<u>2013 Rate</u>	<u>2014 Rate</u>
<u>HEALTH DEPARTMENT</u>		
PERS Monitoring	\$18/month/unit	\$18/month/unit
Electronic Medication Monitoring	\$49/month/unit	\$49/month/unit
<u>SOCIAL SERVICES</u>		
PERS Monitoring	\$18/month/unit	\$18/month/unit
Electronic Medication Monitoring	\$49/month/unit	\$49/month/unit
<u>DEPARTMENT OF AGING</u>		
PERS Monitoring (Expanded In-Home Services for the Elderly Program),	\$15/month/unit	\$15/month/unit

and

WHEREAS, this program is 75% state and 25% county funded for the Department of Aging's portion of expenses, 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 the inclusion in the 2014 budget of sufficient funds to cover the costs of the aforementioned services, on behalf of Cattaraugus County, with Doyle Security Systems, 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 7 members of the Finance Committee, 7 members of the Senior Services Committee and 7 members of the Human Services Committee.

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

Adopted October 23, 2013 by voice vote.

ACT NO. 464-2013 by Ms. Edstrom and Mrs. Stockman
and Mr. VanRensselaer, Mr. Koch and Mrs. Labuhn¹

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
SENECA NATION AREA OFFICE OF AGING FOR
DEPARTMENT OF HEALTH HOME DELIVERED MEALS PROGRAM**

Pursuant to Section 119-o of the General Municipal Law and
Section 450 of the County Law.

WHEREAS, Act 290-2013 authorized a contract with the Seneca Nation Area Office of Aging, 28 Thomas Indian School Drive, Irving, New York 14081, for the preparation and delivery of a noon meal in the areas contiguous to Cattaraugus County, the term of which expires December 31, 2013, and

WHEREAS, the County Health Department is desirous of continuing the provision of home delivered meals to clients of the Long Term Home Health Care Program who reside on or near the Cattaraugus Territory of the Seneca Nation of Indians, and

WHEREAS, the Seneca Nation Area Office of Aging, 28 Thomas Indian School Drive, Irving, New York 14081, has agreed to provide for the preparation and delivery of a noon meal in the areas contiguous to Cattaraugus County five (5) days per week, at the current Medicaid rate per delivered meal, 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 the inclusion in the 2014 budget of sufficient funds to cover the costs of the aforementioned services, on behalf of Cattaraugus County, with the Seneca Nation Area Office of Aging, 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 7 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. VanRensselaer, Mr. Koch and Mrs. Labuhn".

Adopted October 23, 2013 by voice vote.

ACT NO. 465-2013 by Ms. Edstrom and Mrs. Stockman

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
KELLIE SZKATULSKI FOR
HEALTH DEPARTMENT SPEECH THERAPY SERVICES**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 476-2012 authorized a contract with Kellie Szkatulski, 9811 Mosher Road, South Dayton, New York 14138, for the provision of speech therapy services for 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 continuing the aforementioned services, and

WHEREAS, Kellie Szkatulski can provide speech therapy services as an independent contractor for home health care patients in accordance with a physician's orders, the patient's plan of care, and/or patient availability, for an amount of \$65.00 per visit, to be paid as invoiced, and

WHEREAS, the aforementioned services shall be performed at the patient's home at a mutually agreed upon schedule between Kellie Szkatulski and the patient, but in all cases Kellie Szkatulski must adhere to the established Plan of Care for each patient, 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 the inclusion in the 2014 budget of sufficient funds to cover the costs of the aforementioned services, on behalf of Cattaraugus County, with Kellie Szkatulski 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 7 members of the Finance Committee and 7 members of the Human Services Committee.

Adopted October 23, 2013 by voice vote.

ACT NO. 466-2013 by Ms. Edstrom and Mrs. Stockman
and Mr. Padlo¹

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
OLEAN MEDICAL GROUP, LLP FOR HEALTH DEPARTMENT
FAMILY PLANNING MEDICAL CONSULTANT**

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

WHEREAS, Act 527-2011 authorized a contract with the Olean Medical Group, LLP, 535 Main Street, Olean, New York 14760, for the provision of family planning services through its Family Planning and Reproductive Health programs, the term of which expires December 31, 2013, and

WHEREAS, the County Health Department is required to have medical direction, preceptorship and collaboration by a physician who specializes in obstetrics and gynecology, and

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

WHEREAS, the Olean Medical Group, LLP, has agreed to continue providing the aforementioned family planning services on a consultant basis for an amount of \$400.00 per month, which is the same rate as the previous contract, to be paid as invoiced, 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 the Olean Medical Group, LLP, for the provision of the above-described services, for a term commencing January 1, 2014 and terminating December 31, 2015, according to the above-described terms.

Approved by 7 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 23, 2013 by voice vote.

ACT NO. 467-2013 by Ms. Edstrom and Mrs. Stockman
*and Mr. Padlo*¹

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
OLEAN MEDICAL GROUP, LLP FOR HEALTH DEPARTMENT
CONTINGENT MEDICAL DIRECTOR SERVICES**

Pursuant to Section 352 of the Public Health Law and
Section 450 of the County Law.

WHEREAS, Act 451-2012 authorized a contract with the Olean Medical Group, LLP, 535 Main Street, Olean, New York 14760, for the provision of a contingent medical director, in the event the County Health Department's medical director is unavailable, the term of which expires December 31, 2013, and

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

WHEREAS, the Olean Medical Group, LLP, can provide the aforementioned medical director services, in the event the County Health Department's current medical director is unavailable, for an amount of \$160.00 per hour to be paid as invoiced, 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 the Olean Medical Group, LLP, 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 7 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 23, 2013 by voice vote.

ACT NO. 468-2013 by Ms. Edstrom and Mrs. Stockman

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
CORNELL COOPERATIVE EXTENSION-CATTARAUGUS COUNTY FOR
HEALTH DEPARTMENT WATER RESOURCE SPECIALIST**

Pursuant to Sections 224 (8)(e) and 450 of the County Law.

WHEREAS, Act 433-2012 authorized a contract with Cornell Cooperative Extension-Cattaraugus County, 28 Parkside Drive, Ellicottville, New York 14731, for the provision of a Water

Resource Specialist to coordinate the public water supply inspection, monitoring and surveillance program and ensure fulfillment of all NYS drinking water enhancement grant work plan deliverables, the term of which expires December 31, 2013, and

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

WHEREAS, Cornell Cooperative Extension-Cattaraugus County can provide a Water Resource Specialist to provide the aforementioned services for a total amount not to exceed \$56,250.00, which includes all work-related expenses:

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

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

*Any overnight travel must have prior approval of the County Public Health Director or the Director's designee, and must have an authorization attached, prior to reimbursement,

and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, contingent upon and subject to the inclusion in the 2014 budget of sufficient funds to cover the costs of the aforementioned services, on behalf of Cattaraugus County, with Cornell Cooperative Extension-Cattaraugus County, 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 7 members of the Finance Committee and 6 members of the Human Services Committee.

Adopted October 23, 2013 by voice vote.

ACT NO. 469-2013 by Ms. Edstrom and Mrs. Stockman

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
CORNELL COOPERATIVE EXTENSION-CATTARAUGUS COUNTY FOR
HEALTH DEPARTMENT REPRODUCTIVE HEALTH EDUCATOR**

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

WHEREAS, Act 434-2012 authorized a contract with Cornell Cooperative Extension-Cattaraugus County, 28 Parkside Drive, Ellicottville, New York 14731, for the provision of services of a Reproductive Health Educator for the County Health Department family planning clinics, the term of which expires December 31, 2013, and

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

WHEREAS, Cornell Cooperative Extension-Cattaraugus County has agreed to perform the aforementioned reproductive health educator services for the family planning clinics, for a total amount not to exceed \$44,768.00, which includes all work-related expenses:

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

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

*Any overnight travel must have prior approval of the County Public Health Director or the Director's designee, and must have an authorization attached, prior to reimbursement,

and

WHEREAS, this program is 100% funded through the Family Planning Grant, now, therefore, be it

RESOLVED, that the County Administrator be, and hereby is, authorized and directed to execute a contract, contingent upon and subject to the inclusion in the 2014 budget of sufficient funds to cover the costs of the aforementioned services, on behalf of Cattaraugus County, with Cornell Cooperative Extension-Cattaraugus County, 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 7 members of the Finance Committee and 7 members of the Human Services Committee.

Adopted October 23, 2013 by voice vote.

ACT NO. 470-2013 by Ms. Edstrom and Mrs. Stockman
and Mr. Lamberson¹

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACTS WITH
VARIOUS ENTITIES FOR HEALTH DEPARTMENT WIC CLINIC SPACE**

Pursuant to Section 215 of the County Law and
Section 450 of the County Law.

WHEREAS, Act 448-2012 authorized contracts with various entities for the utilization of space for the Health Department's WIC Program, the terms of which expire December 31, 2013, and

WHEREAS, the County Health Department is desirous of continuing the WIC program in various areas of Cattaraugus County, and

WHEREAS, the entities listed below have agreed to allow the County Health Department to utilize space in their facilities for WIC clinics:

	<u>2013 Rate</u>	<u>2014 Rate</u>
Franklinville Free Methodist Church 41 South Main Street Franklinville, New York 14737	\$300/year	\$300/year
Gowanda Free Methodist Church 149 West Main Street Gowanda, New York 14070	\$60/day of use	\$75/day of use
Roberts Memorial Free Methodist Church 111 South Street Cattaraugus, New York 14719	\$100/year	\$100/year
Town of Randolph 72 Main Street Randolph, New York 14772	No Cost	No Cost
United Methodist Church of Little Valley 109 Court Street Little Valley, New York 14755	\$50/month	\$50/month
Delevan Baptist Church P.O. Box 335 18 Church Street Delevan, New York 14042,		No Cost

and

WHEREAS, this program is 75% federal and 25% state funded, now, therefore, be it
RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute contracts, contingent upon and subject to the inclusion in the 2014 budget of sufficient funds to cover the costs of the aforementioned services, on behalf of Cattaraugus County, with the above-

listed various entities for the utilization of the aforementioned space, 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 7 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. Lamberson".

Adopted October 23, 2013 by voice vote.

ACT NO. 471-2013 by Ms. Edstrom and Mrs. Stockman

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
NEW YORK STATE DEPARTMENT OF HEALTH FOR
IMMUNIZATION CONSORTIUM REIMBURSEMENT**

Pursuant to 10 NYCRR Section 40-1.52 and
Section 450 of the County Law.

WHEREAS, Act 165-2012 authorized a contract with the New York State Department of Health for the administration of the Western Region Immunization Consortium, the term of which expired March 31, 2013, and

WHEREAS, the Western Region Immunization Consortium will receive \$200,790.00 from the New York State Department of Health in order to enhance immunization rates and increase the distribution of vaccines to families who might otherwise not obtain vaccination, and

WHEREAS, the New York State Department of Health has been designated as Lead Agency for the Western Region Immunization Consortium for the administration of the above-referenced program, and

WHEREAS, the Cattaraugus County Health Department is desirous of participating in the above-referenced program in order to expand the vaccine distribution in Cattaraugus County and ensure that children who are uninsured, underinsured and Medicaid-eligible have access to immunization clinics at no cost to the County, and

WHEREAS, the County must enter into a contract with the New York State Department of Health in order to obtain reimbursement through the above-referenced 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 New York State Department of Health

in order to obtain reimbursement through the above-referenced program, for a term commencing April 1, 2013 and terminating March 31, 2018, 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 7 members of the Finance Committee and 7 members of the Human Services Committee.

Adopted October 23, 2013 by voice vote.

ACT NO. 472-2013 by Ms. Edstrom and Mrs. Stockman
and Mr. Padlo¹

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
OLEAN GENERAL HEALTHCARE SYSTEMS, LLC FOR
HEALTH DEPARTMENT HOME HEALTH CARE
PROGRAM RESPIRATORY THERAPY SERVICES**

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

WHEREAS, Act 450-2012 authorized a contract with Olean General Healthcare Systems, LLC, 234 Homer Street, Olean, New York 14760, for the provision of respiratory therapy services for 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, Olean General Healthcare Systems, LLC, has agreed to provide respiratory therapy visits at a rate of \$70.00 per visit, with the stipulation that it not refuse any respiratory therapy cases referred to it, and \$28.00 per hour for attendance at meetings, and

WHEREAS, if Olean General Healthcare Systems, LLC, refuses any respiratory therapy homecare case during the term of the 2014 contract, then the rate for respiratory therapy services shall revert back to the base rate of \$68.00 per 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, contingent upon and subject to the inclusion in the 2014 budget of sufficient funds to cover the costs of the aforementioned services, on behalf of Cattaraugus County, with Olean General Healthcare Systems, LLC, 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 7 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 23, 2013 by voice vote.

ACT NO. 473-2013 by Ms. Edstrom, Mr. Edwards, Mr. Hale, Mr. Klancer, Mr. Marsh,
Mr. Murphy, Mr. Snyder, Jr., Mrs. Stockman, Mr. VanRensselaer,
Mr. Boser, Mrs. Labuhn, Mr. Lamberson and Mr. Sprague

**AUTHORIZING COUNTY ADMINISTRATOR AND COUNTY ATTORNEY TO SOLICIT PROPOSALS
FROM PRIVATELY-OWNED ENTITIES FOR PURCHASE OF SKILLED NURSING FACILITIES**

Pursuant to Section 103 of the General Municipal Law.

WHEREAS, Cattaraugus County owns and, through its Department of Nursing Homes, operates the Pines Healthcare and Rehabilitation Centers in Olean and Machias, and

WHEREAS, it is projected that the Machias facility will sustain a loss of \$2.7 million in 2014 and losses in undetermined amounts thereafter, thereby requiring the County's taxpayers to carry the burden of its continued operation by the County, and

WHEREAS, it is further projected that the Olean facility will sustain a deficit of \$1.5 million in 2015 and in undetermined amounts thereafter, and

WHEREAS, the County's continued receipt of Inter-Governmental Transfer ("IGT") payments from the federal government is included in such projections, and

WHEREAS, it is expected that IGT payments to the County will cease effective in the 2014-2015 federal fiscal year, causing a further significant deficit in the operation of both facilities, and

WHEREAS, while recognizing the continuing need that well-operated skilled nursing homes be available in the future to the residents of Cattaraugus County, the Legislature is considering several options for the continued operation of the facilities, including the possibility that the facilities be offered for sale to a privately owned entity, and

WHEREAS, in order to properly assess the available options, the Legislature must identify private entities which are interested in purchasing both facilities, and the terms of such offers, and

WHEREAS, in order to determine such interest, it is necessary that the Legislature request proposals therefor, and

WHEREAS, such request shall provide that proposers must guarantee that all current employees of the facilities affected will be interviewed for positions of employment equivalent to those which they presently hold, and

WHEREAS, such request shall further provide that adequate arrangements shall be made for the continued care, either at the facilities or elsewhere, of all residents of the facilities, now, therefore, be it

RESOLVED, that the County Administrator and the County Attorney be, and they hereby are, authorized and directed to prepare and request proposals from privately owned entities for the purchase of both facilities and to provide such proposals to the Senior Services Committee as soon as possible.

Held in the Finance Committee and the Senior Services Committee.

ACT NO. 474-2013 by Mr. Hale and Mr. Murphy

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
LEGAL ASSISTANCE OF WESTERN NEW YORK, INC. FOR
FAMILY COURT LEGAL REPRESENTATION OF INDIGENT PERSONS**

Pursuant to Sections 450 and 722 of the County Law.

WHEREAS, Act 648-2012 authorized a contract with Legal Assistance of Western New York, Inc., 104 East Steuben Street, Bath, New York 14810, for the provision of legal representation in Family Court to those who are financially unable to obtain counsel pursuant to New York State County Law Section 722, where there exists a conflict with the Public Defender's Office, the term of which expires December 31, 2013, and

WHEREAS, in 2012 and 2013, Legal Assistance of Western New York, Inc., accepted well over the number of referrals contracted for, and provided representation in several appeals, with no increase in the contract price, and

WHEREAS, the County Public Defender's Office is desirous of renewing the aforementioned contract, and

WHEREAS, Legal Assistance of Western New York, Inc., agrees to provide the aforementioned legal services for an amount of \$390,268.00 per year for 2014 and 2015, for approximately 540 cases referred to Family Court, and

WHEREAS, it is understood that Legal Assistance of Western New York, Inc., shall continue to provide legal representation at the appellate level for its cases that are appealed, at no additional cost, 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 the inclusion in the 2014 budget of sufficient funds to cover the costs of the aforementioned services, on behalf of Cattaraugus County, with Legal Assistance of Western New York, Inc., for the provision of the above-described services, for a term

commencing January 1, 2014 and terminating December 31, 2015, according to the above-described terms.

Approved by 7 members of the Finance Committee and 6 members of the Public Safety Committee.

Adopted October 23, 2013 by voice vote.

ACT NO. 475-2013 by Mr. Felton and Ms. Vickman

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
HARMONY INFORMATION SYSTEMS, INC. SYNERGY
SOFTWARE TECHNOLOGIES FOR DATA COLLECTION SYSTEM FOR
DEPARTMENT OF AGING**

Pursuant to Section 95-a of the General Municipal Law and
Section 450 of the County Law.

WHEREAS, Act 601-2012 authorized a contract with Harmony Information Systems, Inc., Synergy Software Technologies, 25 New England Drive, Essex Junction, Vermont 05452, for the provision of a comprehensive data collection system to meet federal and state requirements, the term of which expires December 31, 2013, and

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

WHEREAS, Harmony Information Systems, Inc., Synergy Software Technologies, shall continue providing the aforementioned comprehensive data collection system, technical support and training, through a web-based server, for an amount of \$18,159.40, to be paid 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 Harmony Information Systems, Inc., Synergy Software Technologies, 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 7 members of the Finance Committee and 7 members of the Senior Services Committee.

Adopted October 23, 2013 by voice vote.

ACT NO. 476-2013 by Mr. Felton and Ms. Vickman

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
D-KAUR, INC. FOR CONSULTING DIETICIAN SERVICES FOR
DEPARTMENT OF AGING**

Pursuant to Section 95-a of the General Municipal Law and
Section 450 of the County Law.

WHEREAS, Act 602-2012 authorized a contract with D-Kaur, Inc., 9 Barley Sheaf Road, Flemington, New Jersey 08822, for the provision of consulting dietician services for the Department of Aging, the term of which expires December 31, 2013, and

WHEREAS, the Department of Aging is desirous of renewing the aforementioned services, and

WHEREAS, D-Kaur, Inc., has agreed to provide the aforementioned consulting dietician services at a rate of \$42.00 per hour for a maximum of 624 hours per calendar year, plus annual training costs of \$600.00, for a total contract amount of \$26,808.00, to be paid on a monthly basis, as invoiced, and

WHEREAS, this program is funded through federal, state and county 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 D-Kaur, Inc. for the provision of the above-described consulting dietician 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 7 members of the Finance Committee and 7 members of the Senior Services Committee.

Adopted October 23, 2013 by voice vote.

ACT NO. 477-2013 by Mr. Felton and Ms. Vickman
*and Mr. Koch and Mrs. Labuhn*¹

**AUTHORIZING THE CHAIR TO APPLY FOR FUNDING
THROUGH CORPORATION FOR NATIONAL AND COMMUNITY SERVICE FOR
DEPARTMENT OF AGING RETIRED & SENIOR VOLUNTEER PROGRAM**

Pursuant to Section 536-a of the Executive Law and
Section 450 of the County Law.

WHEREAS, Act 760-2009 authorized the Chairman to apply for funding through the Corporation for National Service for retired and senior volunteer program (RSVP) funds, and

WHEREAS, up to \$110,250.00 is available through the Corporation for National and Community Service, 1201 New York Avenue NW, Washington, DC 20525, for the Retired & Senior Volunteer Program to support the efforts of RSVP Volunteers in Cattaraugus County, and

WHEREAS, the Department of Aging is desirous of filing grant applications with the Corporation for National and Community Service in order to obtain this federal funding, and

WHEREAS, this program is 70% federal and 30% County funded, now, therefore, be it
RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute grant applications, on behalf of Cattaraugus County, with the Corporation for National and Community Service, to apply for the aforementioned grant funding for the fiscal year commencing April 1, 2013 and terminating March 31, 2016, 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 7 members of the Finance Committee and 7 members of the Senior Services Committee.

¹The following Legislators requested their names be listed as additional sponsors: "Mr. Koch and Mrs. Labuhn".

Adopted October 23, 2013 by voice vote.

ACT NO. 478-2013 by Mr. Felton and Ms. Vickman
*and Mr. Koch and Mrs. Labuhn*¹

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
CATTARAUGUS COMMUNITY ACTION, INC. FOR
COORDINATION OF HOME DELIVERED MEALS PROGRAM**

Pursuant to Section 95-a of the General Municipal Law and
Section 450 of the County Law.

WHEREAS, Act 600-2012 authorized a contract with Cattaraugus Community Action, Inc., 25 Jefferson Street, Salamanca, New York 14779, for the coordination of home-delivered meals in the Salamanca area, the term of which expires December 31, 2013, and

WHEREAS, the County Department of Aging is desirous of continuing the provision of home delivered meals in the Salamanca area, and

WHEREAS, Cattaraugus Community Action, Inc., can provide for the coordination of the home delivered meal program, volunteer coordination and transportation reservations in the Salamanca area for an annual amount not to exceed \$9,666.00 for two (2) hours per day of operation, which includes all wages, fringe benefits, travel, phone and administration costs, to be paid on a monthly basis as invoiced, and

WHEREAS, this program is 90% federal and 10% 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, contingent upon and subject to the inclusion in the 2014 budget of sufficient funds to cover the costs of the aforementioned services, with Cattaraugus Community Action, 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 7 members of the Finance Committee and 7 members of the Senior Services Committee.

¹The following Legislators requested their names be listed as additional sponsors: "Mr. Koch and Mrs. Labuhn".

Adopted October 23, 2013 by voice vote.

ACT NO. 479-2013 by Mr. Felton and Ms. Vickman
*and Mr. Koch*¹

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
HEALTHY COMMUNITY ALLIANCE, INC. FOR MANAGEMENT OF
DEPARTMENT OF AGING SENIOR WELLNESS AND NUTRITION PROGRAM SITE**

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 599-2012 authorized a lease and staffing agreement with Healthy Community Alliance, Inc., Academy Place, 1 School Street, Suite 100, Gowanda, New York 14070, for the management of a Senior Wellness and Nutrition Program (SWAN) site in the Gowanda area for the Department of Aging, the term of which expires December 31, 2013, and

WHEREAS, the Department of Aging is desirous of continuing the staffing agreement for the management of the Gowanda SWAN site, and

WHEREAS, Healthy Community Alliance, Inc., shall continue providing for the management of, and part-time personnel to staff the Gowanda SWAN site for an amount of \$20,143.32, to be paid on a quarterly basis, as invoiced, and

WHEREAS, this program is 90% federal and 10% 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, contingent upon and subject to the inclusion in the 2014 budget of sufficient funds to cover the costs of the aforementioned services, with Healthy Community Alliance, Inc., for the management of the Gowanda SWAN site, 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 7 members of the Finance Committee and 7 members of the Senior Services Committee.

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

Adopted October 23, 2013 by voice vote.

ACT NO. 480-2013 by Mr. Felton and Ms. Vickman
and Mr. Koch, Mrs. Labuhn and Mr. Padlo¹

**AUTHORIZING THE CHAIR TO EXECUTE LEASE AGREEMENTS WITH
VARIOUS ENTITIES FOR DEPARTMENT OF AGING
SENIOR WELLNESS AND NUTRITION PROGRAM SITES**

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 598-2012 authorized lease agreements with various entities for the County Department of Aging Senior Wellness and Nutrition Program sites in the County, the terms of which expire December 31, 2013, and

WHEREAS, the County Department of Aging is desirous of renewing the aforementioned lease agreements, and

WHEREAS, the following various entities have agreed to renew the aforementioned lease agreements, as follows:

<u>SITE</u>	<u>2013 RATE</u>	<u>2014 RATE</u>
Village of Cattaraugus 14 Main Street Cattaraugus, New York 14719	\$270/mo.	\$270/mo.
Village of Little Valley Municipal Building Rock City Street Little Valley, New York 14755	\$210/mo.	\$210/mo.
Jeff Buncy 8101 Lakeshore Drive Caneadea, New York 14717 or 10086 Blue Street Delevan, New York 14042	\$340/mo. plus \$245/mo. for utilities	\$340/mo. plus \$245/mo. for utilities
Free Methodist Church 327 Pine Street P.O. Box 261 South Dayton, New York 14138,	\$235/mo.	\$235/mo.
Portville Lodge #579 F.& A.M. 14 Temple Street Portville, New York 14770	\$420/mo.	\$420/mo.

Healthy Community Alliance Academy Place 1 School Street Gowanda, New York 14070	\$450/mo.	\$450/mo.
Town of Randolph 72 Main Street Randolph, New York 14772	\$478/mo.	\$478/mo.
St. Stephen's Club 1117 North Union Street Olean, New York 14760	\$5,000/year \$1,250/quarter	\$5,000/year \$1,250/quarter
Presbyterian Church 25 South Main Street Franklinville, New York 14737	\$421.27/mo. plus \$12.88/mo. cleaning fee	\$421.27/mo. plus \$12.88/mo. cleaning fee
St. Paul's United Methodist Church 9372 Route 240 West Valley, New York 14171	\$332/mo.	\$332/mo.,

and

WHEREAS, this program is 90% federal and 10% county funded, now, therefore, be it
RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute lease agreements, 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 above-listed various entities, for the leasing of Senior Wellness and Nutrition Program sites, 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 7 members of the Finance Committee and 7 members of the Senior Services Committee.

¹The following Legislators requested their names be listed as additional sponsors: "Mr. Koch, Mrs. Labuhn and Mr. Padlo".

Adopted October 23, 2013 by voice vote.

ACT NO. 481-2013 by Ms. Edstrom and Mrs. Stockman
and Mr. Padlo¹

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
CATTARAUGUS COUNTY ARTS COUNCIL FOR
AMERICORPS START PROGRAM**

Pursuant to 42 USCS Section 12501 and
Section 450 of the County Law.

WHEREAS, Act 635-2012 authorized a contract with the Cattaraugus County Arts Council, P.O. Box 406, Olean, New York 14760, for the continuation of the AmeriCorps START Program, the term of which expires December 31, 2013, and

WHEREAS, the Youth Bureau is desirous of renewing the aforementioned contract, and

WHEREAS, the Cattaraugus County Arts Council has agreed to provide services for the AmeriCorps START Program by contributing an amount of \$2,700.00 for one half-time member, and

WHEREAS, this program is 65% federally funded with the remaining 35% coming from agency match, donations and in-kind services, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with the Cattaraugus County Arts Council, for the continuation of the AmeriCorps START Program, for a term commencing October 3, 2013 and terminating October 2, 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 7 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 23, 2013 by voice vote.

ACT NO. 482-2013 by Ms. Edstrom and Mrs. Stockman
and Mr. Padlo¹

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACTS WITH
VARIOUS ENTITIES FOR AMERICORPS START PROGRAM**

Pursuant to 42 USCS Section 12501 and
Section 450 of the County Law.

WHEREAS, Acts 98-2012 and 472-2012 authorized contracts with various entities for the continuation of the AmeriCorps START Program, and

WHEREAS, the Youth Bureau is desirous of renewing the aforementioned contracts, and

WHEREAS, the following entities have agreed to provide services for the AmeriCorps START Program by contributing amounts as follows:

<u>Entity</u>	<u>Amount</u>	<u>Members</u>
Ellicottville Central School District 5873 Route 219 Ellicottville, New York 14731	\$10,000.00	2 Full-Time
New Life Christian School 102 West Forrest Avenue P.O. Box 102 Olean, New York 14760	\$12,700.00	2 Full-Time 1 Part-Time
Olean City School District 410 West Sullivan Street Olean, New York 14760	\$10,400.00	1 Full-Time 2 Part-Time

and

WHEREAS, this program is 65% federally funded, with the remaining 35% coming from agency match, donations and in-kind services, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute contracts, on behalf of Cattaraugus County, with various entities, for the continuation of the AmeriCorps START Program, for a term commencing October 1, 2013 and terminating December 31, 2014, according to the above-described terms, and be it further

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

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

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

Approved by 7 members of the Finance Committee and 6 members of the Human Services Committee.

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

Adopted October 23, 2013 by voice vote.

ACT NO. 483-2013 by Mr. Marsh
who asks immediate consideration

**APPOINTMENT TO COMMUNITY SERVICES BOARD
ALCOHOL & SUBSTANCE ABUSE SUBCOMMITTEE**

Pursuant to Section 41.11 of the Mental Hygiene Law.

RESOLVED, that the following individual is re-appointed to the Community Services Board Alcohol & Substance Abuse Subcommittee effective October 4, 2013 with a term to expire December 31, 2015:

Vincent J. Francis
104 South Ninth Street
Olean, New York 14760.

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

Adopted October 23, 2013 by voice vote.

ACT NO. 484-2013 by Ms. Edstrom and Mrs. Stockman
who ask immediate consideration

ADOPTION OF CATTARAUGUS COUNTY HIPAA / HITECH SECURITY POLICY

Pursuant to 45 CFR Part 164.

WHEREAS, pursuant to federal law, commonly known as the Health Insurance Portability and Accountability Act ("HIPAA"), the Health Information Technology for Economic and Clinical Health Act ("HITECH"), and enforcement rules enacted in 2013, and New York State Law, the County must:

- (1) ensure the confidentiality, integrity and availability of all Electronic Protected Health Information that the County creates, receives, maintains, or transmits;
- (2) protect against any reasonably anticipated threats or hazards to the security or integrity of such information;
- (3) protect against any reasonably anticipated uses or disclosures of such information that are not permitted or required; and
- (4) ensure compliance with the Security Regulation by its workforce,

and

WHEREAS, federal law requires that the County develop, and adopt, a HIPAA / HITECH Security Policy relating to such information, now, therefore, be it

RESOLVED, that the Cattaraugus County HIPAA / HITECH Security Policy, dated October 23, 2013 is hereby adopted, and made effective immediately, and be it further

RESOLVED, that a copy of the Cattaraugus County HIPAA Security Policy is available from the County Administrator's Offices in Olean and Little Valley, or the County's website at: www.cattco.org.

MS. VICKMAN moved, seconded by Mrs. Labuhn to waive Rule 12. Carried.

Adopted October 23, 2013 by voice vote.

ACT NO. 485-2013 by Mr. Aiello and Mr. Weller
who ask immediate consideration

**AMENDING ACT 352-2013 REGARDING BID ACCEPTANCE FOR
CUTTING EDGES AND SHOES FOR GRADERS, PLOWS AND WINGS
(Department of Public Works)**

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

WHEREAS, Act 352-2013 authorized the bid acceptance for cutting edges and shoes for graders, plows and wings for the Department of Public Works, according to specifications provided by the Public Works Committee, and

WHEREAS, the bidder awarded the bid for Section E-2 is unable to honor its price due to industry price changes, and

WHEREAS, the County Department of Public Works would like to accept the bid of the next lowest responsible bidder for the items contained in Section E-2, now, therefore, be it

RESOLVED, that Act 352-2013 be, and hereby is, amended as follows:

- Under the listing for Monroe Tractor, **delete the following:**

"Tungsten Carbide Blades for Plow & Graders

<u>Index #</u>	<u>Description</u>	<u>2012 Rate</u>	<u>2013 Rate</u>
E-2	Item II – 3 piece set, No. DB48-36-48 Carbide Plow Blade – Price Per Set"	\$462.00	\$446.19

- After the last vendor listed in Act 352-2013, **add the following:**

"WAYNE'S WELDING, INC.
66 Calder Avenue
Yorkville, New York 13495

Tungsten Carbide Blades for Plow & Graders

<u>Index #</u>	<u>Description</u>	<u>2012 Rate</u>	<u>2013 Rate</u>
E-2	Item II – 3 piece set, No. DB48-36-48 Carbide Plow Blade – Price Per Set".	\$462.00	\$570.12

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

Adopted October 23, 2013 by voice vote.

ACT NO. 486-2013 by Public Works Committee:
 Mr. Aiello, Mr. Weller, Ms. Edstrom, Mr. Klancer, Mr. Snyder, Jr.,
 Mr. Teachman, Mr. Koch, Mr. Lamberson and Mr. Sprague
and Mr. Edwards, Mr. Felton, Mr. Hale, Mr. Marsh, Mr. Murphy,
Mr. Snyder, Sr., Mrs. Stockman, Mr. VanRensselaer, Ms. Vickman,
Mr. Boser, Mrs. Labuhn and Mr. Padlo¹
 who ask immediate consideration

**ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
 FOR JAIL BOILER PROJECT
 (Department of Public Works)**

Pursuant to Sections 363 and 366 of the County Law.

WHEREAS, the boiler at the Cattaraugus County Jail is in need of replacement, and
 WHEREAS, it is proposed that an amount of \$100,000.00 be transferred from the Casino
 funds to the jail boiler account in order to cover the cost of the aforementioned boiler replacement, and
 WHEREAS, various appropriation and revenue accounts should be adjusted, now,
 therefore, be it

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

Increase Estimated Revenue Accounts:

A.901.0000.0000.2725.1	Tribal Compact Moneys, Tax Immune Proceeds	\$100,000.00
H.990.9950.0000.5031	Transfer from General Fund	\$100,000.00

Increase Appropriation Accounts:

A.990.9950.0000.90504	Transfer to Capital Projects Fund	\$100,000.00
A.504.1620.0000.21048.41603	Boiler Replacement	\$100,000.00.

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

¹The following Legislators requested their names be listed as additional sponsors: "Mr. Edwards, Mr. Felton, Mr. Hale, Mr. Marsh, Mr. Murphy, Mr. Snyder, Sr., Mrs. Stockman, Mr. VanRensselaer, Ms. Vickman, Mr. Boser, Mrs. Labuhn and Mr. Padlo".

Adopted October 23, 2013 by voice vote.

ACT NO. 487-2013 by Public Works Committee:

Mr. Aiello, Mr. Weller, Ms. Edstrom, Mr. Klancer, Mr. Snyder, Jr.,
 Mr. Teachman, Mr. Koch, Mr. Lamberson and Mr. Sprague
 and Mr. Marsh and Mr. Snyder, Sr.
*and Mr. Edwards, Mr. Felton, Mr. Hale, Mr. Murphy, Mrs. Stockman,
 Mr. VanRensselaer, Ms. Vickman, Mr. Boser, Mrs. Labuhn and Mr. Padlo*¹
 who ask immediate consideration

**ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
 FOR DEMOLITION OF FORMER BOARD OF ELECTIONS BUILDING
 (Department of Economic Development, Planning & Tourism)**

Pursuant to Sections 363 and 366 of the County Law.

WHEREAS, the building which housed the Board of Elections offices is now vacant, and
 WHEREAS, the aforementioned building is in a deteriorated state and should be
 demolished, and

WHEREAS, the County shall make available an amount of \$125,000.00 for the purpose
 of demolishing the former Board of Elections building, and

WHEREAS, the aforementioned amount of \$125,000.00 shall be provided through
 Casino funds, and

WHEREAS, various appropriation and revenue accounts must be adjusted in order to
 accommodate the aforementioned \$125,000.00, now, therefore, be it

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

Increase Estimated Revenue Accounts:

A.901.0000.0000.2725.1	Tribal Compact Moneys, Tax Immune Proceeds	\$125,000.00
H.990.9950.0000.5031	Transfer from General Fund	\$125,000.00

Increase Appropriation Accounts:

A.990.9950.0000.90504	Transfer to Capital Projects Fund	\$125,000.00
H.504.1625.0000.21017.41603	Demolition of Former Museum/BOE	\$125,000.00.

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

¹The following Legislators requested their names be listed as additional sponsors: “Mr. Edwards, Mr. Felton, Mr. Hale, Mr. Murphy, Mrs. Stockman, Mr. VanRensselaer, Ms. Vickman, Mr. Boser, Mrs. Labuhn and Mr. Padlo”.

Adopted October 23, 2013 by voice vote.

ACT NO. 488-2013 by Mr. Aiello and Mr. Weller
and Mr. Klancer, Mrs. Stockman and Mr. Teachman¹
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
AUDUBON ARCHITECTURE, ENGINEERING, SURVEYING & LANDSCAPE ARCHITECTURE, P.C.
FOR ENGINEERING SERVICES FOR DEMOLITION OF
FORMER BOARD OF ELECTIONS BUILDING**

Pursuant to Sections 215 and 450 of the County Law.

WHEREAS, Act 173-2013 authorized a contract with Audubon Architecture, Engineering, Surveying & Landscape Architecture, P.C., (a/k/a Wendel Duchscherer), 140 John James Audubon Parkway, Suite 201, Buffalo, New York 14228, for the provision of engineering consultant services to facilitate the relocation of the Board of Elections offices to the former Cattaraugus-Little Valley Elementary School, and

WHEREAS, the former Board of Elections building is in a deteriorated state and not safe, nor feasible to repair, and should be demolished, and

WHEREAS, Audubon Architecture, Engineering, Surveying & Landscape Architecture, P.C., (a/k/a Wendel Duchscherer), can provide the necessary engineering services for the demolition of the aforementioned building for an amount not to exceed \$13,925.00, which includes reimbursable expenses not to exceed \$3,925.00, to be paid as invoiced, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Audubon Architecture, Engineering, Surveying & Landscape Architecture, P.C., (a/k/a Wendel Duchscherer), for the provision of the above-described engineering services, for a term commencing October 24, 2013 and terminating December 31, 2013, according to the above-described terms.

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

¹The following Legislators requested their names be listed as additional sponsors: "Mr. Klancer, Mrs. Stockman and Mr. Teachman".

Adopted October 23, 2013 by voice vote.

ACT NO. 489-2013 by Mr. Murphy
who asks immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
CH2M HILL B&W WEST VALLEY, LLC FOR
SECURITY LAW ENFORCEMENT SERVICES**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 432-2012 authorized a contract with CH2M Hill B&W West Valley, LLC, 10282 Rock Springs Road, West Valley, New York 14171-9799, for the provision of on-site security law enforcement services for its facility and surrounding areas, the term of which expired September 30, 2013, and

WHEREAS, CH2M Hill B&W West Valley, LLC, is desirous of renewing the aforementioned contract, and

WHEREAS, the Cattaraugus County Sheriff's Office can provide the aforementioned security law enforcement services for an amount based on actual costs, which are estimated to be \$331,565.41, 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 CH2M Hill B&W West Valley, LLC, for the provision of the above-described security law enforcement services, for a term commencing October 1, 2013 and terminating September 30, 2014, according to the above-described terms.

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

Adopted October 23, 2013 by voice vote.

* * * * *

MRS. LABUHN moved, seconded by Mr. Teachman to resolve the Legislature into a Committee of the Whole. Carried.

MR. AIELLO moved, seconded by Mr. Edwards to adjourn into Executive Session for the purpose of discussing collective negotiations pursuant to the Taylor Law. Carried.

MR. HALE moved, seconded by Mr. Padlo to adjourn out of Executive Session. Carried.

MR. TEACHMAN moved, seconded by Mr. Koch to resolve out of the Committee of the Whole and reconvene as a Legislature. Carried.

* * * * *

MS. EDSTROM moved, seconded by Mr. Klancer to adjourn until November 13, 2013 at 3:00 p.m. Carried.

Meeting adjourned at 3:51 p.m.

Ann M. Giglio
Journal Clerk