

January 7, 2014

The meeting was called to order by the Clerk of the Legislature, John R. Searles.

The invocation was given by Rev. leFeber.

The Attendance Roll Call disclosed all Legislators present.

\* \* \* \* \*

Mr. Searles stated the Legislature should now elect a Chair for the year 2014, and asked for nominations.

MR. SNYDER, JR. moved, seconded by Mr. Teachman to nominate Norman Marsh. Carried.

MR. SNYDER, SR. moved, seconded by Mr. Boser to close the nominations. Carried.

By voice vote, MR. MARSH was elected Chairman for the year 2014.

CHAIRMAN MARSH addressed the Legislature:

Good afternoon Ladies and Gentlemen,

First of all, I would like to thank you for allowing me to continue as your Chairman for another year. It is an honor that is really appreciated.

Our budget process went very smoothly last year. While our tax rate may not have been as low as we would have liked, with the uncertain economy, I think we did a good job. With some new ideas from the Ad Hoc Budget Committee that helped this past year, our procedural and financial aspects should be improved over the next few years. Jack Searles, Jeff VanDecar and the Committee put in many hours on this project. Thanks to all of you.

We still have a challenging year ahead of us. While New York State continues in its attempt to take over Medicaid, the County must develop a general game plan to try and stay ahead of changes that occur. While we must have certain objectives that we wish to achieve, our plan must be adaptable to different situations in a short period of time. It looks like any departments that are impacted by Medicaid will have a busy year.

With New York State and the Seneca Nation of Indians resolving the gaming dispute, our County came into millions of dollars. While this may sound like a dream come true, it created problems that we were not prepared for due to the magnitude of the requests. I know we did our best under the circumstances, but I think we need to initiate a new process and criteria by which we distribute casino money. While this may be just clarifying some things, it also means incorporating new ideas in how we handle these requests.

New York State's new motto, "We Are Open For Business" seems encouraging, but with its refusal to relent on the unfunded mandates that the County must pay, this has a huge impact on our budget. We are not the only county in the state that is losing population and jobs, but we must try to find a way to combat this trend. Looking at areas that have better success rates in retaining or attracting business might be a good start. Maybe forming a business and legislative group would give us a better understanding of what could be improved.

Whatever the solutions are or may be, they will not come about without cooperation from all of us on both sides of the aisle. Even with all the cooperation, I think we will need an infusion of new ideas that will help us succeed in our mission. Different ideas are a great way to start us on a course to improve our County. So if any one, and this is not just confined to legislators, has an idea, please let us know so it can be considered along with any other ideas that we may receive.

So, in closing, through this short synopsis of our County, we can optimistically prepare ourselves for a better future.

\* \* \* \* \*

CHAIRMAN MARSH asked for nominations for Vice-Chairman for the year 2014.

MS. EDSTROM moved, seconded by Mrs. Stockman to nominate Mr. James Snyder, Sr. Carried.

MR. BOSER moved, seconded by Mrs. Labuhn to nominate Mr. William Sprague. Carried.

MR. KLANCER moved, seconded by Mr. Lamberson to close the nominations. Carried.

A Roll Call vote for Vice-Chairman was taken which disclosed as follows:

SNYDER: Edstrom 0.8673, Edwards 0.9684, Felton 1.0972, Hale 1.0655, Klancer 1.1005, Murphy 1.1005, Snyder, Sr. 0.8673, Snyder, Jr. 1.0655, Stockman 1.0003, Teachman 0.8673, VanRensselaer 1.1278, Vickman 1.0972, Weller 1.0972, Marsh 1.1278 – 14.4498.

SPRAGUE: Boser 1.0267, Koch 0.8685, Labuhn 0.8685, Lamberson 1.0267, Padlo 0.8673, Sprague 1.0230 – 5.6807.

By Roll Call vote, MR. SNYDER, SR. was elected Vice-Chairman for the year 2014.

VICE-CHAIRMAN SNYDER SR.'S comments are as follows:

Mr. Snyder thanked everyone for their support. As Chair of the Finance Committee, he appreciated everyone's cooperation last year and looks forward to another year of continued cooperation. He issued a thank you to all Department Heads for their cooperation and thanked all for their support.

\*\*\*\*\*

CHAIRMAN MARSH announced Ms. Donna Vickman has been chosen Majority Leader for the year 2014.

MAJORITY LEADER VICKMAN'S comments are as follows:

Ms. Vickman stated she is looking forward to working with the legislators, department heads and employees as Majority Leader. Ms. Vickman commented that she has had a good working relationship with all legislators in the past and looks forward to the future.

\* \* \* \* \*

MS. VICKMAN announced that Patrick Murphy has been chosen Assistant Majority Leader and that Steven Teachman has been chosen Majority Whip for the year 2014.

\* \* \* \* \*

CHAIRMAN MARSH announced James Boser has been chosen Minority Leader for the year 2014.

MINORITY LEADER BOSER addressed the legislature as follows:

Good afternoon Chairman Marsh, fellow Legislators, Department Heads, and other attendees,

I would like to thank County Administrator Jack Searles and his staff for the excellent job they did with the creation of the 2014 budget. This was a difficult year for the budget process, but with the help of all department heads coming in with very lean budgets, it produced a budget that was workable and allowed for a very modest increase to the taxpayers of Cattaraugus County.

A special thanks to all the dedicated, hard-working County employees. They have been great in finding more ways to do tasks in-house thus saving funds. Looking back, we had a very interesting year with having the Casino windfall. This was a one-time shot in the arm to the County. I feel that the Legislators did a commendable job in a short time in wisely disbursing the funds for many worthwhile projects from the JCC Olean Campus to not having to bond the County for BANS.

We will have much to do in the New Year. We must deal with the County Nursing Homes; a very difficult decision will have to be made. With all the changes we have seen with the Affordable Health Care Act and with many more to come, it will be a trying time for the County. The County Museum building will need to be addressed. This building generated more correspondence than anything I have seen in ten years. The move to the old Little Valley School for the Board of Elections went well with their new facility being a most welcome change and providing a facility that meets all of their needs.

With funding from New York State and the Federal government becoming less, we must find ways to operate as efficiently as possible. We must not be afraid to do things differently than we have done in the past. More shared services are a must. Grants should be a top priority for all departments. Tourism is a growing part of our economy. The more we promote it, the better off our County will be. We also must continue to assist agriculture in any way possible.

It is my privilege to continue to serve as Minority Leader this year. With all Legislators working together as we have been doing in the past, we shall see a better Cattaraugus County.

Thank you.

\* \* \* \* \*

MINORITY LEADER BOSER announced that William Sprague will be the Assistant Minority Leader and Susan Labuhn will be the Minority Whip for the year 2014.

COUNTY COURT JUDGE RONALD PLOETZ administered the oaths of office to the members of the leadership.

COUNTY COURT JUDGE RONALD PLOETZ administered the oath of office to Lori P. Rieman as District Attorney.

COUNTY COURT JUDGE RONALD PLOETZ administered the oath of office to Timothy S. Whitcomb as Sheriff.

COUNTY COURT JUDGE RONALD PLOETZ administered the oath of office to William M. Nichols as Undersheriff.

CHAIRMAN MARSH announced that Ann Giglio will serve as Journal Clerk for the year 2014.

\* \* \* \* \*

MR. TEACHMAN moved, seconded by Mr. Weller that the minutes of the December 11, 2013 session be approved. Carried.

\* \* \* \* \*

#### COMMUNICATIONS:

New York State Department of State: Acknowledging receipt of Local Law No. 6-2013 (Intro No. 5) and Local Law No. 7-2013 (Intro No. 6) and the filing of the same on December 26, 2013.

Linda D. Milks, Cattaraugus County Civil Service Commissioner: Resignation effective December 31, 2013.

Maureen Mooney-Myers, Director, Department of Nursing Homes: Resignation effective 1/31/14.

Allegany County Legislature: Resolution No. 202-13 entitled “Resolution Denying the Use of the County Seal or Any Other Allegany County Identification with Regard to the New York Safe Act”.

Niagara County Legislature: Resolution No. IL-054-13 entitled “Resolution Opposing the Use of the Niagara County Seal and the Seal of the Niagara County Sheriff’s Office by the State of New York Without the Consent of the Niagara County Clerk, the Legislature or the Sheriff’s Office of the County of Niagara”.

Schoharie Board of Supervisors: Resolution No. 112 entitled “Denying the State of New York Permission to Use the Schoharie County Seal or Name in Enforcement of the So-Called “Safe Act”.

Washington County Board of Supervisors: Resolution No. 277 entitled “Resolution Urging Washington County Residents to Join the Donor Registry”. Resolution No. 309 entitled “Resolution Urging the NYS Legislature, NY Governor Cuomo, Congress of the United States, the White House Office of National Drug Control Policy (ONDCP), the United States Department of Justice, and the United States Drug Enforcement Administration (DEA) to recognize Industrial Hemp as a Valuable Agricultural Commodity; to Define Industrial Hemp in Federal and State Law as Non-Psychoactive and Genetically Identifiable Species of the Genus *Cannabis*; to Acknowledge that Allowing and Encouraging Farmers to Produce Industrial Hemp Will Improve the Balance of Trade by Promoting Domestic Sources of Industrial Hemp; and to Assist Producers by Removing Barriers to State Regulation of the Commercial Production of Industrial Hemp”.

Letters of Disclosure From:

Ms. Linda M. Edstrom

Mr. James J. Snyder

Mrs. Paula Stockman

Thomas C. Brady, County Attorney

Mr. David M. Koch

Mr. William E. Sprague

Mr. Steven H. Teachman

Dear Legislators:

This letter is to advise you that I am the duly elected, qualified and acting County Legislator of District #10 of the Cattaraugus County Legislature.

It is to further advise you that my husband, Gerald Zimmerman, is employed by Cattaraugus County as Director of the Probation Department.

This letter is intended as a written disclosure of my official capacities as required by Section 803 of the General Municipal Law.

Sincerely,

Linda M. Edstrom, County Legislator

Dear Legislators:

This letter is to advise you that I am the duly elected, qualified and acting County Legislator of District #9 of the Cattaraugus County Legislature.

It is to further advise you that my wife, Cynthia Koch, is employed by Cattaraugus County as a Senior Personnel Clerk in the Human Resources Department and my daughter, Lora Prey, is employed by Cattaraugus County as a Keyboard Specialist in the Health Department.

This letter is intended as a written disclosure of my official capacities as required by Section 803 of the General Municipal Law.

Sincerely,

David M. Koch, County Legislator

Dear Legislators:

This letter is to advise you that I am the duly elected, qualified and acting County Legislator of District #10 of the Cattaraugus County Legislature.

It is to further advise you that my daughter, Sydney Evans, is employed by Cattaraugus County as an Intensive Case Manager in the Community Services Department, and my son-in-law, Anthony Evans, is employed by Cattaraugus County as the Director of the Youth Bureau.

This letter is intended as a written disclosure of my official capacities as required by Section 803 of the General Municipal Law.

Sincerely,  
James J. Snyder, County Legislator

Dear Legislators:

This letter is to advise you that I am the duly elected, qualified and acting County Legislator of District #4 of the Cattaraugus County Legislature.

It is to further advise you that I own and operate a number of rental units in the Towns of Yorkshire, Hinsdale and Franklinville and, in connection therewith, I do, at times, rent to people who receive assistance from the Department of Social Services of the County of Cattaraugus. I am, therefore, occasionally reimbursed indirectly by the Department of Social Services for the rent of said people receiving benefits.

This letter is intended as a written disclosure of my official capacities as required by Section 803 of the General Municipal Law.

Sincerely,  
William E. Sprague, County Legislator

Dear Legislators:

This letter is to advise you that I am the duly elected, qualified and acting County Legislator of District #1 of the Cattaraugus County Legislature.

It is to further advise you that my son-in-law, Dennis Brooks, is employed by Cattaraugus County as Safety Engineer in the Human Resources Department.

This letter is intended as a written disclosure of my official capacities as required by Section 803 of the General Municipal Law.

Sincerely,  
Paula J. Stockman, County Legislator

Dear Legislators:

This letter is to advise you that I am the duly elected, qualified and acting County Legislator of District #10 of the Cattaraugus County Legislature.

It is to further advise you that my wife, Rosemary Teachman, is employed by Cattaraugus County as a Senior Account Clerk Typist in the Social Services Department.

This letter is intended as a written disclosure of my official capacities as required by Section 803 of the General Municipal Law.

Sincerely,  
Steven H. Teachman, County Legislator

Dear Legislators:

I am the duly appointed and qualified Cattaraugus County Attorney.

This is to advise that I am of counsel to the law firm of Brady & Swenson, which represents Cattaraugus County in the defense of civil litigation and to further advise that I, personally, will receive no benefit or derive any income from Brady & Swenson for any such representation.

This letter is intended as a written disclosure of my official capacities as required by Section 803 of the General Municipal Law.

Sincerely,  
Thomas C. Brady, Esq., County Attorney

\* \* \* \* \*

**APPOINTMENTS:****AGING ADVISORY COUNCIL***One-year terms to expire December 31, 2014*

Nancy Allen  
3522 Buffalo Road  
Allegany, New York 14706

Marge Little  
11964 Weaver Road  
Delevan, New York 14042

Diane Boser  
97 North First Street  
Allegany, New York 14706

William Little  
11964 Weaver Road  
Delevan, New York 14042

James Boser  
97 North First Street  
Allegany, New York 14706

Betty McDonald  
3045 Cherry Street  
Olean, New York 14706

William Button  
60 Portville-Ceres Road  
Portville, New York 14770

Marion Sticek  
9772 Cottage-Nashville Road  
South Dayton, New York 14138

MaryAnn Chamberlain  
167 Columbia Avenue  
Salamanca, New York 14779

Maureen Stone  
P.O. Box 35  
Sheridan, New York 14135

Helen Crowley  
5440 Robbins Road  
Ellicottville, New York 14731

Peggy Ann Taylor  
65 Perry Street, Apt. B, P.O. Box 5  
Gowanda, New York 14070

Kathy Hamed  
Olean Senior Center  
112 North Barry Street  
Olean, New York 14760

Dr. Kevin Watkins, MD  
Public Health Director  
1 Leo Moss Drive, Suite 4010  
Olean, New York 14760

Doris Heath  
8564 Mill Street  
South Dayton, New York 14138

**CATTARAUGUS – ALLEGANY WORKFORCE INVESTMENT BOARD***Unexpired terms to expire December 31, 2014*

Raymond Mooney  
Human Resources Business Partner  
Saputo Dairy Foods, USA, LLC  
6701 County Road 20  
Friendship, New York 14739  
(replacing Roger Mitchell)

Joe Hart, Sales Manager  
Lufkin-RMT/Lufkin Industries, LLC  
2475 Tarantine Blvd.  
Wellsville, New York 14895  
(replacing Gretchen Hanchett)

\* \* \* \* \*

**ACT NO. 1-2014** by Mr. Marsh

**ADOPTION OF 2014 RULES OF ORDER**

Pursuant to Section 153 of the County Law.

RESOLVED, that the Rules of Order of the Cattaraugus County Legislature for the year 2014 shall be as follows:

**RULES OF ORDER  
OF THE  
CATTARAUGUS COUNTY LEGISLATURE**

**RULE 1. ORGANIZATION MEETING**

**1.1** The organization meeting of the Legislature shall be held on or before January 8 in each year for election or appointment of all officers and employees. The Clerk shall call the meeting to order and the first order of business shall be the election of a Chair for the ensuing year. The Legislature, under the Chair, shall proceed with the election of a Vice-Chair whose term of office shall be for the current year.

**1.2** At the organization meeting commencing a new legislature, the Legislature shall appoint a County Attorney to act during the term of office for which the then members of such Legislature were elected.

**1.3** The Chair shall appoint the Journal Clerk whose term of office shall be for the current year.

**1.4.1** The Chair shall announce one majority leader selected by the members affiliated with one political party having a majority of the legislative membership.

**1.4.2** The majority leader shall be a member of the Finance Committee.

**1.5.1** The Chair shall announce one minority leader selected by the members affiliated with a political party or combination of political parties, other than the political party of the majority leader.

**1.5.2** The minority leader shall be a member of the Finance Committee.

**RULE 2. REGULAR MEETINGS**

**2.1** Regular meetings shall commence at 3:00 p.m. on the second and fourth Wednesdays of each month, except, that in the months of July and August, the only regular meeting will be the fourth Wednesday.

**RULE 3. SPECIAL MEETINGS**

**3.1** Special meetings shall be at the call of the Clerk upon the direction of the Chair, or at the call of the Clerk of the Legislature upon direction of the Vice-Chair provided that upon convening, a majority of the members of the Legislature pass a resolution ratifying such call, or upon written request signed by Legislators representing a majority of the Legislature.

3.2 A notice in writing stating the time, place and purpose of the special meeting shall be served personally or by email upon each member of the Legislature by the Clerk at least 48 hours before the date fixed for holding the meeting, or a member may waive the service of a notice for such meeting by a writing signed by the member.

3.3 Only business specified in the notice may be transacted at a special meeting.

#### RULE 4. PLACE AND TIME OF MEETINGS

4.1 All meetings shall be held at the Legislature Chambers in Little Valley, New York, and shall begin at the hour specified in these rules, unless a different time or place is provided by a motion for adjournment or by the call for the meeting.

4.2 The Clerk shall notify members, County Officers and Department Heads of all meetings, except adjourned regular meetings.

#### RULE 5. PRESENCE OF COUNTY ATTORNEY and COUNTY ADMINISTRATOR

5.1 The County Attorney shall be present during all legislative meetings for the purpose of advising the Legislature on legal questions, unless excused by the Chair.

5.2 The County Administrator shall be present during all legislative meetings for the purpose of counsel and advice, unless excused by the Chair.

#### RULE 6. QUORUM

6.1 A majority of the full Legislature shall constitute a quorum for the transaction of business, but a lesser number may adjourn.

6.2 When a quorum is not present, the Clerk of the Legislature, upon request of the members present, shall notify members in the manner specified for calling special meetings that an adjourned meeting will be held at a specified time.

#### RULE 7. TEMPORARY CHAIR

7.1 Upon the appearance of a quorum, the Chair shall call the Legislature to order.

7.2 In the case of the non-appearance of the Chair, the Vice-Chair shall conduct the meeting.

7.3 In the case of the non-appearance of the Chair or the Vice-Chair, the Majority Leader shall conduct the meeting.

7.4 In case of the nonappearance of the Chair, Vice-Chair or Majority Leader within fifteen minutes of the appointed hour, the Clerk shall call the Legislature to order and a Chair pro tem shall be elected to preside for such day only, or during the absence of the Chair. The Chair pro tem shall have and exercise all of the powers and duties of the Chair at the meeting over which the Chair pro tem is called to preside.

#### RULE 8. ORDER OF BUSINESS

8.1 The order of business at each session shall be as follows, with the exception of times set apart for the consideration of special orders of the day:



1. Call to order by Chair.
2. Roll Call by Journal Clerk.
3. Invocation at each regular meeting.
4. Correcting and approving the minutes of any previous meetings.
5. Presentation of notices, petitions, claims, communications and departmental reports.
6. Privilege of the floor, subject to Rule 11.1.
7. Resolutions, motions and notices ready for action.
8. Unfinished business.
  - .1 tabled matters.
  - .2 matters postponed to date certain.
9. Resolutions presented for immediate consideration.
10. Notices and any other matters for discussion.
11. Adjournment.

#### RULE 9. ROLL CALL

9.1 On roll call, the Journal Clerk shall record by name all members present or absent. It shall be the duty of any Legislator arriving late or departing before adjournment to advise the Journal Clerk of his/her arrival and his/her departure and it shall be the duty of the Journal Clerk to note the name of the Legislator and the time by hour and minutes of his/her late arrival or early departure.

#### RULE 10. MINUTES OF PREVIOUS MEETING

10.1 Minutes of the previous meeting shall not be read, unless requested by any Legislator, by motion duly made, seconded and adopted by majority vote.

#### RULE 11. PRIVILEGE OF THE FLOOR

11.1 A person, other than a member of the County Legislature, may be granted the privilege of the floor by the Chair only on agenda items upon the request of a Legislator, unless a motion is made by a Legislator for a vote on extending the privilege. If such motion is made, a majority vote shall be made to extend the privilege. Such privilege may be granted upon non-agenda items by advance notice to the Chair prior to the meeting. The Chair, in its discretion, may set reasonable limitations upon the duration of time for which the privilege will be extended. In addition to persons granted the privilege of the floor, the Chair may extend such privilege under other appropriate times and circumstances. For purposes of this rule only, the Clerk of the Legislature and the County Attorney shall have the same speaking privilege as a Legislator.

11.2 If a person, other than a member of the County Legislature, in speaking transgresses the rules of the Legislature, the Chair or any member may call him/her to order and the Chair may suspend the privilege.

#### RULE 12. PRESENTATION AND WITHDRAWAL OF MOTIONS AND RESOLUTIONS

12.1 All resolutions shall be reduced to writing and filed with the Clerk.

12.2 Every resolution shall contain the name or names of the sponsors, a short title setting forth the purpose of the proposed action, and a reference to the law or laws, if any, from which the authority to pass the resolution shall be derived.

12.3 All resolutions and local laws shall be filed with the County Attorney not later than noon of the 13<sup>th</sup> day before the Legislature meeting.

12.4 All resolutions shall provide the name of the prime sponsor, or sponsors, on the first line.

12.5 Upon the request of the prime sponsor, or sponsors, prior to action taken by the legislature, the name or names of additional sponsors shall be added to the resolution in alphabetical order on the second line with the majority members listed first and the minority members listed second. Such permission may be given by the sponsor or sponsors either in writing to the Chair of the Legislature prior to the legislative meeting at which the resolution is to be debated or orally when the resolution is on the floor for discussion.

12.6 If a Committee is sponsoring a resolution, then the names of the committee members shall appear on the first line as prime sponsors with additional sponsors listed on the second line.

12.7 Each resolution shall indicate the year of its introduction.

12.8 The Clerk of the Legislature shall assign all resolutions and correspondence to the proper committee or committees for proper action.

12.9 A copy of all resolutions shall be emailed to each Legislator. The Deputy Clerk of the Legislature shall place a copy of all resolutions in each Legislator's mail box located in the Office of the Assistant to the Legislature.

12.10 All committees with business to transact shall meet on the seventh day preceding the meeting of the Legislature. Five days preceding the meeting of the Legislature, the Clerk shall cause to be reproduced and emailed to all Legislators copies of all resolutions and the disposition, if any, of them.

12.11 The term "resolution" as herein used shall mean a formal proposed action, in writing, to be read by the Journal Clerk. Any proposed action given orally from the floor shall be deemed a motion.

12.12 No motion shall be debated until seconded. After a motion or resolution is stated by the Chair or read by the Journal Clerk, it shall be deemed to be in the possession of the Legislature and open for debate, but may be withdrawn at any time before decision is made or an amendment is adopted. A resolution may be withdrawn by the author. A motion or amendment may be withdrawn by the two members who offered and seconded it. The names of the members who offered and seconded the motion shall be entered in the proceedings by the Clerk.

12.13 All resolutions memorializing action on pending legislation by the State Legislature shall be identified by setting forth the Assembly or Senate Introductory Number of the legislation.

12.14 All resolutions in committee or reported on by committee and not acted on by committee and not acted on by the Legislature before the end of the year shall die each December 31.

12.15 No resolution shall be filed with the Clerk of the Legislature until it has been approved as to legality and form by the County Attorney. The County Attorney shall indicate his/ her approval of legality and form of the resolution by initialing the original copy of the resolution.

12.16 Each paragraph of each resolution or local law shall be numbered consecutively.

12.17 Paragraphs 12.3, 12.8 and 12.9 of this rule shall not apply to the meetings in January, nor to tax and budget resolutions introduced in November and December.

12.18 Where applicable, a resolution request form shall be filed with the County Attorney prior to resolution preparation.

12.19.1 All proposed local laws and the public hearing resolutions accompanying them, after being passed out of the committees to which they are assigned, will appear on the legislative agenda for the next meeting of the Legislature, but the local law shall be listed under an agenda category entitled "Local Laws Not Ready for Final Action". No legislative action on a local law so listed except amendment may occur at that meeting. At the meeting at which the public hearing on a local law is scheduled to be held, the local law shall be listed on the legislative agenda under the category entitled "Resolutions, Motions and Notices Ready for Action", although the local law may not be acted upon until after the public hearing is held and closed.

12.19.2 Local laws and their accompanying hearing resolutions filed for immediate consideration will both be provided to the Legislature. In the event that the Legislature votes, pursuant to Rule 16.3, to consider the hearing resolution, it may be acted upon at the meeting at which it is introduced. In the event that the Legislature votes, pursuant to such rule, to consider the local law at that meeting, no legislative action on such local law may then occur except amendment. After such meeting of the Legislature, the procedure set forth in the last sentence of Rule 12.19.1 shall apply.

12.20 Beneath the caption of each proposed local law, there shall appear a brief description of the local law in plain language including its purpose and intent.

12.21 Academic and athletic achievement resolutions should be sponsored by all legislators.

#### RULE 13. RESOLUTIONS AND LOCAL LAWS CREATING COUNTY POSITIONS

13.1 Any local law or resolution seeking to create a new county position shall not be filed with the Clerk of the Legislature or be prefiled with the Clerk of the Legislature unless such local law or resolution is accompanied by a certification by the Cattaraugus County Civil Service Commission approving the title of such position.

13.2. The request to fill the position vacancy must be approved by the following:

- .1 Employee Position Vacancy Committee
- .2 Oversight Committee
- .3 Finance Committee.

#### RULE 14. SPONSORSHIP OF COUNTY PROPERTY SALES

14.1 Every resolution which authorizes the sale of any county property, other than tax title property, must be sponsored by a majority of the Legislators representing the district in which the property is located.

**RULE 15. TRANSFER OF FUNDS**

15.1 Any resolution authorizing or directing the transfer of funds from any account to another account shall not be adopted unless such resolution or transfer of funds be accompanied by an explanation to be submitted by the applicable department head, fully explaining the reason and necessity of such transfer.

15.2 All other transfers of funds shall be made in accordance with Local Law Number 5-1985 (Intro Number 10-1985), as amended.

**RULE 16. AGENDA**

16.1 The Clerk shall prepare a statement of the order of business for each meeting of the Legislature which shall also contain the title and sponsor of each resolution to be presented together with the number to be assigned thereto.

16.2 The order of business shall be emailed prior to the regular meeting or be placed on the desk of each Legislator.

16.3 Any resolution not set forth in the order of business shall be tabled by the Chair until the next meeting of the Legislature, unless, upon motion regularly made and adopted by a two-thirds vote of the Legislators, the consideration of such resolution is authorized. The motion shall be as follows: "Move that Resolution No. \_\_\_\_ be considered at this time."

16.4 Any resolution appearing on the agenda will not be read at the meeting of the Legislature, but shall be called up by referring only to the Act number and the title, as hereinabove set forth, the same shall be deemed to be before the Legislature with the full force and effect as though the same had been fully read; if, however, any Legislator requests the reading of the resolution in full, such resolution must be read to the Legislature.

16.5 Information, correspondence, and non-county resolutions not germane to the regular legislative meeting shall be filed with the Journal Clerk.

**RULE 17. UNFINISHED BUSINESS**

17.1 All reports, resolutions, and other matters laid on the table, may be called therefrom under "Unfinished Business" in the regular order of business.

17.2 All questions laid over by rule, or by request of any member, for one day shall be considered in order on the succeeding day or at the next session, under the head of "Unfinished Business."

**RULE 18. ORDER AND DECORUM**

18.1 The Chair shall preserve order and decorum and shall decide all questions of order subject to an appeal to the Legislature. If an appeal be taken from the decision of the Chair, the Chair shall have the right in his/her place to make known the reason for his/her decision. The Legislature shall decide the case without debate and the question shall be stated, "Shall the ruling of the Chair be sustained?"

18.2 In order to debate, to give a notice, to make a motion, or to present a petition or other papers, a Legislator must rise and be recognized by the Chair before he/she shall proceed. When two or more Legislators rise to speak at the same time, the Chair shall determine who is entitled to the floor.

18.3 While a member is speaking, no member shall entertain any private discourse or pass between the speaker and the Chair.

18.4 While the Chair is putting a question, or while the roll is being called, no member shall speak or leave his/her place.

18.5 If any member, in speaking, transgresses the rules of the Legislature, then the Chair or any member may call him/her to order, in which case the member so called to order, shall immediately sit down, unless permitted to explain. He/She shall remain seated until the Chair determines the point raised and if the point shall be sustained, then such member shall not further proceed, except on order and by permission of the Chair.

18.6 When a motion to adjourn is carried, the members shall keep their seats and places until the Chair declares the Legislature adjourned.

18.7 While the Legislature is in session no person other than members of the Legislature shall be allowed on the floor without the consent of the Chair, except the County Attorney, Journal Clerk, County Administrator or his/her designee. "On the floor" shall be designated as that area surrounding the Legislators' desks; all other county officers, department heads and interested persons and spectators shall remain in seats provided outside the railing, unless otherwise instructed by the Chair. The space designated for individuals wishing to videotape public meetings shall be at the end of the public area behind the railing next to the Chamber windows. The space designated for the print and audio media shall continue to be to the left of the podium.

18.8 In order to have an orderly presentation of speakers at public hearings, the Legislative Assistant shall maintain a sign-up sheet for persons interested in speaking at such hearings.

18.9 During public hearings, the Chair may set a reasonable limitation upon the duration of time for which members of the public will be granted the privilege of the floor.

18.10 Errors in actual fact made during public hearings may be corrected or addressed by the Chair, or his/her designee.

18.11 A member wishing to make comments germane to a resolution under consideration by the Legislature may submit such comments, not to exceed 75 words, in writing to the Journal Clerk on the date that the resolution is under consideration by the Legislature.

18.12 Matters raised by any person which are not germane to a resolution under consideration may be referred by the Chair to the appropriate committee.

#### RULE 19. RULES OF DEBATE

19.1 No debate shall be in order until the pending question shall be stated by the Chair.

19.2 If the question being debated contains several distinct propositions, the same shall be divided by the Chair at the request of any member, to the end that a vote may be taken on each proposition.

19.3 All questions relating to the priority of business, that is, the priority of one question or subject matter over another, under the same order of business, shall be decided by the Chair without debate.

19.4 When the reading of any paper is called for and objected to by any member, the question shall be determined without debate by a vote of the Legislature.

19.5 The Vice-Chair shall assume the chair to preside when the Chair desires to speak from the floor on any pending matter. In the absence of the Vice-Chair, the Chair, with the permission of the majority of the Legislature, may designate an acting Chair to preside when the Chair desires to speak from the floor on any pending matter. Such designation shall be effective until the question on the floor is disposed of, or the Chair elects to return to the Chair.

19.6 The Chair may limit the speaking of a member on any motion or resolution, or any amendment to a motion or resolution, to three times.

#### RULE 20. MOTIONS AND THEIR PRECEDENCE

20.1 When a question shall be under consideration, no motions shall be made except as herein specified, which motions shall have precedence in the order stated:

##### UNDEBATABLE

1. For adjournment of the Legislature
2. Take recess
3. Raise a question of privilege
4. To lay on the table
5. For the previous question
6. Limit or extend limits of debate

##### DEBATABLE

1. Postpone to a certain time
2. Commit or refer
3. Amend
4. Postpone indefinitely
5. Main motion

20.2 The motion to adjourn or to take a recess shall always be in order, but cannot be made while the Chair is putting a question or while a member has the floor or after the previous question has been ordered or while the Journal Clerk is calling the roll, or while in Committee of the Whole.

#### RULE 21. DEBATE CLOSURE

21.1 When a debate has run its course, a member may rise to request debate closure. The member must be recognized by the Chair prior to requesting debate closure. The Chair may recognize those members who were standing prior to the request for debate closure. When the Chair determines that the debate is concluded, the Chair shall put the resolution or motion on the floor to a vote.

21.2 Alternatively, a member may move the previous question. The motion requires a second, is non-debatable and requires a two-thirds vote.

RULE 22. QUESTIONS LAID OVER BY REQUEST

22.1 Any motion, resolution, or any other proposition giving rise to debate, except matters before the Legislature as unfinished business or special orders, or any regular parliamentary working motion and any motion referring to a working motion, shall lie over to the next day if so requested by a majority vote of the Legislature, but shall not be again postponed unless made a special order.

RULE 23. RULES OF VOTING

23.1 The ayes and nays shall be taken on all questions requiring a vote of the Legislature when required by statute. A roll call vote may be taken under all other circumstances, provided that two legislators request that such a roll call vote be taken. Except where otherwise specifically provided by these rules, Roberts Rules of Order, or by statute, a majority vote of the members shall govern. Every member who shall be present on the floor (as defined in Rule 18.7) when a question is stated by the Chair shall vote thereon, except that a legislator who has a prohibited conflict of interest under the General Municipal Law or the County's Code of Ethics shall not vote after stating his/her connection with the matter under consideration and obtaining a ruling from the County Attorney that such constitutes prohibition from voting. If a legislator who is present on the floor and not prohibited from voting refuses or otherwise fails to vote, then the Chair shall direct the Clerk to record such member's vote in the affirmative on the question being voted on.

23.2 In the event that a legislator wishes to leave the floor before a question is stated by the Chair, he/she must do so before the question is called, and announce his/her absence to the Journal Clerk, who shall record it, and thereafter announce his/her return to the Journal Clerk.

23.3 The order of voting at meetings of the Legislature shall be rotated alphabetically, beginning with the letter 'A'. For example, legislator 'A' would be required to vote first on resolutions requiring a roll call vote considered at the first meeting held during the year, Legislator 'B' would vote first on resolutions considered at the second meeting, etc., continuing through the members of the Legislature alphabetically for the meetings held during the remainder of the year.

RULE 24. STANDING COMMITTEES

24.1 The Chair shall appoint the members of all standing committees and special committees. All standing committees shall be appointed for the current year, but shall hold over until new committees have been appointed by the Chair, except at the end of a legislative term, at which time all committee assignments terminate. No person shall continue to serve after he/she has ceased to be a member of the Legislature. In order to conduct official business, a quorum, consisting of the majority of the committee, shall be required.

Standing committees and number of members are as follows:

Number	Name of Committee	Number of Members
1.	County Operations	7
2.	Development & Agriculture	7
3.	Finance	9
4.	Human Services	7
5.	Labor Relations	5
6.	Public Safety	7
7.	Public Works	9

- |    |                    |   |
|----|--------------------|---|
| 8. | Senior Services    | 7 |
| 9. | Strategic Planning | 7 |

Duties and scope of each committee are listed in the Appendix.

#### RULE 25. SPECIAL COMMITTEES

25.1 Special committees may be authorized at any legal meeting of the Legislature. They shall be appointed by the Chair. Any resolution creating any special committee shall specify the powers and duties of the committee and the number of its members.

#### RULE 26. ADVISORY COMMITTEES AND LEGISLATIVE REPRESENTATIVES

26.1 Advisory committees and legislative representatives shall be appointed in the same manner as special committees.

#### RULE 27. COMMITTEE OF THE WHOLE

27.1 In order to consider matters informally the Legislature may, at any time when in session, resolve itself into a Committee of the Whole on any subject before it. The Chair, or, in the Chair's absence, the Vice-Chair, shall preside.

27.2 The rules of the Legislature shall be observed by this committee insofar as they are applicable, except that the previous question shall not apply; nor shall the number of times a member may speak be limited, and except that the ayes and nays shall be taken. The only motions in order are, "to amend," "to adopt," and "to rise and report." A motion to rise and report progress shall always be in order at any stage, and shall be decided without debate.

27.3 The committee cannot refer the subject to another committee.

27.4 Local Laws and other matters shall be considered in Committee of the Whole, in the following manner: They shall first be read through, if the committee so directs; otherwise, they shall be read and considered by sections, leaving the title to be last considered. All amendments in their proper connection shall be reported to the Legislature.

#### RULE 28. REFERRAL TO COMMITTEES

28.1 All petitions, communications, budget adjustments, reports, resolutions, motions, etc., requiring action of a committee, shall be referred by the Chair, without motion, to the appropriate committee, unless otherwise ordered by the Legislature.

#### RULE 29. COMMITTEES IN GENERAL

29.1 The first member designated on each committee shall be the Chair thereof, and the second member the Vice-Chair. In the absence of the Chair and Vice-Chair of the committee, the senior-ranking committee member of the Majority party shall become the temporary Chair of the committee. Under all circumstances, a committee quorum will be required for any official action.

29.2 The Chair of each committee shall give, or cause to be given by the Clerk of the Legislature, notice in person, by telephone, or by email at least two days in advance of the meeting, the hour and place of each meeting, except no advance notice need be required when the committee meeting is held on a day when the Legislature shall be in session.



29.3 All committee meetings shall be upon the lawful call of either the Chair of the County Legislature, the Committee Chair, or by the filing of a petition by a majority of the committee members with the Clerk of the Legislature.

29.4 No committee meeting shall be adjourned until announced by the Chair of the committee or upon a vote of the majority of the members present.

29.5 Action on any matter lawfully before any committee shall be taken only while a quorum of the committee is present and in session.

29.6 Only those committee members and the sponsor or sponsors of a resolution shall address the resolution during the committee session. Other persons may speak with the permission of the Committee Chair. The Committee Chair may limit the time to address the Committee.

29.7 Any committee is authorized to accept advice and counsel of citizens not members of the Legislature.

29.8 Each committee chair shall be responsible for keeping the minutes of the meetings of his/her committee. The minutes shall be kept on a form prescribed and furnished by the Clerk. The minutes shall contain a brief summary of the business conducted by the committee, together with a record of the decisions made by the committee, as well as the time, place, and persons present, and any other pertinent information. A list of members of the committee present and pertinent facts such as meals, time and place of meeting shall be filed with the Clerk of the Legislature within one week after each meeting.

29.9 Any vacancy on a committee, standing or special, shall be filled by the Chair of the Legislature without delay.

29.10 Each committee shall have the power to investigate, in such manner as seems best, the particular branch or department of County Government under its supervision. Such investigation shall be authorized by a majority vote of the members of the committee. The Chair, County Administrator, County Attorney and Department Head shall be notified in writing.

29.11 Committees shall use their best efforts to deal only with agenda items at the Committee sessions on the first and third Wednesday of each month.

29.12 Committees, on making reports, shall return all papers relating thereto to the Clerk of the Legislature.

29.13 Committees shall have general charge of all matters pertaining to the work of this Legislature as indicated by the titles thereof, and as more specifically described as special duties, and each committee shall have supervision and charge of expenditures subject to the direction of the Legislature from appropriations indicated. Each committee shall contain members of the majority and minority parties, insofar as possible, in proportion to respective party representation on the Legislature.

29.14 The Committee Chair must report to the Chair of the County Legislature all situations where a Legislator's attendance falls below 50%.

29.15 Committees shall meet with Department Heads, from time to time, for mutual discussion of departmental objectives and/or problems.

29.16 All committee meetings shall be subject to the provisions of Article 7 of the Public Officers Law, together with any common-law privileges applicable under the circumstances.

#### RULE 30. REPORTS BY COMMITTEES

30.1 All committees, standing or special, shall, as promptly as possible, consider and submit to the Legislature, written reports upon such resolutions, communications, or other matters as may be referred to them. Once a majority of the members of a committee approve a resolution and sign a committee report so indicating, the resolution shall be deemed passed out of the committee. Resolutions not passed out of a committee shall be deemed "held" by the committee for further consideration. A resolution must be passed out of all committees to which it is assigned before it can be considered by the Legislature. The Finance Committee may only act on resolutions that have been passed out of all other committees to which they have been assigned.

#### RULE 31. PARLIAMENTARY QUESTIONS

31.1 On all points of order not governed by these rules, the general rules of parliamentary practice as outlined in Roberts Rules of Order, Revised, shall be referred to for the guidance of the Legislature and committees - special, standing, or advisory. The County Attorney shall be the parliamentarian for the Legislature and committees.

#### RULE 32. AMENDMENT OF RULES

32.1 These rules may be amended, and other rules added and adopted, by a two-thirds vote of the Legislature by a motion made after a previous notice of one day. All rules and resolutions in conflict with these rules are hereby repealed and rescinded to the extent that they conflict with the rules herein.

#### RULE 33. WAIVER OF RULES

33.1 These rules may be waived by a motion adopted by a two-thirds vote of the members of the Legislature but only so far as the rules affect or relate to a single resolution or motion then before the Legislature, which resolution must be identified in the motion to waive rules. The rule to be waived must be specified in the motion to waive.

#### RULE 34. DUTIES OF THE CHAIR

34.1 In addition to those prescribed heretofore, the Chair of the Legislature shall have the following powers and duties:

.1 To become familiar with the property, functions, and fiscal affairs of the County and make recommendations to the County Legislature on legislation, rules and regulations, and such other matters as he/she may deem material and advisable.

.2 To see that the statutory and local laws and resolutions of the Legislature and directions of County Officers empowered to make the same, are faithfully executed, and to report to the Legislature any neglect of duty.

.3 To advise department heads and officers and recommend matters deemed helpful to them in the performance of their duties.

.4 To transfer employees temporarily from one department or office to another with the approval of the appointing officer or Legislature.

.5 To determine what officer shall perform a particular power or duty not clearly defined by law.

.6 To determine what officers and employees may attend conferences and schools conducted for the betterment of County government.

.7 To execute and deliver in the name of the County all documents and contracts authorized by the County Legislature.

.8 To call a meeting of any standing or special committee of the Legislature at any time.

.9 To represent the County at all public hearings and conferences that he/she deems it necessary to attend.

.10 The Chair of the Legislature shall be an ex-officio member of all standing and special committees and shall be notified of such meetings. The Chair, as such ex-officio member of all committees, shall not be counted in determining if a quorum is present and his/her vote shall not be counted on a motion to bring a resolution out of committee.

.11 To execute all documents necessary for rights-of-way acquisitions, within budgetary appropriations.

.12 To execute all change orders, within budgetary appropriations.

#### RULE 35. DUTIES OF THE VICE-CHAIR

35.1 The Vice-Chair shall have the following duties:

.1 Shall preside over each duly constituted meeting of the Legislature, in the absence of the Chair.

.2 Shall have and exercise all the powers and duties of the Chair at any meeting over which he/she is called to preside.

.3 Shall have the right to name any member to perform the duties of Vice-Chair, but the power of such substitute shall not extend beyond the current session without the consent of the Legislature.

.4 Shall, in the absence of the Chair, execute and deliver in the name of the County all documents and contracts authorized by the County Legislature.

.5 Shall act as liaison between the Committee Chairmen and the Chair of the Legislature.

.6 Shall exercise such other duties as may be determined by subsequent action of the County Legislature.

.7 Shall be an ex-officio member of all standing and special committees, except for those committees to which the Vice-Chair is appointed as a member, and shall be notified of such meetings. The Vice-Chair, as such ex-officio member of all committees, shall not be counted in determining if a quorum is present and his/her vote shall not be counted on a motion to bring a resolution out of committee.

.8 Shall be the Chair of the Finance Committee.

#### RULE 36. DUTIES OF THE CLERK OF THE LEGISLATURE

36.1 The Clerk shall keep a record of all acts and proceedings of the Legislature and be the custodian of the record vouchers and other papers required or authorized by law to be deposited in his/her office.

36.2 The Clerk shall prepare the tax rolls, except when otherwise directed by the County Legislature, and perform such additional and related duties as may be prescribed by law.

#### RULE 37. DUTIES OF THE JOURNAL CLERK

37.1 The Journal Clerk shall, at the pleasure of the Chair, read all resolutions, reports, and communications received by the Legislature and keep minutes of proceedings. The Journal Clerk shall, at the close of each session of the Legislature, make and furnish a transcript of the proceedings to each member of the County Legislature.

#### RULE 38. SERGEANT-AT-ARMS

38.1 At any public hearing held by the County Legislature, and at any other meeting of the Legislature, when requested by the Chair of the Legislature, the Sheriff of Cattaraugus County shall delegate one of his/her uniformed deputies to the Legislature Rooms to act as a sergeant-at-arms.

#### RULE 39. DUTIES OF THE COUNTY ADMINISTRATOR

39.1 The County Administrator shall have those powers and duties set forth in Local Law Number 5-1985 (Intro Number 10-1985), as amended, together with such other powers and duties as may be granted by Local Law or resolution of the County Legislature.

#### RULE 40. SALE OF COUNTY-OWNED TAX TITLE PROPERTY

40.1 The Real Property Tax Director shall annually, after the last day for property owners to redeem their property, secure a written property evaluation description sheet from the town assessor for each parcel. Copies of these shall be submitted to the County Treasurer's Office no later than February 15 of each year.

40.2 The County Treasurer and the Real Property Tax Director shall review all properties, and recommend to the County Operations Committee, by April 15 of each year, where the auction will be held. After approval of the County Operations Committee, the auctions of those parcels shall be advertised in the official newspapers of the County, and such other newspapers as the Committee deems advantageous, for at least two successive weeks. The County Treasurer shall advertise such properties in a timely manner, so that the date of the auction shall be not less than three (3) days after the date of the second publication in the official newspapers.

40.3 The public auctions shall be conducted by such individual or individuals as the County Operations Committee deems appropriate.

40.4 The County requires a deposit of ten percent (10%) of the bid price, in the form of cash, money order or certified check, to be applied to the purchase price. If the highest bidder fails to tender the 10% deposit before the deadline on the auction date, then the second highest bidder shall be notified that the second highest bidder is given the opportunity to tender the high bid price to the County. If the second highest bidder fails to tender the high bid price to the County by the deadline established on the auction date, then the parcel shall be reaucted on the same date. Once the auctioneer declares the final and highest bid, no deposit will be refunded.

40.5 If at public auction, the highest bidder tenders a certified check or money order in excess of ten percent (10%) of the high bid, and then fails to complete the purchase, the County shall retain ten percent (10%) of the bid price. The excess shall be returned to the highest bidder within a reasonable time after the public auction.

40.6 All property shall be sold to the highest bidder, upon the recommendation of the County Operations Committee and upon the adoption of a resolution by the County Legislature. However, the County Operations Committee and the County Legislature reserve the right to reject any and all bids.

40.7 No property shall be sold to the former owner without competitive bidding if tender of payment of taxes, interest, penalties and other charges due on the property, including those County charges, County liens or County mortgages which may have been extinguished by the judgment of foreclosure, is made less than fifteen (15) business days prior to the date of public auction. The former owner shall not be given another opportunity to repurchase the County-owned tax title property if the property is not sold at the initial public auction but is subsequently reaucted.

40.8 The former owner shall not have an opportunity to tender payment of the back taxes, penalties, interest and other charges due on the property if the County conveys the property to another municipality, or the County declares the property necessary for County purposes.

40.9 No property shall be conveyed to another municipality unless the municipality reimburses the County for the amount of returned taxes for which the County has made whole to the municipality involved or any other town, city, village or school district.

40.10 Failure to tender the balance due to the County within 30 days from the date of bid acceptance by the Legislature will result in the forfeiture of the bid deposit by the highest bidder.

40.11 If the highest bidder fails to tender the balance due to the County within 30 days from the date of bid acceptance by the County Legislature, then the second highest bidder shall be notified that the Legislature will consider sale of the property to the second highest bidder at the high bid price. The second highest bidder shall notify the County within 30 days after notification by the County as to whether the second highest bidder will tender the high bid price to the County. Failure of the second highest bidder to tender the entire bid price within 30 days after notification by the County shall result in the property being placed on the next auction list.

40.12 The County Treasurer's office shall assist the highest bidder, or former owner, in recording the County Treasurer's deed.

40.13 A successful bidder shall be responsible for payment of the applicable current city and village taxes related to the spring auction, and school taxes related to the fall auction, at the time that the bidder tenders the bid balance to the County.

40.14 No sale of tax title property shall be made to any County Legislator, or County Legislator's spouse or dependent children, as defined by the County Ethics Code.

40.15 In the event that properties remain unsold after they have been offered for sale at two annual spring property tax auctions, and at the sole discretion of the County Treasurer and the Director of Real Property Tax Services, the County Treasurer's Office is hereby authorized to accept sealed bids for the purchase of such property until the close of business on the last day of July in each year, and a resolution authorizing the sale of any such property to the highest bidder shall thereafter be submitted to the Legislature for its consideration.

#### RULE 41. SALE OF SURPLUS EQUIPMENT

41.1 The Public Works Committee shall be responsible for the disposition of surplus equipment and other personal property of the County. Such Committee shall fix the times and places at which public auctions, the minimum number thereof being one per annum, shall be held and shall promulgate such additional rules and establish such procedures as may be necessary to effect the orderly and proper conduct thereof.

41.2 All sales shall become final upon payment by the purchaser of the full amount of the purchase price.

41.3 The Public Works Committee is authorized to employ such professional auctioneers from time to time for this purpose as may be necessary and to delegate its responsibility for the conduct of such auctions to one or more of its members or to any office of county government.

41.4 All officers, departments, and other agencies of county government shall dispose of equipment no longer necessary for public use in the manner set forth herein. The disposition of a specific item of equipment by another method may be permitted, however, by the Committee.

41.5 No sale of surplus equipment shall be made to any County Legislator, or County Legislator's spouse or dependent children, as defined by the County Ethics Code.

#### RULE 42. PROCEDURE FOR BIDDING AND ACCEPTING BIDS

42.1 Specifications and bids will be set and determined by the Department Head and the standing committee of the Legislature that governs the respective department for which the item or services are being procured and, wherever possible, the specifications shall be written to conform with State bid specifications.

42.2 No department, board, or other agency of County government shall advertise for sealed bids for any purpose which has not been included in the current year budget, without prior approval of the legislative committee which exercises jurisdiction over such agency.

42.3 No committee shall authorize advertisement for sealed bids, unless the bid item is partially or entirely included in the current year's budget.

**APPENDIX****STANDING COMMITTEES****1. COUNTY OPERATIONS (7 members)****1.1** This committee shall have charge of all matters relating to the following departments:

- .1 Board of Elections
- .2 County Attorney
- .3 County Clerk
- .4 County Museum
- .5 Information Services
- .6 Real Property Tax Service.

**1.2** In addition, the committee shall have the following responsibilities:

- .1 General jurisdiction over general governmental functions.
- .2 Liaison with Chautauqua-Cattaraugus Library System.

**2. DEVELOPMENT & AGRICULTURE (7 members)****2.1** This committee shall have charge of all matters relating to the Department of Economic Development, Planning and Tourism.**2.2** In addition, the committee shall have the following responsibilities:

- .1 General jurisdiction over matters relating to tourism and economic development in the County.
- .2 Liaison with the County Planning Board.
- .3 General jurisdiction over agricultural matters.
- .4 General jurisdiction over forestry matters.
- .5 Liaison with the following:
  - .1 Agricultural Society
  - .2 Business Development Corporations
  - .3 Chambers of Commerce
  - .4 Cornell Cooperative Extension
  - .5 Empire Zone Corporation
  - .6 Federated Sportsmen
  - .7 Industrial Development Agency
  - .8 Local Development Corporations
  - .9 Salamanca Rail Museum
  - .10 Southern Tier West Regional Planning & Development Board.

**3. FINANCE (9 members)****3.1** This committee shall have charge of all matters relating to the following departments:

- .1 County Administrator
- .2 County Treasurer.

**3.2** In addition, the committee shall have the following responsibilities:

- .1 General jurisdiction over the financial affairs of the County.

- .2 Review tentative budget.
- .3 General jurisdiction over the following administrative divisions of the County Administrator:
  - .1 Auditing
  - .2 General Administration
  - .3 Purchasing.
- .4 General jurisdiction over community college issues.
- .5 Liaison with Off-Track Betting Corporation.

4. HUMAN SERVICES (7 members)

4.1 This committee shall have charge of all matters relating to the following departments:

- .1 Community Services
- .2 Coroners
- .3 Health
- .4 Social Services
- .5 Veterans Service Agency
- .6 Youth Bureau.

4.2 In addition, the committee shall have the following responsibilities:

- .1 General jurisdiction over all matters relating to the general welfare of persons in the County.
- .2 Liaison with the following contract agencies:
  - .1 Association for Retarded Children
  - .2 Council on Alcoholism & Substance Abuse
  - .3 Day Care Centers
  - .4 Mental Health Society.
- .3 Liaison with Cattaraugus-Allegany Workforce Investment Board.

5. LABOR RELATIONS (5 members)

5.1 This committee shall have charge of all matters relating to the following department:

- .1 Human Resources.

5.2 In addition, the committee shall have the following responsibilities:

- .1 All employee classifications, salary changes, and employment practices.
- .2 Vacancies shall be filled in accordance with Act 68-2003, as amended.
- .3 Shall review personnel issues after those issues have been reviewed by the respective program committees.
- .4 Shall have charge of matters that influence the general labor relations and employment policies of the County.

5.3 Upon delegation by the Chair, this committee shall consider fiscal and other matters dealing with collective bargaining and employee relations.

5.4 This committee's members, plus the Chair of the County Legislature, are the Employer representatives to the Labor-Management Committees referred to in the collective bargaining agreements.



6. PUBLIC SAFETY (7 members)

6.1 This committee shall have charge of all matters relating to the following departments:

- .1 Assigned Counsel
- .2 District Attorney
- .3 Emergency Services
- .4 Judiciary
- .5 Probation
- .6 Public Defender
- .7 Sheriff.

6.2 In addition, the committee shall have the following responsibilities:

- .1 Emergency Communications Systems.
- .2 Liaison with Fire Advisory Board.
- .3 Liaison with Society for Prevention of Cruelty to Animals (SPCA).
- .4 Liaison with Nuclear Waste industry.

7. PUBLIC WORKS (9 members)

7.1 This committee shall have charge of all matters relating to the Public Works Department.

7.2 In addition, the committee shall have the following responsibilities:

- .1 General jurisdiction over all County buildings and grounds.
- .2 Watershed Program.
- .3 Liaison with Cattaraugus County Soil & Water Conservation District.
- .4 Approve or disapprove requests from non-County government groups for County facility usage.
- .5 General jurisdiction over all matters relating to solid waste.

8. SENIOR SERVICES (7 members)

8.1 This committee shall have charge of all matters relating to the following departments:

- .1 Aging
- .2 Nursing Homes.

9. STRATEGIC PLANNING (7 members)

9.1 This committee will have the following responsibilities:

- .1 General jurisdiction relating to the process of governmental review of planning mechanisms.
- .2 Liaison with the following entities:
  - .1 Southern Tier West regarding governmental planning.
  - .2 All local governments within Cattaraugus County regarding sharing/coordination of services.

9.2 In addition, this committee shall have charge of all matters relating to cooperation and coordination/sharing of County services within Cattaraugus County.

Adopted January 7, 2014 by voice vote.

**ACT NO. 2-2014** by Mr. Marsh**AUTHORIZATION TO EMPLOY OUTSIDE COUNSEL**

Pursuant to Section 501 of the County Law.

WHEREAS, it is anticipated that the County of Cattaraugus will be involved in civil actions during the year 2014, and

WHEREAS, the civil actions may require the services of outside counsel, now, therefore, be it

RESOLVED, that the County Attorney be, and hereby is, authorized and directed, on behalf of Cattaraugus County, to employ outside counsel from time-to-time in the year 2014 to perform services in relation to civil actions that may be pending or may hereafter occur, with preference given to attorneys in Cattaraugus County.

Adopted January 7, 2014 by voice vote.

**ACT NO. 3-2014** by Mr. Marsh**AUTHORIZATION TO EMPLOY FISCAL ADVISORS**

Pursuant to Section 153 of the County Law.

WHEREAS, it is necessary to prepare in-depth financial statements and other financial paraphernalia to market the financial instruments issued by the County, and

WHEREAS, Fiscal Advisors and Marketing, Inc., 120 Walton Street, Suite 600, Syracuse, New York 13202, is a reputable municipal bond marketing service, and

WHEREAS, the cost of these professional services will come from the proceeds of the financial issues, and

WHEREAS, it is desirable to retain the services of Fiscal Advisors and Marketing, Inc., to prepare the necessary financial information, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature hereby retains the firm of Fiscal Advisors and Marketing, Inc., to undertake the above-described financial services for Cattaraugus County.

Adopted January 7, 2014 by voice vote.

**ACT NO. 4-2014** by Mr. Marsh**AUTHORIZATION TO EMPLOY BONDING ATTORNEY**

Pursuant to Section 501 of the County Law.

WHEREAS, it is anticipated that the County of Cattaraugus will undertake certain programs during the year 2014 which will be financed through the sale of bonds, and

WHEREAS, these projects will require the services of a recognized bonding attorney, now, therefore, be it

RESOLVED, that the County Attorney be, and hereby is, authorized and directed, on behalf of Cattaraugus County, to employ a recognized bonding attorney from time-to-time in the year 2014 to perform services in relation to financing such programs as may hereafter be authorized by the Cattaraugus County Legislature.

Adopted January 7, 2014 by voice vote.

**ACT NO. 5-2014** by Mr. Marsh

**DELEGATING AUTHORITY FOR CERTAIN REAL PROPERTY TAX  
REFUNDS AND CORRECTION OF TAX BILLS AND TAX ROLLS**

Pursuant to Sections 554(a) and 556(8)(a) of the  
Real Property Tax Law.

WHEREAS, Act 5-2013 delegated the authority to make real property tax refunds and to correct tax bills and tax rolls to the County Administrator, and

WHEREAS, that delegation should be continued for the year 2014, now, therefore, be it

RESOLVED, that for the year 2014, the County Administrator is hereby authorized to perform the duties of the County Legislature in providing real property tax refunds, where the recommended refund is \$2,500.00 or less, in accordance with Section 556 of the Real Property Tax Law, and be it further

RESOLVED, that for the year 2014, the County Administrator is hereby authorized to correct tax bills and tax rolls, where the recommended tax refund is \$2,500.00 or less, in accordance with Section 554 of the Real Property Tax Law.

Adopted January 7, 2014 by voice vote.

**ACT NO. 6-2014** by Mr. Marsh

**DESIGNATION OF OFFICIAL DEPOSITORIES AND TRADING PARTNERS**

Pursuant to Section 212 of the County Law.

RESOLVED, that the following banking institutions in Cattaraugus County be designated as official depositories for County funds, commencing January 1, 2014, and that the County Treasurer is hereby authorized to deposit in each or any of such banking institutions in an amount not to exceed twenty-five million dollars (\$25,000,000):

Cattaraugus County Bank, Little Valley, New York  
Cattaraugus County Bank, South Dayton, New York  
Community Bank, Gowanda, New York  
Community Bank, Olean, New York

JP Morgan Chase, Buffalo, New York  
Bank of America, Buffalo, New York  
Five Star Bank, Allegany, New York  
Five Star Bank, Ellicottville, New York  
Five Star Bank, Olean, New York  
Five Star Bank, Salamanca, New York  
First Niagara Commercial Bank, Albion, New York  
MBIA Municipal Investors Service Corp., Armonk, New York  
Bank of Cattaraugus, Cattaraugus, New York  
M & T Bank, Ellicottville, New York  
M & T Bank, Delevan, New York  
M & T Bank, Olean, New York  
Morgan Stanley/Dean Witter, Buffalo, New York  
Pershing (BNY Securities Group), New Jersey  
Smith Barney, Olean, New York.

Adopted January 7, 2014 by voice vote.

**ACT NO. 7-2014** by Ms. Edstrom, Mr. Edwards, Mr. Felton,  
Mr. Hale, Mr. Klancer, Mr. Marsh, Mr. Murphy, Mr. Snyder, Sr., Mr. Snyder, Jr.,  
Mrs. Stockman, Mr. Teachman, Mr. VanRensselaer, Ms. Vickman and Mr. Weller

**DESIGNATING OFFICIAL REPUBLICAN NEWSPAPER FOR THE YEAR 2014**

Pursuant to Section 214 of the County Law.

RESOLVED, that the Olean Times Herald, a newspaper published in Olean, New York, and advocating the principles of the Republican Party be, and the same hereby is, designated as one of the newspapers for the publication of all local laws, notices, and other matters required by law to be published by Cattaraugus County for the year 2014.

Adopted January 7, 2014 by voice vote.

**ACT NO. 8-2014** by Mr. Boser, Mr. Koch, Mrs. Labuhn,  
Mr. Lamberson, Mr. Padlo and Mr. Sprague

**DESIGNATING OFFICIAL DEMOCRATIC NEWSPAPER FOR THE YEAR 2014**

Pursuant to Section 214 of the County Law.

RESOLVED, that the Salamanca Press, a newspaper published in Salamanca, New York, and advocating the principles of the Democratic Party be, and the same hereby is, designated as one of the newspapers for the publication of all local laws, notices, and other matters required by law to be published by Cattaraugus County for the year 2014.

Adopted January 7, 2014 by voice vote.

**ACT NO. 9-2014** by Mr. Marsh

**APPOINTMENTS OF SOIL & WATER CONSERVATION  
DISTRICT BOARD MEMBERS**

Pursuant to Section 153 of the County Law.

RESOLVED, that the following individuals are appointed to the Cattaraugus County Soil & Water Conservation District Board of Directors with terms to expire December 31, 2014:

Richard J. Lamberson  
County Legislator  
124 North Second Street  
Allegany, New York 14706

Donna M. Vickman  
County Legislator  
971 Back Street, P.O. Box 5  
Farmersville Station, New York 14060,

and be it further

RESOLVED, that the following individual is appointed to the Cattaraugus County Soil & Water Conservation District Board of Directors with a term to expire December 31, 2016:

Joyce Telaak  
Representing Farm Bureau  
7553 Poverty Hill Road  
Ellicottville, New York 14731,

and be it further

RESOLVED, that the Clerk of the Legislature is hereby directed to forward a certified copy of this resolution to the Cattaraugus County Soil & Water Conservation District.

Adopted January 7, 2014 by voice vote.

**ACT NO. 10-2014** by Mr. Marsh

**APPOINTMENT OF INTER-COUNTY ASSOCIATION OF  
WESTERN NEW YORK MEMBERS**

Pursuant to Section 153 of the County Law.

RESOLVED, that the following individuals shall be the Cattaraugus County voting members to the Inter-County Association of Western New York for the year 2014:

Carl W. Edwards  
1893 Route 219  
Limestone, New York 14753

Richard J. Lamberson  
124 North Second Street  
Allegany, New York 14706

Donna M. Vickman  
971 Back Street, P.O. Box 5  
Farmersville Station, New York 14060

James L. Boser (*alternate*)  
97 North First Street  
Allegany, New York 14706

Linda M. Edstrom (*alternate*)  
408 Laurens Street  
Olean, New York 14760

Norman L. Marsh (*alternate*)  
121 First Street  
Little Valley, New York 14755,

and be it further

RESOLVED, that the Clerk of the Legislature is hereby directed to forward a certified copy of this resolution to the Inter-County Association of Western New York.

Adopted January 7, 2014 by voice vote.

**ACT NO. 11-2014** by Mr. Marsh

**APPOINTMENTS OF SENECA TRAIL RC & D PROJECT MEMBERS**

Pursuant to Section 153 of the County Law.

RESOLVED, that the following individuals are appointed to the Seneca Trail RC & D Project with terms to expire December 31, 2016:

Allan Ormond  
Soil & Water Conservation Representative  
8937 Dutch Hill Road  
Little Valley, New York 14755

Charles Couture  
At-Large Representative  
5790 Fox Valley Road  
West Valley, New York 14171,

and be it further

RESOLVED, that the following individual is appointed to the Seneca Trail RC & D Project with a term to expire December 31, 2014:

Susan Labuhn  
County Legislator  
430 Broad Street  
Salamanca, New York 14779,

and be it further

RESOLVED, that the Clerk of the Legislature is hereby directed to forward a certified copy of this resolution to the Seneca Trail RC & D Project.

Adopted January 7, 2014 by voice vote.

**ACT NO. 12-2014** 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

III. 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>
Commissioner Social Services	Daniel Piccioli	38407565	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 on 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.

Adopted January 7, 2014 by voice vote.

**ACT NO. 13-2014** by Mr. Marsh

**AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACTS FOR  
TAX FORECLOSURE SEARCHES**

Pursuant to Article 11 of the Real Property Tax Law and  
Act 290-2011, as amended, of the Cattaraugus County Legislature.

WHEREAS, Act 9-2013 authorized contracts with Cattaraugus Abstract Corporation, 406 Erie Street, Little Valley, New York 14755, and Empire Search Company, 208 Court Street, Little Valley, New York 14755, for the provision of tax foreclosure searches at a rate of \$90.00 per parcel, the terms of which expired December 31, 2013, and

WHEREAS, searches of the various records in the County Clerk's Office are necessary in order to comply with statutory notification provisions as Cattaraugus County prepares to commence its in rem foreclosure proceedings for unpaid taxes, and

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

WHEREAS, Cattaraugus Abstract Corporation and Empire Search Company have agreed to perform the aforementioned searches for the amount of \$90.00 per parcel, for an estimated annual cost to the County of \$42,500.00, now, therefore, be it

RESOLVED, that the County Administrator be, and hereby is, authorized and directed to execute contracts, on behalf of Cattaraugus County, with Cattaraugus Abstract Corporation and Empire Search Company for the provision of the above-described tax foreclosure searches, for a term commencing January 1, 2014 and terminating December 31, 2014, according to the above-described terms.

Adopted January 7, 2014 by voice vote.

**ACT NO. 14-2014** by Mr. Marsh

*and Mr. Klancer, Mrs. Stockman, Mr. Teachman, Mr. VanRensselaer,  
Ms. Vickman, Mrs. Labuhn, Mr. Lamberson and Mr. Sprague<sup>1</sup>*

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
CORNELL COOPERATIVE EXTENSION ASSOCIATION-CATTARAUGUS COUNTY  
(4-H Program)**

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



WHEREAS, Act 21-2013 authorized a contract with Cornell Cooperative Extension Association-Cattaraugus County for the provision of a variety of services to the youth of Cattaraugus County, the term of which expired December 31, 2013, and

WHEREAS, the 2014 County budget provides for the payment from Account No. A.298.2980.0000.42003.02, in the amount of \$50,000.00, to the Cornell Cooperative Extension Association-Cattaraugus County for the 4-H program, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract for the year 2014 with Cornell Cooperative Extension Association-Cattaraugus County for a term commencing January 1, 2014 and terminating December 31, 2014, according to the above-described terms, and be it further

RESOLVED, that payment of the aforementioned amount be made to Cornell Cooperative Extension Association-Cattaraugus County in quarterly installments, upon submission of vouchers for payment certified by the Chair of the Legislature, audited by the County Administrator and paid by the County Treasurer.

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

Adopted January 7, 2014 by voice vote.

**ACT NO. 15-2014 by Mr. Marsh**

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
CORNELL COOPERATIVE EXTENSION – CATTARAUGUS COUNTY FOR  
AGRICULTURAL SUPPORT SERVICES**

Pursuant to Section 450 of the County Law.

WHEREAS, the County Department of Economic Development, Planning and Tourism is desirous of obtaining agriculture support for vegetable and grape growers in Cattaraugus County, and

WHEREAS, Cornell Cooperative Extension – Cattaraugus County, 28 Parkside Drive, Ellicottville, New York 14731, can provide the aforementioned agricultural support services for an amount not to exceed \$20,000.00, 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 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.

Adopted January 7, 2014 by voice vote.

**ACT NO. 16-2014** by Mr. Marsh

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
CHAUTAUQUA-CATTARAUGUS LIBRARY SYSTEM, INC.**

Pursuant to Sections 224, 233-a and 450 of the County Law and  
Section 256 of the Education Law.

WHEREAS, Act 16-2013 authorized a contract with the Chautauqua-Cattaraugus Library System, Inc. for the provision of educational materials for the citizens of the County, the term of which expired December 31, 2013, and

WHEREAS, the 2014 County budget provides for the payment of \$81,248.00 to the library system from Account No. A.298.7415.0000.42009 for these services, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract for the year 2014 with the Chautauqua-Cattaraugus Library System, Inc., for a term commencing January 1, 2014 and terminating December 31, 2014, according to the above-described terms, and be it further

RESOLVED, that payment of the aforementioned amount be made to the Chautauqua-Cattaraugus Library System, Inc., in quarterly installments, upon submission of vouchers for payments certified by the Chair of the Legislature, audited by the County Administrator, and paid by the County Treasurer.

Adopted January 7, 2014 by voice vote.

**ACT NO. 17-2014** by Mr. Marsh  
*and Mr. Koch and Mrs. Labuhn<sup>1</sup>*

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
SALAMANCA RAIL MUSEUM**

Pursuant to Sections 224 (12) and 450 of the County Law.

WHEREAS, Act 545-2012 authorized a contract with the Salamanca Rail Museum to assist with the preservation of the history of railroads in the Southern Tier, the term of which expired December 31, 2012, and

WHEREAS, the 2013 County budget did not provide for assistance to the Salamanca Rail Museum, and

WHEREAS, it is important that the County assist the Salamanca Rail Museum with the preservation of the history of railroads in the Southern Tier, and

WHEREAS, the Salamanca Rail Museum attracts thousands of visitors to Cattaraugus County annually, and

WHEREAS, the County should pay an amount of \$5,500.00 to the Salamanca Rail Museum from Account No. A.298.7450.0000.42010, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract for the year 2014 with the Salamanca Rail Museum, to assist with the preservation of the history of railroads in the Southern Tier, for a term commencing January 1, 2014 and terminating December 31, 2014, according to the above-described terms.

<sup>1</sup>The following Legislators requested their names be listed as additional sponsors: “Mr. Koch and Mrs. Labuhn”.

Adopted January 7, 2014 by voice vote.

**ACT NO. 18-2014** by Mr. Marsh  
*and Ms. Edstrom, Mr. Murphy, Mr. Teachman, Mr. Koch,  
Mrs. Labuhn, Mr. Lamberson, Mr. Padlo and Mr. Sprague<sup>1</sup>*

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT  
WITH CATTARAUGUS COUNTY SPCA**

Pursuant to Sections 224 (4) and 450 of the County Law and  
Section 120 of the Agriculture and Markets Law.

WHEREAS, Act 30-2010 authorized a contract with the Cattaraugus County SPCA for the provision of dog control services and humanitarian assistance to animals in Cattaraugus County, the term of which expired December 31, 2010, and

WHEREAS, the 2011, 2012 and 2013 County budgets did not provide for assistance to the Cattaraugus County SPCA, and

WHEREAS, it is important that the County assist the Cattaraugus County SPCA with the provision of dog control services and humanitarian assistance to animals in Cattaraugus County, and

WHEREAS, the 2014 County budget provides for the payment of \$20,000.00 to the Cattaraugus County SPCA from Account No. A.298.3510.0000.42007 for these services, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract for the year 2014 with the Cattaraugus County SPCA, for a term commencing January 1, 2014 and terminating December 31, 2014, according to the above-described terms.

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

Adopted January 7, 2014 by voice vote.

**ACT NO. 19-2014** by Mr. Marsh

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
SOUTHERN TIER WEST REGIONAL PLANNING AND DEVELOPMENT BOARD**

Pursuant to Section 239-c of the General Municipal Law and  
Section 450 of the County Law.

WHEREAS, Act 17-2013 authorized a contract with the Southern Tier West Regional Planning and Development Board for the provision of planning assistance to municipalities and businesses in Cattaraugus, Chautauqua, and Allegany Counties, the term of which expired December 31, 2013, and

WHEREAS, the 2014 County budget provides for the payment of \$24,970.00 to the Southern Tier West Regional Planning and Development Board (STW) from Account No. A.643.8025.0000.42032 for these services, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract for the year 2014 with the Southern Tier West Regional Planning and Development Board 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.

Adopted January 7, 2014 by voice vote.

**ACT NO. 20-2014** by Mr. Marsh  
*and Ms. Edstrom, Mr. Edwards, Mr. Felton, Mr. Hale, Mr. Klancer,  
Mr. Murphy, Mr. Snyder, Jr., Mr. Snyder, Sr., Mrs. Stockman, Mr. Teachman,  
Mr. VanRensselaer, Ms. Vickman, Mr. Weller, Mr. Boser, Mr. Koch,  
Mrs. Labuhn, Mr. Lamberson and Mr. Sprague<sup>1</sup>*

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
BOCES FOR STUDENT GOVERNMENT PROGRAM**

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

WHEREAS, Act 18-2013 authorized a contract with BOCES for the provision of a student government program conducted by BOCES to teach students about local government, with an emphasis on County government, the term of which expired December 31, 2013, and

WHEREAS, the 2014 County budget provides for the payment of \$6,450.00 to BOCES from Account No. A.101.2980.0000.42001 for this program, of which 50% is reimbursable by the New York State Office of Children and Family Services, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract for the year 2014 with BOCES for a term commencing January 1, 2014 and terminating December 31, 2014, according to the above-described terms.

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

Adopted January 7, 2014 by voice vote. Padlo abstained from vote.

**ACT NO. 21-2014** by Mr. Marsh  
*and Ms. Edstrom, Mr. Edwards, Mr. Felton, Mr. Hale, Mr. Klancer,  
Mr. Murphy, Mr. Snyder, Jr., Mr. Snyder, Sr., Mrs. Stockman, Mr. Teachman,  
Mr. VanRensselaer, Ms. Vickman, Mr. Weller, Mr. Boser, Mr. Koch,  
Mrs. Labuhn, Mr. Lamberson, Mr. Padlo and Mr. Sprague<sup>1</sup>*

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
CATTARAUGUS COUNTY SOIL & WATER CONSERVATION DISTRICT**

Pursuant to Sections 224 (3) and 450 of the County Law.

WHEREAS, Act 19-2013 authorized a contract with the Cattaraugus County Soil & Water Conservation District for the provision of conservation of the soil and water resources of the County through prevention of soil erosion and prevention of flood water and sediment damages, the term of which expired December 31, 2013, and

WHEREAS, the 2014 County budget provides for the payment of \$118,932.00 to the Cattaraugus County Soil & Water Conservation District from Account No. A.871.8710.0000.42033 for these services, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract for the year 2014 with the Cattaraugus County Soil & Water Conservation District for a term commencing January 1, 2014 and terminating December 31, 2014, according to the above-described terms.

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

Adopted January 7, 2014 by voice vote.

**ACT NO. 22-2014** by Mr. Marsh  
*and Ms. Edstrom, Mr. Edwards, Mr. Felton, Mr. Hale, Mr. Klancer,  
Mr. Murphy, Mr. Snyder, Jr., Mr. Snyder, Sr., Mrs. Stockman, Mr. Teachman,  
Mr. VanRensselaer, Ms. Vickman, Mr. Weller, Mr. Boser, Mr. Koch,  
Mrs. Labuhn, Mr. Lamberson, Mr. Padlo and Mr. Sprague<sup>1</sup>*

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
CATTARAUGUS COUNTY SOIL & WATER CONSERVATION DISTRICT FOR  
ISCHUA CREEK WATERSHED MAINTENANCE PROGRAM**

Pursuant to Sections 299-m and 450 of the County Law.

WHEREAS, Act 20-2013 authorized a contract with the Cattaraugus County Soil & Water Conservation District, Cooperative Extension Center, Parkside Drive, Ellicottville, New York 14731, for the provision of a maintenance program for the County's watershed sites, the term of which expired December 31, 2013, and

WHEREAS, the County Department of Public Works is desirous of continuing the maintenance program for the Ischua Creek Watershed, and

WHEREAS, the Cattaraugus County Soil & Water Conservation District has agreed to provide the aforementioned maintenance program for the year 2014 at an amount not to exceed \$18,000.00, and

WHEREAS, sufficient funds are included in Account No. A.871.8740.0000.40809 of the 2014 budget of the Department of Public Works for the cost of the aforementioned watershed maintenance 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 Cattaraugus County Soil & Water Conservation District, for the provision of the above-described watershed maintenance program, for a term commencing January 1, 2014 and terminating December 31, 2014, according to the above-described terms.

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

Adopted January 7, 2014 by voice vote.

**ACT NO. 23-2014** by Mr. Marsh

*and Ms. Edstrom, Mr. Edwards, Mr. Felton, Mr. Hale, Mr. Klancer,  
Mr. Murphy, Mr. Snyder, Jr., Mr. Snyder, Sr., Mrs. Stockman, Mr. Teachman,  
Mr. VanRensselaer, Ms. Vickman, Mr. Weller, Mr. Boser, Mr. Koch,  
Mrs. Labuhn, Mr. Lamberson, Mr. Padlo and Mr. Sprague<sup>1</sup>*

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
MERCY FLIGHT, INC.**

Pursuant to Sections 224 (14) and 450 of the County Law and  
Section 122-b of the General Municipal Law.

WHEREAS, Act 22-2013 authorized a contract with Mercy Flight, Inc., for the provision of vital emergency transportation services to Western New York, the term of which expired December 31, 2013, and

WHEREAS, the 2014 County budget provides for the payment of \$7,650.00 to Mercy Flight, Inc., from Account No. A.454.4540.0000.42015 for these services, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract for the year 2014 with Mercy Flight, Inc., for a term commencing January 1, 2014 and terminating December 31, 2014, according to the above-described terms.

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

Adopted January 7, 2014 by voice vote.

**ACT NO. 24-2014** by Mr. Marsh  
*and Ms. Edstrom, Mr. Edwards, Mr. Felton, Mr. Hale, Mr. Klancer,  
Mr. Murphy, Mr. Snyder, Jr., Mr. Snyder, Sr., Mrs. Stockman, Mr. Teachman,  
Mr. VanRensselaer, Ms. Vickman, Mr. Weller, Mr. Boser, Mr. Koch,  
Mrs. Labuhn, Mr. Lamberson, Mr. Padlo and Mr. Sprague<sup>1</sup>*

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH SOUTHERN  
TIER HEALTH CARE SYSTEM, INC., FOR FLYCAR FUNDING**

Pursuant to Section 122-b of the General Municipal Law and  
Section 450 of the County Law.

WHEREAS, Act 23-2013 authorized a contract with Southern Tier Health Care System, Inc., One Blue Bird Square, Olean, New York 14760, for the Cattaraugus County Advanced Life Support (flycar) Program, the term of which expired December 31, 2013, and

WHEREAS, Southern Tier Health Care System, Inc., is a principal sponsor of the aforementioned program, and

WHEREAS, this program provides pre-hospital emergency medical treatment for ill or injured individuals, and

WHEREAS, the 2014 County budget provides for the payment of \$15,300.00 to Southern Tier Health Care System, Inc., for the provision of these services from Account A.454.4540.0000.42017, 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 Southern Tier Health Care System, Inc., for a term commencing January 1, 2014 and terminating December 31, 2014, for the provision of the above-described services, according the above-described terms.

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

Adopted January 7, 2014 by voice vote.

**ACT NO. 25-2014** by Mr. Marsh  
*and Ms. Vickman, Mr. Weller and Mr. Sprague<sup>1</sup>*

**AUTHORIZING THE CHAIR TO EXECUTE LEASE AGREEMENT WITH  
DELEVAN VOLUNTEER FIRE DEPARTMENT FOR  
MOTOR VEHICLE OFFICE SPACE**

Pursuant to Sections 215 and 450 of the County Law.

WHEREAS, Act 650-2012 authorized a lease agreement with the Delevan Volunteer Fire Department for the County's Motor Vehicle Office, the term of which expired December 31, 2013, and

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

WHEREAS, the Delevan Volunteer Fire Department, 1006 North Main Street, Delevan, New York 14042, has agreed to lease the aforementioned space for an amount of \$1,600.00 per month, to be paid as invoiced, and

WHEREAS, sufficient funds are included in the 2014 budget to cover the costs of the aforementioned services, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a lease agreement, on behalf of Cattaraugus County, with the Delevan Volunteer Fire Department, for the leasing of the above-described space, for a term commencing January 1, 2014 and terminating December 31, 2014, according to the above-described terms.

<sup>1</sup>The following Legislators requested their names be listed as additional sponsors: "Ms. Vickman, Mr. Weller and Mr. Sprague".

Adopted January 7, 2014 by voice vote.

**ACT NO. 26-2014** by Mr. Lamberson

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
MARSH USA, INC. FOR BROKER OF RECORD SERVICES FOR  
COUNTY INSURANCE PROGRAM**

Pursuant to Sections 52 and 78 of the General Municipal Law and  
Sections 215 and 450 of the County Law.

WHEREAS, Act 603-2012 authorized a contract with Marsh USA, Inc., 300 South State Street, Suite 300, Syracuse, New York 13202, for the provision of those services required to serve as Insurance Broker of Record for the County's Property, Boiler & Machinery, Excess Public Entity Liability, Commercial Crime, Excess Workers' Compensation & Employer's Liability, and Pines Fidelity Bond insurance coverage, the term of which expired December 31, 2013, and

WHEREAS, the County Human Resources Department is desirous of continuing the aforementioned insurance coverage and services, and

WHEREAS, Marsh USA, Inc., has agreed to continue providing brokerage services for the County's insurance program for an annual amount of \$30,000.00, to be paid as invoiced, and

WHEREAS, sufficient funds are included in the 2014 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 Marsh USA, Inc., for the provision of the above-described services and insurance coverage, for a term commencing January 1, 2014 and terminating December 31, 2014, according to the above-described terms.

Adopted January 7, 2014 by voice vote.



**ACT NO. 27-2014** by Mr. Marsh

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
E & M ENGINEERS AND SURVEYORS, P.C. FOR  
BRIDGE AND MISCELLANEOUS ENGINEERING SERVICES**

Pursuant to Section 131-b of the Highway Law and  
Section 450 of the County Law.

WHEREAS, Act 512-2011 authorized a contract with E & M Engineers and Surveyors, P.C., 24 Derrick Road, Bradford, Pennsylvania 16701, for the provision of survey tasks and load rating analysis of assigned bridge structures, the term of which expired December 31, 2013, and

WHEREAS, the New York State Department of Transportation (NYSDOT) prepares rating screen listings which require the owner to arrange for Level I Load Ratings which are then used to confirm the need for posting and determine a posting value, and

WHEREAS, NYSDOT requires that localities have New York State licensed professional engineers certify and provide acceptable documentation that each bridge on the rating screen listing is operating at a safe load level, and

WHEREAS, the Department of Public Works has a need for the review and certification of parcel maps prepared by its engineering division, by a licensed professional surveyor, and

WHEREAS, E & M Engineers and Surveyors, P.C. has submitted a proposal for the continuation of the load rating analysis of the assigned bridge structures and to perform the aforementioned survey services, at a cost not to exceed \$30,000.00 per year on an as-needed basis, and

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

RESOLVED, that the County Administrator be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with E & M Engineers and Surveyors, P.C., 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.

Adopted January 7, 2014 by voice vote.

**ACT NO. 28-2014** by Mr. Marsh  
*and Mr. Weller<sup>1</sup>*

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH  
WENDEL WD ARCHITECTURE, ENGINEERING, SURVEYING & LANDSCAPE ARCHITECTURE, P.C.  
FOR ENGINEERING SERVICES FOR JAIL BOILER REPLACEMENT PROJECT**

Pursuant to Sections 215 and 450 of the County Law.

WHEREAS, Act 72-2013 authorized a contract with Audubon Architecture, Engineering, Surveying and Landscape Architecture, P.C., (formerly known as Wendel Duchscherer), 140 John James Audubon Parkway, Suite 201, Buffalo, New York 14228, for the provision of engineering services for the replacement of four (4) existing boilers and two (2) hot water heaters with four (4) high efficiency condensing boilers and two (2) high efficiency water heaters, and

WHEREAS, the bids that were received for the aforementioned project exceeded the allocated funding and were subsequently rejected, and the project should be rebid, and

WHEREAS, Audubon Architecture, Engineering, Surveying and Landscape Architecture, P.C., has recently reorganized and the firm is now known as Wendel WD Architecture, Engineering, Surveying & Landscape Architecture, P.C., and

WHEREAS, Wendel WD Architecture, Engineering, Surveying & Landscape Architecture, P.C., can provide the engineering services necessary to rebid the aforementioned project for an additional amount of \$5,200.00, and

WHEREAS, sufficient funds are included in the 2014 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 an amended contract, on behalf of Cattaraugus County, with Wendel WD Architecture, Engineering, Surveying & Landscape Architecture, P.C., for the provision of the above-described services, for a contract term commencing February 13, 2013 and terminating December 31, 2014, according to the above-described terms.

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

Adopted January 7, 2014 by voice vote.

**ACT NO. 29-2014 by Mr. Marsh**

**AUTHORIZING THE CHAIR TO EXECUTE ASSIGNMENT OF CONTRACT WITH  
KHEOPS ENGINEERING & ARCHITECTURE, DPC FOR  
LANDFILL WATER MONITORING REPORTING AT FARWELL AND FIVE POINTS LANDFILLS**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 62-2012 authorized a contract with TVGA Consultants for the provision of landfill water monitoring reporting at both Farwell and Five Points Landfills, the term of which expired December 31, 2013, with the County's sole option to renew for two one-year periods at the same rates, and

WHEREAS, TVGA Consultants has assigned the above-described contract, dated February 8, 2012, to KHEOPS Engineering & Architecture, DPC, 300 Pearl Street, Suite 100, Buffalo, New York 14202, effective November 26, 2013, and

WHEREAS, it is necessary for the Chairman to sign the aforementioned Assignment of Contract, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute an Assignment of Contract, on behalf of Cattaraugus County, with KHEOPS Engineering & Architecture, DPC, for the provision of the above-described services, effective November 26, 2013, assigning the contract dated February 8, 2012, according to the above-described terms.

Adopted January 7, 2014 by voice vote.

**ACT NO. 30-2014** by Mr. Marsh  
and Mr. Weller<sup>1</sup>

**AUTHORIZING THE CHAIR TO EXECUTE SUPPLEMENTAL AGREEMENT NO. 2 WITH  
NYSDOT FOR THE 2011-2012 BRIDGE PAINTING FEDERAL-AID PROJECT**

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

WHEREAS, the Cattaraugus County 2011-2012 Bridge Painting Project, BINs 3-32082-0, 3-32168-0, 3-32292-0 and 3-32308-0 in the Towns of Conewango, Freedom, Otto and Portville, Cattaraugus County, PIN 5760.06 (the "Project"), is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at a ratio of 80% federal funds and 20% non-federal funds, and

WHEREAS, the County desires to advance the above project by making a commitment of 100% of the non-federal share of the costs of the Preliminary Engineering (Design I-VI) and Construction & Construction Inspection phases of the Project, PIN 5760.06, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature hereby approves the above-described project, and be it further

RESOLVED, that the Cattaraugus County Legislature hereby authorizes the County of Cattaraugus to pay in the first instance 100% of the federal and non-federal shares of the cost of the Preliminary Engineering (Design I-VI) and Construction & Construction Inspection phases of the project or portions thereof, and be it further

RESOLVED, that the sum of \$77,000.00 is hereby appropriated for the Project's Preliminary Engineering (Design I-VI) and Construction & Construction Inspection phases via County Resolution Nos. 231-2011 adopted May 25, 2011 and 397-2012, adopted September 11, 2012, and made available to cover the cost of participation in the above phases of the Project, and it is further

RESOLVED, that in the event the amount required to pay in the first instance 100% of the federal and non-federal shares of the cost of the Project's Preliminary Engineering (Design I-VI) and Construction & Construction Inspection phases exceeds the amount appropriated, \$77,000.00, and/or 100% of the full federal and non-federal shares of the cost of the Project's Preliminary Engineering (Design I-VI) and Construction & Construction Inspection phases exceeds \$310,000.00, the Project's current total cost, the County of Cattaraugus shall convene its Legislature as soon as possible to appropriate said excess amount immediately upon the notification by the NYSDOT, and be it further

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute all necessary documents, on behalf of Cattaraugus County, with the NYSDOT in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of Project costs and permanent funding of the local share of federal-aid eligible project costs and all Project costs within appropriations therefor that are not so eligible, and be it further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary agreement in connection with the Project, and be it further

RESOLVED, that this Resolution shall take effect immediately.

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

Adopted January 7, 2014 by voice vote.

**ACT NO. 31-2014** by Mr. Marsh  
and Mr. Klancer, Mr. Murphy and Mr. Weller<sup>1</sup>

**AUTHORIZING THE CHAIR TO EXECUTE SUPPLEMENTAL AGREEMENT NO. 2 WITH NYSDOT  
AND AUTHORIZING CATTARAUGUS COUNTY TO PARTICIPATE IN  
THE FEDERAL-AID PROJECT ADMINISTERED BY THE NYSDOT AND  
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS  
(Otto Bridge No. 12 - Department of Public Works)**

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

WHEREAS, a project for the replacement of the County Road No. 11, North Otto Road Bridge over South Branch Cattaraugus Creek, BIN 3322910, in the Town of Otto, Cattaraugus County, PIN 5757.34, (the "Project"), is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at a ratio of 80% federal funds and 20% non-federal funds, and

WHEREAS, the County desires to advance the above Project by making a commitment of 100% of the federal and non-federal share of the costs of the Preliminary Engineering (Design I-VI), Right-of-Way (Incidentals & Acquisition) and Construction & Construction Inspection Phases of the Project, which currently equals \$2,615,803.00, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature hereby approves the above-described Project, and be it further

RESOLVED, that the Cattaraugus County Legislature hereby authorizes the County of Cattaraugus to pay in the first instance 100% of the federal and non-federal shares of the cost of the Preliminary Engineering (Design I-VI), Right-of-Way (Incidentals & Acquisition) and Construction & Construction Inspection Phases of the Project or portions thereof, and be it further

RESOLVED, that NYSDOT will reimburse the County, as the Project is progressed, the federal share (80%) of the cost of these Project phases, which currently equals \$2,092,642, resulting in the current non-federal share (20%) of the cost of this Project's Preliminary Engineering (Design I-VI), Right-of-Way (Incidentals & Acquisition) and Construction & Construction Inspection Phases which currently equals \$523,161.00, and be it further

RESOLVED, that NYSDOT under this Supplemental Agreement No. 2 to Federal Aid Project (Marchiselli) Agreement No. D030023 will also reimburse the County a maximum of \$392,371.00 of State Marchiselli Aid, and be it further

RESOLVED, that the County's resolution number 210-2012, adopted April 25, 2012, committed the funding necessary for the County to administer and in the first instance fund the subject Project's Preliminary Engineering (Design I-VI), Right-of-Way (Incidentals & Acquisition) and Construction & Construction Inspection Phases at a Total Cost of \$3,003,700, which is a higher cost than this Supplemental Agreement No. 2's Total Project Cost of \$2,615,803.00; therefore, no additional County funds need to be appropriated at this time, and be it further

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute all necessary documents, on behalf of Cattaraugus County, with NYSDOT in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of Project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefor that are not so eligible, and be it further

RESOLVED, that a certified copy of this resolution be filed with New York State Commissioner of Transportation by attaching it to any necessary agreement in connection with the Project, and be it further

RESOLVED, that this Resolution should take effect immediately, and be it further

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

Increase Estimated Revenue Account:

H.504.5197.5195.3591.01	Marchiselli Aid	\$ 78,166.00
-------------------------	-----------------	--------------

Decrease Estimated Revenue Account:

H.504.5197.5195.4597.02	MAP 21	\$310,318.00
-------------------------	--------	--------------

Decrease Appropriation Account:

H.504.5197.5195.25024.41603	Otto Bridge No. 12	\$232,152.00.
-----------------------------	--------------------	---------------

<sup>1</sup>The following Legislators requested their names be listed as additional sponsors: "Mr. Klancer, Mr. Murphy and Mr. Weller".

Adopted January 7, 2014 by voice vote.

**ACT NO. 32-2014** by Mr. Marsh  
and Mr. Weller<sup>1</sup>

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH NYSDOT AND  
AUTHORIZING CATTARAUGUS COUNTY TO PARTICIPATE IN  
BRIDGE WASHING AND DECK SEALING FEDERAL-AID PROJECT AND  
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS  
(Department of Public Works)**

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

WHEREAS, the Cattaraugus County Bridge Washing and Deck Sealing Project, including 219 bridges in various towns, in Cattaraugus County, PIN 5760.05 (the "Project"), is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at a ratio of 80% federal funds and 20% non-federal funds, and

WHEREAS, the County desires to advance the above Project by making a commitment of 100% of the non-federal share of the costs of the Construction & Construction Inspection phases of the Project, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature hereby approves the above-described Project, and be it further

RESOLVED, that the Cattaraugus County Legislature hereby authorizes the County of Cattaraugus to pay in the first instance 100% of the federal and non-federal shares of the cost of the Construction & Construction Inspection phases of the Project or portions thereof, and be it further

RESOLVED, that the sum of \$290,000.00 is hereby appropriated and made available to cover the cost of participation in the above phase of the Project, and be it further

RESOLVED, that in the event the amount required to pay the full federal and non-federal shares of the cost of the Project's Construction & Construction Inspection phases exceeds the amount appropriated above, the County of Cattaraugus shall convene its Legislature as soon as possible to appropriate said excess amount immediately upon the notification by NYSDOT, and be it further

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute all necessary documents, on behalf of Cattaraugus County, with NYSDOT in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of Project costs and permanent funding of the local share of federal-aid project costs and all Project costs within appropriations therefor that are not so eligible, and be it further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary agreement in connection with the Project, and be it further

RESOLVED, that this Resolution shall take effect immediately, and be it further

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

Decrease Estimated Revenue Accounts:

D.502.5111.0000.3591.01	Marchiselli Program	\$ 6,000.00
D.502.5111.0000.4597.01	Bridge Program	\$32,000.00

Decrease Appropriation Accounts:

D.502.5111.5111.41603	Contracted Services	\$88,595.00
D.501.5111.5111.41213	Engineering Services	\$25,000.00

Increase Appropriation Accounts:

D.502.5111.5111.41213.NR	Engineering Services, Non-Reimbursable	\$10,525.00
D.502.5111.5111.41213.R	Engineering Services, Reimbursable	\$48,595.00
D.502.3310.0000.41424	Striping Contract	\$16,475.00.

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

Adopted January 7, 2014 by voice vote.

**ACT NO. 33-2014** by Mr. Marsh  
and Mr. Murphy, Mr. VanRensselaer, Mr. Weller and Mr. Koch<sup>1</sup>

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
COMMUNICATION SERVICES OF WNY & PA, INC.  
D/B/A EAGLE RADIO TECHNOLOGIES FOR RADIO MAINTENANCE**

Pursuant to Sections 408 and 450 of the County Law.

WHEREAS, Act 207-2010, as amended by Acts 60-2013 and 388-2013, authorized a contract with Communication Services of WNY & PA, Inc., d/b/a Eagle Radio Technologies, 1367 East Second Street, Jamestown, New York 14701, for the maintenance of two-way radio communications equipment for the Department of Public Works, Health Department, Office of Emergency Services, and

Fire Advisory Board, according to specifications submitted under the direction of the Public Works Committee, the term of which expired December 31, 2013, and

WHEREAS, the Department of Public Works has solicited proposals from six (6) companies for the aforementioned radio maintenance services, and

WHEREAS, the lowest proposal received meeting specifications was the proposal of Communication Services of WNY & PA, Inc., d/b/a Eagle Radio Technologies, as follows:

<u>REMOVALS:</u>	<u>Mount</u>	<u>Single Unit</u>	<u>Multiple Units</u>
<u>Prices per unit</u>			
Cars	Front	\$ 30.00	\$ 15.00
	Rear	\$ 80.00	\$ 40.00
Pickup Trucks	Front	\$ 50.00	\$ 25.00
	Rear	\$ 30.00	\$ 15.00
Ambulances	Front	\$ 30.00	\$ 15.00
	Rear	\$ 60.00	\$ 30.00
Graders	Front	\$ 60.00	\$ 30.00
	Rear	\$ 30.00	\$ 15.00
Heavy Trucks	Front	\$ 60.00	\$ 30.00
	Rear	\$ 30.00	\$ 15.00
Fire Trucks	Front	\$ 60.00	\$ 30.00
	Rear	\$ 60.00	\$ 30.00
 <u>INSTALLATIONS:</u>	 <u>Mount</u>	 <u>Single Unit</u>	 <u>Multiple Units</u>
<u>Prices per unit</u>			
Cars	Front	\$ 25.00	\$ 15.00
	Rear	\$235.00	\$ 25.00
Pickup Trucks	Front	\$125.00	\$120.00
	Rear	\$ 25.00	\$ 15.00
Ambulances	Front	\$125.00	\$ 20.00
	Rear	\$235.00	\$ 20.00
Graders	Front	\$175.00	\$ 20.00
	Rear	\$ 25.00	\$ 10.00
Heavy Trucks	Front	\$175.00	\$170.00
	Rear	\$ 25.00	\$ 20.00
Fire Trucks	Front	\$175.00	\$ 20.00
	Rear	\$235.00	\$ 25.00

*NOTE: Multiple unit column pricing includes multiple removals or installations, or moving radio equipment between vehicles at the same location on the same day.*

ADDITIONAL COSTS:

*Antenna, Cable and Guy Line Work:*

Travel to Site - \$65.00/hour/man

On-Site Work - \$95.00/hour/man

*Time and Material Rates Per Hour:*

Service Call Charge: \$125.00, \$55.00/hour/man, \$.49/mile

*Overtime Rates:*

Beyond regular hours, over 8 hours per day or  
 Saturdays - \$90.00/hour/man  
 Sundays or Legal Holidays - \$120.00/hour/man,

and

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

RESOLVED, that the proposal of Communication Services of WNY & PA, Inc., d/b/a Eagle Radio Technologies, be, and hereby is, accepted, and be it further

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Communication Services of WNY & PA, Inc., d/b/a Eagle Radio Technologies, for the provision of the above-described radio maintenance for a term commencing January 1, 2014 and terminating December 31, 2014, with the option by Cattaraugus County of one (1) additional one year term at the prices specified, supra, according to the above-described terms.

<sup>1</sup>The following Legislators requested their names be listed as additional sponsors: "Mr. Murphy, Mr. VanRensselaer, Mr. Weller and Mr. Koch".

Adopted January 7, 2014 by voice vote.

**ACT NO. 34-2014** by Mr. Marsh  
*and Mr. Murphy, Mr. Weller and Mrs. Labuhn<sup>1</sup>*

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
 CATTARAUGUS COUNTY AGRICULTURAL SOCIETY, INC. FOR  
 SHERIFF'S DEPARTMENT SECURITY SERVICES AND SPACE RENTAL**

Pursuant to Sections 215, 450 and 650 of the County Law.

WHEREAS, Act 560-2012 authorized the Chair to execute a contract with the Cattaraugus County Agricultural Society, Inc., P.O. Box 182, Little Valley, New York 14755, for the provision of security services at various events at the County Fairgrounds, including the annual Cattaraugus County Fair, the term of which expired December 31, 2013, and

WHEREAS, it is proposed that the Cattaraugus County Sheriff provide security services at the Cattaraugus County Fairgrounds during the 2014 year, and

WHEREAS, the Agricultural Society will reimburse the County on an hourly basis for the provision of these services, except for the first \$500.00 in services to be provided by the Sheriff's Office in 2014, and

WHEREAS, the Agricultural Society will charge the County the following rental costs:

Tourism Booths	\$400.00
Stop DWI Space	\$600.00
Storage	\$200.00/boat
Civil Service	\$100.00/testing day
Museum	\$450.00
Social Services	\$150.00



and

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

RESOLVED, 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 Agricultural Society, Inc., for the rental of the above-described space, for a term commencing January 1, 2014 and terminating December 31, 2014, according to the above-described terms.

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

Adopted January 7, 2014 by voice vote.

**ACT NO. 35-2014** by Mr. Marsh  
*and Mr. Murphy, Mr. Teachman, Mr. Weller, Mrs. Labuhn and Mr. Padlo<sup>1</sup>*

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
OLEAN MEDICAL GROUP, LLP FOR JAIL PHYSICIAN SERVICES**

Pursuant to Section 501 of the Correction Law,  
9 NYCRR Part 7010 and Section 450 of the County Law.

WHEREAS, Act 499-2012 authorized a contract with the Olean Medical Group, LLP, 535 Main Street, Olean, New York 14760, for the provision of jail physician services, the term of which expired December 31, 2013, and

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

WHEREAS, the Olean Medical Group, LLP, can provide the aforementioned jail physician services at the rate of \$170.00 per hour for services provided, which includes mileage, to be paid on a monthly basis as invoiced, and

WHEREAS, sufficient funds are included in the budget to cover the cost of the aforementioned 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 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, 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.

<sup>1</sup>The following Legislators requested their names be listed as additional sponsors: “Mr. Murphy, Mr. Teachman, Mr. Weller, Mrs. Labuhn and Mr. Padlo”.

Adopted January 7, 2014 by voice vote.

**ACT NO. 36-2014** by Mr. Marsh  
*and Ms. Edstrom, Mr. Murphy, Mr. Weller and Mr. Padlo*<sup>1</sup>

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
CRAIG ZUCKERMAN, D.Ed. FOR SHERIFF'S OFFICE  
PRE-EMPLOYMENT PSYCHOLOGICAL SCREENING SERVICES**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 500-2012 authorized a contract with Craig Zuckerman, D.Ed., Licensed Psychologist, 784 Main Street, Olean, New York 14760, for the provision of pre-employment psychological evaluations of prospective employees of the Sheriff's Office, the term of which expired December 31, 2013, and

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

WHEREAS, Craig Zuckerman, D.Ed., Licensed Psychologist and independent contractor, has agreed to provide pre-employment psychological evaluations of prospective employees using the enhanced 16PF, and the Protective Services Report, as the basis for written reports and recommendations, for an amount of \$125.00 per report, 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 Craig Zuckerman, 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.

<sup>1</sup>The following Legislators requested their names be listed as additional sponsors: “Ms. Edstrom, Mr. Murphy, Mr. Weller and Mr. Padlo”.

Adopted January 7, 2014 by voice vote.

**ACT NO. 37-2014** by Mr. Marsh  
*and Mr. Edwards, Mr. Murphy, Mr. VanRensselaer, Mr. Weller and Mr. Koch*<sup>1</sup>

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
NEW YORK STATE DIVISION OF HOMELAND SECURITY AND  
EMERGENCY SERVICES FOR SHERIFF'S OFFICE NEW WORLD SYSTEMS  
COMPUTER AIDED DISPATCH SOFTWARE UPGRADE  
(E-Grants Notification for Project PS12-1003-D00)**

Pursuant to Section 450 of the County Law.

WHEREAS, the Cattaraugus County Sheriff's Office has been awarded a grant through the New York State Division of Homeland Security and Emergency Services in the amount of \$199,918.00 for the upgrade of the New World Computer Aided Dispatch (CAD) software, and

WHEREAS, Act 396-2013 authorized the capital project accounts for the aforementioned upgrade, and

WHEREAS, a contract must be executed in order to receive the aforementioned grant funding, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with the New York State Division of Homeland Security and Emergency Services, in order to receive the above-described grant funding, according to the above-described terms.

<sup>1</sup>The following Legislators requested their names be listed as additional sponsors: "Mr. Edwards, Mr. Murphy, Mr. VanRensselaer, Mr. Weller and Mr. Koch".

Adopted January 7, 2014 by voice vote.

**ACT NO. 38-2014** by Mr. Marsh  
*and Mr. Murphy and Mr. Weller*<sup>1</sup>

**ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS  
FOR PURCHASE OF VEHICLE  
(Sheriff's Office)**

Pursuant to Sections 363 and 366 of the County Law.

WHEREAS, the Sheriff's Office is desirous of purchasing a vehicle through New York State contract #22539/PC 65855, and

WHEREAS, it is proposed that an amount of \$29,400.00 be transferred from the Casino funds to the Sheriff's Office Account No. A.311.3214.0000.20101 in order to cover the purchase of a vehicle, 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 Account:

A.311.3214.0000.2260.02	Casino Contracted Security	\$29,400.00
-------------------------	----------------------------	-------------

Increase Appropriation Account:

A.311.3214.0000.20101	Vehicle	\$29,400.00.
-----------------------	---------	--------------

<sup>1</sup>The following Legislators requested their names be listed as additional sponsors: "Mr. Murphy and Mr. Weller".

Adopted January 7, 2014 by voice vote.

**ACT NO. 39-2014** by Mr. Marsh

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT  
WITH HEARST WOMEN'S TRAVEL GROUP  
FOR ADVERTISEMENT SERVICES**

Pursuant to Section 450 of the County Law.

WHEREAS, the County Department of Economic Development, Planning and Tourism is desirous of promoting tourism in Cattaraugus County, and

WHEREAS, the Hearst Women's Travel Group, 7 Forbell Drive, Norwalk, Connecticut 06850, has agreed to publish advertisements promoting Cattaraugus County in the following magazines for an amount of \$8,245.00, to be paid as invoiced:

Country Living  
Good Housekeeping  
Woman's Day,

and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with the Hearst Women's Travel Group, for the provision of the above-described advertisement services, for a term commencing January 1, 2014 and terminating December 31, 2014, according to the above-described terms.

Adopted January 7, 2014 by voice vote.

**ACT NO. 40-2014** by Mr. Marsh

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT  
WITH AJR PUBLISHING, INC.  
FOR ADVERTISEMENT SERVICES**

Pursuant to Section 450 of the County Law.

WHEREAS, the County Department of Economic Development, Planning and Tourism is desirous of promoting tourism in Cattaraugus County, and

WHEREAS, AJR Publishing, Inc., 1455 Normandy, LaSalle, Ontario Canada N9J 3N1, has agreed to publish advertisements promoting Cattaraugus County in the Crossings Magazine for an amount of \$8,400.00, 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 AJR Publishing, Inc., for the provision of the above-described advertisement services, for a term commencing January 1, 2014 and terminating December 31, 2014, according to the above-described terms.

Adopted January 7, 2014 by voice vote.

**ACT NO. 41-2014** by Mr. Marsh

**AUTHORIZING THE CHAIR TO EXECUTE ASSIGNMENT OF CONTRACT WITH  
KHEOPS ENGINEERING & ARCHITECTURE, DPC FOR ON-CALL PROFESSIONAL SERVICES  
(Department of Economic Development, Planning and Tourism)**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 112-2013 authorized a contract with TVGA Consultants for the provision of on-call professional services to assist the County with a grant application and related documents in order to apply for a grant through the New York State Brownfield Opportunity Area Program (BOA), in order to complete and implement revitalization strategies for Cattaraugus County, the term of which expires January 31, 2014, and

WHEREAS, TVGA Consultants has assigned the above-described contract, dated April 3, 2013, to KHEOPS Engineering & Architecture, DPC, 300 Pearl Street, Suite 100, Buffalo, New York 14202, effective November 26, 2013, and

WHEREAS, it is necessary for the Chairman to sign the aforementioned Assignment of Contract, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute an Assignment of Contract, on behalf of Cattaraugus County, with KHEOPS Engineering & Architecture, DPC, for the provision of the above-described services, effective November 26, 2013, assigning the contract dated April 3, 2013, according to the above-described terms.

Adopted January 7, 2014 by voice vote.

**ACT NO. 42-2014** by Mr. Marsh  
and Ms. Edstrom, Mrs. Stockman, Mr. Lamberson and Mrs. Labuhn<sup>1</sup>

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
NEW YORK STATE DEPARTMENT OF HEALTH FOR  
HEALTH DEPARTMENT WIC PROGRAM AND  
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS  
(Department of Health)**

Pursuant to 42 USCS Section 1786 and  
Sections 363, 366 and 450 of the County Law.

WHEREAS, Act 324-2013 authorized a contract with the New York State Department of Health for WIC Program funding, the term of which expires September 30, 2014, and

WHEREAS, the New York State Department of Health has authorized a cost-of-living adjustment (COLA) in the amount of \$35,427.00 for the period April 1, 2013 through March 31, 2014, and

WHEREAS, a contract amendment is necessary in order to obtain the aforementioned COLA funding, and

WHEREAS, this program is 96% federal and 4% state funded, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute an amended contract, on behalf of Cattaraugus County, with the New York State Department of Health for WIC Program funding, for a term commencing October 1, 2013 and terminating September 30, 2014, according to the above-described terms, and be it further

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

Increase Estimated Revenue Account:

A.401.4082.0000.4482	WIC Federal Aid	\$14,011.00
----------------------	-----------------	-------------

Increase Appropriation Account:

A.401.4082.0000.41220	Contracted Nursing	\$14,011.00.
-----------------------	--------------------	--------------

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

Adopted January 7, 2014 by voice vote.

**ACT NO. 43-2014** by Mr. Marsh  
and Mrs. Stockman<sup>1</sup>

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
NEW YORK STATE INSURANCE FUND FOR  
AMERICORPS PROGRAM WORKERS' COMPENSATION COVERAGE**

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

WHEREAS, Act 632-2012 authorized a contract with the New York State Insurance Fund, 225 Oak Street, Buffalo, New York 14203, for the provision of workers' compensation coverage for Americorps members, the term of which expired December 31, 2013, and

WHEREAS, the County Youth Bureau is desirous of obtaining workers' compensation coverage for the Americorps members, and

WHEREAS, the New York State Insurance Fund, can provide the aforementioned workers' compensation coverage for an amount not to exceed \$3,000.00 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, with the New York State Insurance Fund, 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.

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

Adopted January 7, 2014 by voice vote.

**ACT NO. 44-2014** by Mr. Marsh  
and Ms. Edstrom, Mrs. Stockman and Mr. Padlo<sup>1</sup>

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
FILLMORE CENTRAL SCHOOL DISTRICT FOR AMERICORPS START PROGRAM**

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

WHEREAS, the Fillmore Central School District, 104 West Main Street, Fillmore, New York 14735, is desirous of partnering with the Youth Bureau for the provision of services through the AmeriCorps START Program, and

WHEREAS, the Youth Bureau is desirous of providing the aforementioned services, and

WHEREAS, the Fillmore Central School District has agreed to provide services for the AmeriCorps START Program by contributing an amount of \$5,000.00 for one (1) full-time member with 1,700 hours of service in the AmeriCorps START Program, and

WHEREAS, the Fillmore Central School District shall provide appropriate office space for the AmeriCorps member, and

WHEREAS, this program is 65% federally funded and 35% agency match and grantee share, which is fully funded by Fillmore Central School District's contribution, resulting in no costs to the County, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with the Fillmore Central School District for the provision of services through the AmeriCorps START Program, for a term commencing December 16, 2013 and terminating December 15, 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.

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

Adopted January 7, 2014 by voice vote.

**ACT NO. 45-2014** by Mr. Marsh  
and Mrs. Stockman<sup>1</sup>

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
BCS INSURANCE COMPANY FOR AMERICORPS START PROGRAM  
HEALTH INSURANCE**

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

WHEREAS, Act 631-2012 authorized a contract with the BCS Insurance Company, 505 South Lenola Road, Suite 231, Moorestown, New York 08057, for the provision of health insurance for ten (10) AmeriCorps START Program members, the term of which expired December 31, 2013, and

WHEREAS, the Youth Bureau is required to provide health insurance for ten (10) full-time AmeriCorps members for 2014, and



WHEREAS, BCS Insurance Company can provide the required health insurance for an amount of \$150.00 per month per member for a total of \$18,000.00 for ten (10) members, and

WHEREAS, the AmeriCorps program is 100% federally funded, and

WHEREAS, sufficient funds are included in the budget to cover the County's share of the aforementioned health insurance, 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 BCS Insurance Company, for the AmeriCorps START Program, 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.

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

Adopted January 7, 2014 by voice vote.

**ACT NO. 46-2014** by Mr. Marsh  
and Ms. Edstrom and Mrs. Stockman<sup>1</sup>

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH  
NEW YORK STATE CATHOLIC HEALTH PLAN, INC. D/B/A  
FIDELIS CARE NEW YORK FOR  
PROVISION OF ADULT DAY CARE MEALS**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 282-2013 authorized a contract with the New York State Catholic Health Plan, Inc., d/b/a Fidelis Care New York, 8 Southwoods Boulevard, Albany, New York 12211, for the provision of adult day care meals and/or home delivered meals and congregate meals for eligible patients, and

WHEREAS, an amendment of the aforementioned contract is necessary due to an increase in reimbursement rates, and

WHEREAS, effective January 1, 2014, the Department of Aging can provide adult day care meals and/or home delivered meals and congregate meals to the above-described patients at the following rates:

<b>Program: Managed Long Term Care Program</b>		
<u>HCPCS</u>	<u>Description</u>	<u>Rate</u>
S5102	Adult Social Day Program, per diem	\$50.00
S5102TG	Adult Social Day Program, half day, per diem	\$25.00

S9977	Congregate Meals, per meal	\$ 7.65
A0110	Transportation to & from center activities, round trip	\$22.00

**Program: Managed Medicaid & Managed Long Term Care Program**

<u>HCPCS</u>	<u>Description</u>	<u>Rate</u>
S5170	Home Delivered Meal, per meal	\$ 9.65

now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute an amended contract, on behalf of Cattaraugus County, with New York State Catholic Health Plan, Inc., d/b/a Fidelis Care New York, for the provision of the above-described meals, for a term commencing August 1, 2011, as amended, to continue in full force and effect until terminated by either party hereto.

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

Adopted January 7, 2014 by voice vote.

**ACT NO. 47-2014** by Mr. Marsh  
and Ms. Edstrom, Mrs. Stockman, Ms. Vickman, Mrs. Labuhn and Mr. Padlo<sup>1</sup>

**APPROVING CONTRACT BETWEEN  
CATTARAUGUS COUNTY COMMUNITY SERVICES BOARD AND  
MENTAL HEALTH ASSOCIATION IN CATTARAUGUS  
COUNTY, INC., FOR VARIOUS PROGRAMS**

Pursuant to Article 75 of the Mental Hygiene Law and  
Section 450 of the County Law.

WHEREAS, Act 40-2013 authorized approval for a contract with the Mental Health Association in Cattaraugus County, Inc., P.O. Box 833, 121 North Union Street, Olean, New York 14760, for the provision of community support services through its Compeer and Family Support Programs, Drop-In Center, and a summer camp program, prevention and education services for the public, and other services, the term of which expired December 31, 2013, and

WHEREAS, the County Department of Community Services is desirous of continuing the provision of community support services through its Compeer and Family Support Programs, a summer camp program, prevention and education services for the public, and other services, and

WHEREAS, the Mental Health Association in Cattaraugus County, Inc., has agreed to provide the following programs for a total amount not to exceed \$171,163.00:

OMH Children and Youth Family Support Program,  
OMH Advocacy/Support Program,  
OMH Non-Medicaid Care Coordination,

and

WHEREAS, the above programs are 100% funded through state funds and contributions received from the Mental Health Association in Cattaraugus County, Inc., now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract between the Cattaraugus County Community Services Board and the Mental Health Association in Cattaraugus County, Inc., to signify the County's approval, for the provision of the above-described programs 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.

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

Adopted January 7, 2014 by voice vote.

**ACT NO. 48-2014** by Mr. Marsh  
*and Ms. Edstrom, Mr. Murphy, Mrs. Stockman, Ms. Vickman,  
Mrs. Labuhn, Mr. Lamberson and Mr. Padlo<sup>1</sup>*

**APPROVING CONTRACT BETWEEN  
CATTARAUGUS COUNTY COMMUNITY SERVICES BOARD AND  
COUNCIL ON ADDICTION RECOVERY SERVICES, INC. FOR  
SUBSTANCE ABUSE PROGRAM FUNDS AND ADJUSTING VARIOUS  
APPROPRIATION ACCOUNTS  
(Department of Community Services)**

Pursuant to Articles 1, 19, 23 and 25 of the Mental  
Hygiene Law and Sections 363, 366 and 450 of the County Law.

WHEREAS, Act 28-2013, as amended by Act 570-2013, authorized approval of a contract with Council on Addiction Recovery Services, Inc., for the provision of a substance abuse program in the County, the term of which expired December 31, 2013, and

WHEREAS, New York State has approved funding for the program in an amount not to exceed \$1,101,974.00 for the period January 1, 2014 through December 31, 2014, and

WHEREAS, this program is 58.4% federally, 39.2% state and 2.4% county funded, and

WHEREAS, the net County cost for the provision of this program shall not exceed \$26,900.00 in County funds, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract for the year 2014 between the Cattaraugus County Community Services Board and the Council on Addiction Recovery Services, Inc., to signify the County's approval 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, and be it further

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

Increase Estimated Revenue Accounts:

A.433.4322.3520.3492.013M	State Aid, OASAS, OASAS MH Local Assistance	\$ 90,000.00
A.433.4322.3520.3492.013S	State Aid, OASAS, Continual 100% State Aid	\$ 90,000.00

Increase Appropriation Accounts:

A.433.4322.3520.42019.013M	CARES, Inc., OASAS MH Local Assistance	\$ 90,000.00
A.433.4322.3520.42019.013S	CARES, Inc., OASAS, State Local Assistance	\$ 90,000.00.

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

Adopted January 7, 2014 by voice vote.

**ACT NO. 49-2014** by Mr. Marsh  
and Ms. Edstrom, Mrs. Stockman, Mr. Teachman, Ms. Vickman,  
Mrs. Labuhn, Mr. Lamberson and Mr. Padlo<sup>1</sup>

**APPROVING CONTRACT BETWEEN  
CATTARAUGUS COUNTY COMMUNITY SERVICES BOARD AND  
OLEAN GENERAL HOSPITAL FOR OPERATION OF A 24-HOUR TELEPHONE HOTLINE**

Pursuant to Chapter 119 of the Laws of 1997, and  
Section 41.13(6) of the Mental Hygiene Law.

WHEREAS, Act 39-2013 authorized approval for a contract between the Cattaraugus County Community Services Board and the Olean General Hospital for the disproportionate share to hospitals initiative (DSH), which affects identified Article 28 voluntary hospitals with mental health services which received funding pursuant to Article 41 of the Mental Hygiene Law, the term of which expired December 31, 2013, and

WHEREAS, DSH payments were converted to Office of Mental Health (OMH) approved net deficit funding for the operation of a 24-hour telephone hotline to service the residents of Cattaraugus County provided pursuant to Article 41 of the Mental Hygiene Law in these hospitals, and

WHEREAS, the County shall pay to the Olean General Hospital, 515 Main Street, Olean, New York 14760, an amount not to exceed \$115,640.00 for such purpose, 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 for the year 2014, between the Cattaraugus County Community Services Board and Olean General Hospital, to signify the County's approval, 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.

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

Adopted January 7, 2014 by voice vote.

**ACT NO. 50-2014** by Mr. Marsh  
and Ms. Edstrom, Mr. Klancer, Mrs. Stockman, Mr. Teachman,  
Mr. VanRensselaer, Mr. Koch and Mrs. Labuhn<sup>1</sup>

**APPROVING CONTRACT BETWEEN  
CATTARAUGUS COUNTY COMMUNITY SERVICES BOARD AND  
SENECA NATION OF INDIANS FOR  
CASE MANAGEMENT SERVICES FOR HOMELESS/MICA CLIENTS**

Pursuant to 14 NYCRR 587.8(g) and  
Section 450 of the County Law.

WHEREAS, Act 35-2013 authorized approval for a contract with the Seneca Nation of Indians for case management services to the Homeless/Mentally Ill Chemical Abuser (MICA) clients, the term of which expired December 31, 2013, and

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

WHEREAS, the Seneca Nation of Indians, P.O. Box 231, 90 Ohi:Yo Way, Salamanca, New York 14779, has proposed to continue the aforementioned program of case management services for the Homeless/MICA population within the Seneca Nation of Indians, for an amount not to exceed \$46,036.00, to be paid as invoiced, 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 for the year 2014, between the Cattaraugus County Community Services Board

and the Seneca Nation of Indians, to signify the County's approval, 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.

<sup>1</sup>The following Legislators requested their names be listed as additional sponsors: "Ms. Edstrom, Mr. Klancer, Mrs. Stockman, Mr. Teachman, Mr. VanRensselaer, Mr. Koch and Mrs. Labuhn".

Adopted January 7, 2014 by voice vote.

**ACT NO. 51-2014** by Mr. Marsh  
*and Ms. Edstrom, Mrs. Stockman and Mrs. Labuhn<sup>1</sup>*

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
CATTARAUGUS COUNTY COMMUNITY SERVICES BOARD AND  
HEALTHCARE SOLUTIONS WNY, LLC FOR  
DEPARTMENT OF COMMUNITY SERVICES BILLING AND ACCOUNTS  
RECEIVABLE MANAGEMENT SERVICES**

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

WHEREAS, Act 626-2012 authorized approval for a contract with Healthcare Solutions WNY, LLC, Apple Tree Business Park, 2875 Union Road, Suite 8, Cheektowaga, New York 14227, for the provision of the billing-related services for the Department of Community Services clinic operations, the term of which expired December 31, 2013, and

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

WHEREAS, Healthcare Solutions WNY, LLC, can provide billing and accounts receivable management services, including analysis, data entry and reporting of productivity statistics and managing the authorization-for-payment process, for a total amount not to exceed \$140,000.00, based upon billable units of service not to exceed 24,000 units of service at a rate of \$5.83333 per unit, and

WHEREAS, sufficient funds are included in the 2014 budget to cover the costs of the aforementioned services, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract for the year 2014, between the Cattaraugus County Community Services Board and Healthcare Solutions WNY, LLC, to signify the County's approval,, on behalf of Cattaraugus County, with 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.

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

Adopted January 7, 2014 by voice vote.

**ACT NO. 52-2014** by Mr. Marsh  
*and Ms. Edstrom, Mrs. Stockman, Mr. Koch, Mrs. Labuhn, Mr. Lamberson and Mr. Padlo<sup>1</sup>*

**APPROVING CONTRACT BETWEEN  
CATTARAUGUS COUNTY COMMUNITY SERVICES BOARD AND  
DIRECTIONS IN INDEPENDENT LIVING, INC. FOR  
MENTAL HEALTH CONSUMER ADVOCACY AND TRAINING PROGRAM**

Pursuant to Section 75.13 of the Mental Hygiene Law and  
Section 450 of the County Law.

WHEREAS, Act 34-2013 authorized approval of a contract with Directions in Independent Living, Inc., 514 West State Street, Olean, New York 14760, for the provision of advocacy and training programs for consumers of mental health services and case management, as well as the operation of a drop-in center in Salamanca, the term of which expired December 31, 2013, and

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

WHEREAS, Directions in Independent Living, Inc., can provide advocacy and training programs for consumers of mental health services and Health Home Care Coordination services, for an amount not to exceed \$49,375.00, to be paid in quarterly installments, as invoiced, 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 for the year 2014, between the Cattaraugus County Community Services Board and Directions in Independent Living, Inc., to signify the County's approval, 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.

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

Adopted January 7, 2014 by voice vote.

**ACT NO. 53-2014** by Mr. Marsh  
*and Ms. Edstrom, Mrs. Stockman, Ms. Vickman, Mrs. Labuhn and Mr. Lamberson<sup>1</sup>*

**APPROVING CONTRACT BETWEEN  
CATTARAUGUS COUNTY COMMUNITY SERVICES BOARD AND  
SOUTHERN TIER ENVIRONMENTS FOR LIVING, INC. FOR  
VARIOUS MENTAL HEALTH PROGRAMS AND  
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS  
(Department of Community Services)**

Pursuant to Section 75.13 of the Mental Hygiene Law and  
Sections 363, 366 and 450 of the County Law.

WHEREAS, Act 29-2013 authorized approval of a contract with Southern Tier Environments for Living, Inc., (S.T.E.L.), 715 Central Avenue, Dunkirk, New York 14048, for the provision of intensive case management, supportive case management and supported housing services for mentally ill individuals, the term of which expired December 31, 2013, and

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

WHEREAS, S.T.E.L., Inc., has agreed to provide the following programs for a total amount not to exceed \$131,556.00:

Health Home Care Coordination Services,  
Supported Housing and Rental Assistance,

and

WHEREAS, this program is 100% state funded, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract for the year 2014 between the Cattaraugus County Community Services Board and S.T.E.L., Inc., to signify the County's approval, 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, and be it further

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

Increase Estimated Revenue Account:

A.440.4322.6060.3490.078	State Aid, OMH Supported Housing	\$16,850.00
--------------------------	----------------------------------	-------------

Increase Appropriation Account:

A.440.4322.6060.42026.078	STEL, Supported Housing	\$16,850.00.
---------------------------	-------------------------	--------------

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

Adopted January 7, 2014 by voice vote.

**ACT NO. 54-2014** by Mr. Marsh  
and Ms. Edstrom, Mrs. Stockman, Mr. Weller, Mr. Boser, Mrs. Labuhn and Mr. Sprague<sup>1</sup>

**APPROVING CONTRACT BETWEEN  
CATTARAUGUS COUNTY COMMUNITY SERVICES BOARD AND  
CATHOLIC CHARITIES OF BUFFALO NEW YORK FOR  
CASE MANAGEMENT SERVICES FOR CHILDREN**

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

WHEREAS, Act 31-2013 authorized approval of a contract with Catholic Charities of Buffalo New York, 525 Washington Street, Buffalo, New York 14203, for the provision of case management services for Cattaraugus County children, the term of which expired December 31, 2013, and

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

WHEREAS, Catholic Charities of Buffalo New York can provide case management services to children for an amount not to exceed \$38,840.00, to be paid in quarterly installments as invoiced, 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 for the year 2014 between the Cattaraugus County Community Services Board and Catholic Charities of Buffalo New York, to signify the County's approval, for the provision of case management services for children, 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.

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

Adopted January 7, 2014 by voice vote.

**ACT NO. 55-2014** by Mr. Marsh  
*and Ms. Edstrom, Mrs. Stockman and Ms. Vickman<sup>1</sup>*

**APPROVING CONTRACT BETWEEN  
CATTARAUGUS COUNTY COMMUNITY SERVICES BOARD AND  
CATTARAUGUS COUNTY CHAPTER NYSARC, INC. AND  
THE CATTARAUGUS REHABILITATION CENTER, INC. FOR PROVISION OF SERVICES**

Pursuant to Section 75.13 of the Mental Hygiene Law and  
Section 450 of the County Law.

WHEREAS, Act 30-2013 authorized approval of a contract with the Cattaraugus County Chapter NYSARC, Inc., and The Cattaraugus Rehabilitation Center, Inc., 1439 Buffalo Street, Olean, New York 14760, for the provision of comprehensive programs and service facilities for the mentally ill, developmentally disabled, and physically handicapped residents of Cattaraugus County, the term of which expired December 31, 2013, and

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

WHEREAS, New York State has approved funding for the program in the total amount of \$526,545.00 for the period January 1, 2014 through December 31, 2014, 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 for the year 2014, between the Cattaraugus County Community Services Board and Cattaraugus County Chapter NYSARC, Inc., and The Cattaraugus Rehabilitation Center, Inc., to signify the County's approval, for the provision of the above-described services, for a term commencing January 1, 2014 and terminating December 31, 2014, and be it further

RESOLVED, that payment of the aforementioned amount be made to the Cattaraugus County Chapter NYSARC, Inc., and The Cattaraugus Rehabilitation Center, Inc., in monthly or quarterly installments, as received from the State Agencies, upon submission of vouchers for payment certified by the Chair of the Legislature, audited by the County Administrator, and paid by the County Treasurer, 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.

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

Adopted January 7, 2014 by voice vote. Mrs. Labuhn and Mr. Padlo abstained from vote.

**ACT NO. 56-2014** by Mr. Marsh  
*and Ms. Edstrom, Mr. Murphy, Mrs. Stockman, Ms. Vickman,  
Mrs. Labuhn, Mr. Lamberson and Mr. Sprague<sup>1</sup>*

**APPROVING CONTRACT BETWEEN  
CATTARAUGUS COUNTY COMMUNITY SERVICES BOARD AND  
HOUSING OPTIONS MADE EASY, INC. FOR VARIOUS SERVICES,  
SERVING AS THE LEAD AGENCY FOR RECOVERY CENTER SERVICES AND  
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS  
(Department of Community Services)**

Pursuant to Sections 41.47 and 41.55 of the Mental Hygiene Law and  
Sections 363, 366 and 450 of the County Law.

WHEREAS, Act 38-2013, as amended by Act 67-2013, authorized approval of a contract with Housing Options Made Easy, Inc., 75 Jamestown Street, Gowanda, New York 14070, for supported housing for mentally ill people and the homeless, the provision of a consumer operated client systems advocacy service, and the operation of a telephone "warm" line, innovative vocational services, as well as serving as the lead agency for Recovery Center Services, the term of which expired December 31, 2013, and

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

WHEREAS, Housing Options Made Easy, Inc., can provide a consumer-operated client systems advocacy service, operate a telephone "warm" line for mentally ill people in Cattaraugus County, and manage the operation of supported housing beds for the mentally ill and homeless, as well as serve as the lead agency for Recovery Center Services, for an amount not to exceed \$975,239.00 to be paid in quarterly installments, as invoiced, and

WHEREAS, the 2014 County budget provides for the payment of \$975,239.00 to Housing Options Made Easy, Inc., for the aforementioned programs, and

WHEREAS, the above programs are funded through 100% state funds with a net County cost of zero, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract for the year 2014, between the Cattaraugus County Community Services Board

and Housing Options Made Easy, Inc., to signify the County's approval, for the provision of the above-mentioned programs, 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, and be it further

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

Increase Estimated Revenue Account:

A.437.4322.1320.3490.046L     State Aid, OMH, C&F Community Support Programs     \$264.00

Increase Appropriation Account:

A.437.4322.1320.42023.046L     Housing Options Made Easy, C&F Community Support     \$264.00.

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

Adopted January 7, 2014 by voice vote.

**ACT NO. 57-2014** by Mr. Marsh

**APPOINTMENT OF CORONER'S PHYSICIAN**

Pursuant to Section 400 (4-b) of the County Law and Act 138-81.

RESOLVED, that the following individual is appointed a Coroner's Physician for Cattaraugus County for one year with his term to expire on December 31, 2014, at the salary which has heretofore, or may hereafter be established:

Timothy C. Brown  
2978 Route 394  
Randolph, New York 14772.

Adopted January 7, 2014 by voice vote.

MR. SPRAGUE moved, seconded by Ms. Edstrom to adjourn until January 22, 2014 at 3:00 p.m. Carried.

Meeting adjourned at 4:22 p.m.

Ann M. Giglio  
Journal Clerk