

September 24, 2014

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

The invocation was given by Rev. leFeber.

The Attendance Roll Call disclosed one Legislator absent – Snyder, Jr.

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MR. TEACHMAN moved, seconded by Mr. Weller that the minutes of the September 10, 2014 session be approved. Carried.

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COMMUNICATIONS:

New York State Department of State: Filing of Local Law No. 6-2014 (Local Law No. 6-2014) on September 8, 2014.

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APPOINTMENTS:

CRIMINAL JUSTICE ADVISORY COMMITTEE

Term to expire December 31, 2015

Jeffrey Rowley, Chief
City of Olean Police Department
Municipal Building
Olean, New York 14760,
to fill the unexpired term of Terry Schnell.

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CHAIRMAN MARSH granted Privilege of the Floor to Legislator Padlo who introduced students from the County Intern program who were present at the meeting. This year Mr. Padlo has 17 students participating in the program from Cattaraugus-Little Valley, Ellicottville, Franklinville and Randolph school districts.

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ACT NO. 432-2014 by Ms. Edstrom

**APPOINTMENTS TO COMMUNITY SERVICES BOARD
ALCOHOL & SUBSTANCE ABUSE SUBCOMMITTEE AND
COMMUNITY SERVICES BOARD PEOPLE WITH
DEVELOPMENTAL DISABILITIES SUBCOMMITTEE**

Pursuant to Section 41.11 of the Mental Hygiene Law.

RESOLVED, that the following individual is appointed to the Community Services Board Alcohol & Substance Abuse Subcommittee effective August 8, 2014 with a term to expire December 31, 2015:

Donna L. Kahm, SPHR
111 Virginia Street
Olean, New York 14760,

and be it further

RESOLVED, that the following individual is appointed to the Community Services Board People with Developmental Disabilities Subcommittee effective August 8, 2014 with a term to expire December 31, 2016:

Jeffery H. Capitani
231 Carolina Street
Olean, New York 14760.

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

Adopted September 24, 2014 by voice vote.

ACT NO. 433-2014 by Mr. Snyder, Sr.
*and Ms. Edstrom, Mr. Hale, Mr. McElfresh, Mr. Teachman, Mr. Weller,
Mr. Lamberson, Mr. Padlo and Mr. Sprague¹*

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
CITY OF OLEAN FOR OLEAN MUNICIPAL AIRPORT CAPITAL IMPROVEMENTS**

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

WHEREAS, the City of Olean has requested funding in an amount not to exceed \$17,000.00 for capital improvements at the Olean Municipal Airport, and

WHEREAS, the City of Olean proposes to use the aforementioned funding for the T-Hanger Taxilane Project and the 10 Bay T-Hanger Project, and

WHEREAS, the 2014 County budget provides for the payment of \$17,000.00 to the City of Olean for the aforementioned Olean Municipal Airport capital improvements from Account A.561.5610.0000.42002, 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 City of Olean, for payment to the City of Olean of an amount not to exceed \$17,000.00, for a term commencing January 1, 2014 and terminating December 31, 2014, according to the above-described terms.

Approved by 9 members of the Finance Committee and 7 members of the Development and Agriculture Committee.

¹The following Legislators requested their names be listed as additional sponsors: “Ms. Edstrom, Mr. Hale, Mr. McElfresh, Mr. Teachman, Mr. Weller, Mr. Lamberson, Mr. Padlo and Mr. Sprague”.

Adopted September 24, 2014 by voice vote.

ACT NO. 434-2014 by Mr. Weller and Mr. Koch

**BID ACCEPTANCE FOR SAND/SALT BUILDING MAINTENANCE AND REPAIRS AT
LITTLE VALLEY DPW FACILITY AND FRANKLINVILLE HIGHWAY FACILITY
(Department of Public Works)**

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

WHEREAS, the Clerk of the Legislature was authorized to advertise for sealed bids for sand/salt building maintenance and repairs at the Little Valley DPW Facility and the Franklinville Highway Facility, according to specifications provided by the Public Works Committee, and

WHEREAS, the only bid received meeting specifications for the sand/salt building maintenance and repairs was the bid of Signature Structures, LLC, 312 East Broad Street, Bethlehem, Pennsylvania 18018, for an amount of \$44,933.00, to be paid on a percent-of-completion basis, as invoiced and approved by the Department of Public Works, and

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

RESOLVED, that the bid of Signature Structures, LLC be, and the same hereby is, accepted, for a term commencing upon Notice of Award and with completion by October 31, 2014, and a contract termination date of December 31, 2014, and be it further

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

No State Bid.

Three sets of specifications were sent out.

One bid was received.

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

Adopted September 24, 2014 by voice vote.

ACT NO. 435-2014 by Mr. Weller and Mr. Koch

**AUTHORIZING THE CHAIR TO EXECUTE SHARED SERVICES CONTRACTS WITH
NEW YORK STATE DEPARTMENT OF TRANSPORTATION AND
LOCAL MUNICIPALITIES FOR SNOW AND ICE CONTROL
2014-2017**

Pursuant to Section 135-a of the Highway Law and
Section 450 of the County Law.

WHEREAS, Act 398-2011 authorized contracts with various local municipalities for snow and ice control for the 2011-2014 snow seasons, the terms of which expired May 31, 2014, and

WHEREAS, shared services contracts have been negotiated with the Towns of Allegany, Ashford, Randolph and Salamanca, the Village of Cattaraugus, and the New York State Department of Transportation for the 2014-2017 snow seasons, and

WHEREAS, additional contracts may also be negotiated for terms that are up to three (3) year terms, and

WHEREAS, it has been proposed that the maximum compensation under the contracts shall be as follows:

- ◆ payment of all labor, including fringe benefits, to be paid by the County at the rates paid by the municipalities;
- ◆ payment for machinery rental shall be made at the rental rate established by the New York State Department of Audit and Control;
- ◆ payment for materials used for snow and ice control shall be made at the lower of the County bid price or actual cost to the municipality; and
- ◆ lump sum payment in two installments to compensate municipalities at a pre-determined rate per mile for services provided during the term of the agreement, with a reopener clause for additional compensation and mileage,

now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute shared services contracts, on behalf of Cattaraugus County, with the New York State Department of Transportation and local municipalities for snow and ice control for the 2014-2017 snow seasons for a term commencing October 1, 2014 and terminating May 31, 2017, according to the above-described terms.

Held in the Public Works Committee.

ACT NO. 436-2014 by Mr. Weller and Mr. Koch

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
SWBR ARCHITECTS FOR ENGINEERING SERVICES FOR
EXTERIOR CONDITIONS SURVEY AT STONE HOUSE**

Pursuant to Sections 215 and 450 of the County Law.

WHEREAS, the County Department of Public Works is desirous of evaluating the existing exterior condition of the Stone House, and

WHEREAS, SWBR Architects, 387 East Main Street, Rochester, New York 14604, can provide the aforementioned exterior conditions survey for an amount not to exceed \$6,000.00, plus reimbursable expenses not to exceed \$300.00, to be paid as invoiced and approved by the Department of Public Works, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with SWBR Architects, for the provision of the above-described services, for a term commencing September 24, 2014 and terminating March 31, 2015, according to the above-described terms.

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

Adopted September 24, 2014 by voice vote.

ACT NO. 437-2014 by Mr. VanRensselaer and Mrs. Labuhn

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
ERICH S. WEYAND FOR HUD SMALL CITIES COMMUNITY DEVELOPMENT
BLOCK GRANT AND EMPIRE STATE DEVELOPMENT CORPORATION
COMMUNITY DEVELOPMENT BLOCK GRANT LEGAL SERVICES**

Pursuant to 42 USCS 5301 and 5303, 24 CFR Part 570 and
Section 450 of the County Law.

WHEREAS, Act 422-2013 authorized a contract with M. Mark Howden for the provision of legal services for the HUD Small Cities Community Development Block Grant and the Empire State Development Corporation Community Development Block Grant, the term of which has expired, and

WHEREAS, the Department of Economic Development, Planning and Tourism is in need of legal services for loan closings related to the aforementioned grant programs since Mr. Howden is now a full-time employee of the County, and

WHEREAS, the Law Office of Erich S. Weyand, Weyand & Weyand, 113 West Main Street, #A, Gowanda, New York 14070, has agreed to provide specialized legal services regarding business loans, on a limited basis, on behalf of Cattaraugus County, for an amount of \$800.00 per loan closing, plus disbursements, as well as specialized legal services directly relating to delinquencies, collections, and all activities involved with the garnishment of wages/collections for delinquent accounts of the above-described loan programs, for an amount of \$175.00 per hour, plus costs and expenses, for legal fees and other legal incidentals, including court filings, court proceedings and court appearances, and¹

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

RESOLVED, that the County Administrator be, and hereby is, authorized to execute a contract, on behalf of Cattaraugus County, with the Law Office of Erich S. Weyand, for the provision of

the above-described legal services, for a term commencing September 1, 2014 and terminating August 31, 2015, according to the above-described terms, and be it further

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

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

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

Approved by 9 members of the Finance Committee and 7 members of the Development and Agriculture Committee.

¹MR. VANRENSELAER moved, seconded by Mr. Snyder, Sr., to amend Act No. 437-2014 as follows: Delete: "WHEREAS, the Law Office of Erich S. Weyand, Weyand & Weyand, 113 West Main Street, #A, Gowanda, New York 14070, has agreed to provide specialized legal services on a limited basis, on behalf of Cattaraugus County, for an amount of \$800.00 per loan closing, plus disbursements, and", and replace with: "WHEREAS, the Law Office of Erich S. Weyand, Weyand & Weyand, 113 West Main Street, #A, Gowanda, New York 14070, has agreed to provide specialized legal services regarding business loans, on a limited basis, on behalf of Cattaraugus County, for an amount of \$800.00 per loan closing, plus disbursements, as well as specialized legal services directly relating to delinquencies, collections, and all activities involved with the garnishment of wages/collections for delinquent accounts of the above-described loan programs, for an amount of \$175.00 per hour, plus costs and expenses, for legal fees and other legal incidentals, including court filings, court proceedings and court appearances, and". Carried.

Adopted, as amended, September 24, 2014 by voice vote.

ACT NO. 438-2014 by Mr. Edwards

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
ST. BONAVENTURE UNIVERSITY FOR RENTAL OF SPACE
FOR CIVIL SERVICE TESTING**

Pursuant to Sections 215 and 450 of the County Law.

WHEREAS, the County Department of Human Resources is desirous of renting space at St. Bonaventure University for Civil Service testing, and

WHEREAS, St. Bonaventure University, 3261 West State Road, St. Bonaventure, New York 14778, has agreed to rent space to the County, on an as-needed basis, for the amount of \$250.00 per day, and

WHEREAS, sufficient funds are included in the budget to cover the costs of the aforementioned rental fee, 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 St. Bonaventure University, for the rental of space for Civil Service testing, for a term commencing October 1, 2014, to continue in full force and

effect, under the same terms and conditions, until terminated by either party hereto, according to the above-described terms.

Approved by 8 members of the Finance Committee and 5 members of the Labor Relations Committee.

Adopted September 24, 2014 by voice vote.

ACT NO. 439-2014 by Mr. Teachman

**ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS FOR
DEMOLITION AND/OR CLEAN UP COUNTY-OWNED PROPERTIES
(Treasurer's Office)**

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

WHEREAS, the County Treasurer and the Director of Real Property Tax Services are desirous of demolishing and/or cleaning up the following five (5) county-owned properties:

Town of Dayton	Tax Map No. 16.018-2-16
Town of New Albion	Tax Map No. 54.001-1-2
Town of Olean	Tax Map No. 94.076-1-19
Town of Randolph	Tax Map No. 70.070-1-24
Village of Cattaraugus	Tax Map No. 35.074-1-2,

and

WHEREAS, it is anticipated that it will cost approximately \$150,000.00 to demolish and/or clean up the aforementioned properties, and

WHEREAS, various appropriation and revenue accounts must be adjusted in order to cover the cost of the aforementioned services, now, therefore, be it

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

Increase Estimated Revenue Account:

A.132.1364.0000.1051	Gain from Sale of Tax Acquired Property	\$150,000.00
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Increase Appropriation Account:

A.132.1364.0000.44401	Building Repair/Maintenance	\$150,000.00.
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Approved by 9 members of the Finance Committee and 6 members of the County Operations Committee.

Adopted September 24, 2014 by voice vote.

ACT NO. 440-2014 by Mr. Felton and Ms. Vickman
and Mr. Teachman¹

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH
OLEAN GENERAL HEALTHCARE SYSTEMS FOR
ADDITIONAL RESPIRATORY EQUIPMENT FOR DEPARTMENT OF NURSING HOMES**

Pursuant to 10 NYCRR Section 415.12(k) and
Section 450 of the County Law.

WHEREAS, Act 406-2013 authorized a contract with Olean General Healthcare Systems, 234 Homer Street, Olean, New York 14760, for the provision of respiratory equipment and related services to the County Department of Nursing Homes, the term of which expires September 30, 2014, with the County's sole option to renew for three (3) one-year renewal periods at the same rates, and

WHEREAS, the County Department of Nursing Homes is in need of a portable O2 Concentrator for one of its residents, and

WHEREAS, Olean General Healthcare Systems, can provide a portable O2 Concentrator on an as-needed basis, for an amount of \$5.00 per day per unit, and

WHEREAS, a contract amendment is needed in order to include a portable O2 Concentrator, and

WHEREAS, sufficient funds are included in the budget to cover the cost of the aforementioned equipment, 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 Olean General Healthcare Systems, for the provision of the above-described equipment and services, for a term commencing September 1, 2014 and terminating September 30, 2014, with the County's sole option to renew for three (3) one-year renewal periods at the same rates, according to the above-described terms.

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

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

Adopted September 24, 2014 by voice vote.

ACT NO. 441-2014 by Ms. Edstrom and Mrs. Stockman

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
NEW YORK STATE DEPARTMENT OF HEALTH FOR
EARLY INTERVENTION PROGRAM ADMINISTRATION (EIP)**

Pursuant to Public Law 98-8 and Section 450 of the County Law.

WHEREAS, Act 84-2014 authorized the Chair to execute a contract with the New York State Department of Health and various entities for the Child Find (Infant & Child Health Assessment

Program) and the Early Intervention Program (EIP) administration, the term of which expires September 30, 2014, and

WHEREAS, the New York State Department of Health, Bureau of Child and Adolescent Health, has approved funding in the amount of \$33,377.00 for the County Health Department to continue a system to gather quality information about children with special health care needs in Cattaraugus County for the period commencing October 1, 2014 and terminating September 30, 2015, and

WHEREAS, a contract is necessary with the New York State Department of Health in order to obtain the aforementioned funding, and

WHEREAS, this program is 62% federally funded and 38% state 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 Department of Health, in order to obtain the aforementioned funding for the Early Intervention Programs, for a term commencing October 1, 2014¹ and terminating September 30, 2015¹, according to the above-described terms, and be it further

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

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

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

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

¹MS. EDSTROM moved, seconded by Mr. Teachman to amend Act No. 441-2014 as follows: In the first Resolved, delete: "2013", and replace with: "2014"; and delete: "2014", and replace with: "2015". Carried.

Adopted, as amended, September 24, 2014 by voice vote.

ACT NO. 442-2014 by Ms. Edstrom and Mrs. Stockman

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
CORNELL COOPERATIVE EXTENSION-CATTARAUGUS COUNTY FOR
SERVICES TO PROMOTE HEALTH IN WESTERN NEW YORK**

Pursuant to Section 450 of the County Law.

WHEREAS, the County Health Department is desirous of participating in a collaborative effort to promote health in Western New York, and

WHEREAS, Act 443-2014 authorizes a contract with P2 Collaborative of WNY, Inc., for assistance in reducing the consumption of sugary beverages through a public awareness campaign designed to combat obesity in children and adults, and

WHEREAS, the Health Department is desirous of contracting for assistance with the aforementioned initiative, and

WHEREAS, Cornell Cooperative Extension-Cattaraugus County, 28 Parkside Drive, Ellicottville, New York 14731, can provide the following sugary sweetened beverage program activities, for an amount of \$5,010.00:

- Conduct assessment of existing sugary and healthy beverages of ten (10) high schools and ten (10) municipalities outside of the three catchment areas (Olean, Salamanca and Gowanda) that were covered by the Community Transformation Grant;
- Collect purchasing or sales data for beverages before changes are made of the ten (10) high schools and ten (10) municipalities;
- Run awareness campaign to increase knowledge of sugar content & promote healthy beverage consumption in ten (10) high schools and ten (10) municipalities;
- Garner earned media on sugar content of drinks and promoting healthy beverages;
- Develop presentation and materials based on latest evidence;
- Train County staff on presentation and use of subordinate materials;
- Conduct presentations at ten (10) high schools and ten (10) municipalities;
- Work with staff at ten (10) high schools and ten (10) municipalities to change beverage guidelines;
- Assess drink environment and provide tech assistance to all who want to make changes within ten (10) high schools and ten (10) municipalities,

and

WHEREAS, sufficient funds are included in the budget to cover the cost of the aforementioned initiative, 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 participation in the Promoting Health in Western New York Collaborative, and for the provision of the above-described services, for a term commencing October 1, 2014 and terminating May 31, 2015, according to the above-described terms, and be it further

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

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

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

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

Adopted September 24, 2014 by voice vote.

ACT NO. 443-2014 by Ms. Edstrom and Mrs. Stockman

**AUTHORIZING THE CHAIR TO EXECUTE AGREEMENT WITH
P2 COLLABORATIVE OF WNY, INC. FOR PARTICIPATION IN
COLLABORATING EFFORT TO PROMOTE HEALTH IN WESTERN NEW YORK**

Pursuant to Section 450 of the County Law.

WHEREAS, the County Health Department is desirous of participating in a collaborative effort to promote health in Western New York, and

WHEREAS, to help foster statewide implementation of prevention activities, the New York State Department of Health (NYSDOH) issued the *Prevention Agenda 2013-2017* to address disease prevention and reduce health disparities, and

WHEREAS, NYSHealth awarded P2 Collaborative of WNY, Inc., a grant to participate in the aforementioned initiative, and

WHEREAS, P2 Collaborative of WNY, Inc., 355 Harlem Road, Building C, 2nd Floor, West Seneca, New York 14224, shall provide to the County Health Department an amount of \$19,010.00 to support the reduction in the consumption of sugary beverages through a public awareness campaign designed to combat obesity in children and adults, 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 P2 Collaborative of WNY, Inc., for participation in the Promoting Health in Western New York Collaborative and for the provision of the above-described services, for a term commencing June 1, 2014 and terminating May 31, 2015, according to the above-described terms, and be it further

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

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

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

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

Adopted September 24, 2014 by voice vote.

ACT NO. 444-2014 by Ms. Edstrom and Mrs. Stockman

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT
WITH UNITED HEALTHCARE INSURANCE COMPANY OF NEW YORK
AND/OR UNITED HEALTHCARE SERVICE, LLC
FOR DEPARTMENT OF HEALTH LABORATORY ANCILLARY SERVICES**

Pursuant to Section 4405 of the Public Health Law and
Section 450 of the County Law.

WHEREAS, Act 321-2010 authorized a contract with the United Healthcare Empire Plan, Empire Plan Network Management, for the provision of laboratory ancillary services to individuals enrolled with United Healthcare Empire Plan and each of its subsidiaries and affiliates, the term of which has expired, and

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

WHEREAS, United Healthcare Insurance Company of New York and/or United Healthcare Service, LLC, P.O. Box 2300, Kingston, New York 12402-2300, are desirous of obtaining laboratory ancillary services for individuals who are enrolled and receiving services with United Healthcare Empire Plan and each of its subsidiaries and affiliates, and

WHEREAS, United Healthcare Insurance Company of New York and/or United Healthcare Service, LLC, have agreed to reimburse the County Health Department, in accordance with negotiated fee schedules, for the provision of laboratory ancillary services to United Healthcare Empire Plan members, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute contracts, on behalf of Cattaraugus County, with United Healthcare Insurance Company of New York and/or United Healthcare Service, LLC, for the provision of the above-described services, for a term commencing upon the date the contract is signed and terminating three (3) years thereafter, with automatic renewals for successive one (1) year terms, according to the above-described terms.

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

Adopted September 24, 2014 by voice vote.

ACT NO. 445-2014 by Ms. Edstrom and Mrs. Stockman

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
CATHOLIC CHARITIES OF WESTERN NEW YORK, INC., FOR
DEPARTMENT OF SOCIAL SERVICES KINSHIP PROGRAM**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 378-2013 authorized a contract with Catholic Charities of Western New York, Inc., 520 West State Street, Olean, New York 14760, for the provision of a Kinship Program for grandparents or other relatives who obtain custody of children, the term of which expired August 31, 2014, and

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

WHEREAS, the Kinship Program will serve approximately 55 participants and is for those children who are placed with relatives in lieu of foster care, and

WHEREAS, Catholic Charities of Western New York, Inc., can provide the aforementioned Kinship Program for a total amount not to exceed \$65,000.00, 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 Catholic Charities of Western New York, Inc., for the provision of the above-described services, for a term commencing September 1, 2014 and terminating September 30, 2015, according to the above-described terms, and be it further

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

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

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

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

Adopted September 24, 2014 by voice vote.

ACT NO. 446-2014 by Mrs. Stockman
and Mr. Padlo¹

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
OLEAN COMMUNITY SCHOOLS FOR HIGH SCHOOL EQUIVALENCY INSTRUCTION**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 326-2013 authorized a contract with the Olean Community Schools for the provision of GED instruction services for eligible recipients up to the age of 21, the term of which expired June 30, 2014, and

WHEREAS, the GED instruction program is now called the High School Equivalency instruction program, and

WHEREAS, Olean Community Schools, 410 West Sullivan Street, Olean, New York 14760, through its Adult Education Program, can provide the High School Equivalency instruction services for an amount not to exceed \$12,000.00, 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 Olean Community Schools, for the provision of the above-described services, for a term commencing July 1, 2014 and terminating June 30, 2015, according to the above-described terms, and be it further

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

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

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

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

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

Adopted September 24, 2014 by voice vote. Ms. Edstrom abstained from vote.

ACT NO. 447-2014 by Ms. Edstrom and Mrs. Stockman

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT
WITH LEVANT WESLEYAN CHURCH
FOR FATHERS SUPPORT/PARENTING GROUP**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 368-2013 authorized a contract with the Levant Wesleyan Church for the provision of a weekly support/ parenting group for fathers who are currently working with or under the supervision of the Department of Social Services to focus on family, child and service engagement, the term of which expired August 31, 2014, and

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

WHEREAS, the purpose of the aforementioned program is to reduce re-involvement with Child Protective Services, the Support Collection Unit and Family Court, and

WHEREAS, the Levant Wesleyan Church, 1670 Lundquist Drive, Falconer, New York 14733, can provide a weekly two-hour support/parenting group for male residents of Cattaraugus County who are involved with the Department of Social Services through Child Protective Services, the Child Welfare Unit, Adult Protection Unit, Support Collection Unit and as parents to youth involved in the juvenile justice/probation system by providing education, parenting services and support, and

WHEREAS, the Levant Wesleyan Church can provide the aforementioned services for a total amount not to exceed \$18,000.00, 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 Levant Wesleyan Church, for the provision of the above-described services, for a term commencing September 1, 2014 and terminating August 31, 2015, according to the above-described terms, and be it further

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

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

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

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

Adopted September 24, 2014 by voice vote.

ACT NO. 448-2014 by Ms. Edstrom and Mrs. Stockman
and Mr. Padlo¹

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH
CORNELL COOPERATIVE EXTENSION-CATTARAUGUS COUNTY FOR
FOOD STAMP NUTRITIONAL EDUCATION PROGRAM AND
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
(Department of Social Services)**

Pursuant to 7 CFR Part 227 and Sections 363, 366 and 450 of the County Law.

WHEREAS, Act 629-2013 authorized a contract with Cornell Cooperative Extension-Cattaraugus County, 28 Parkside Drive, Suite A, Ellicottville, New York 14731, for the provision of the Food Stamp Nutritional Education Program, the term of which expires September 30, 2014, and

WHEREAS, the Department of Social Services has received additional federal funding in the amount of \$64,903.00² for the 2013-2014 Food Stamp Nutritional Education Program, and

WHEREAS, the aforementioned contract with Cornell Cooperative Extension-Cattaraugus County should be amended to include the additional funding, and

WHEREAS, Cornell Cooperative Extension-Cattaraugus County shall implement the aforementioned Food Stamp Nutritional Education Program for a total amount not to exceed \$200,429.00, to be paid on a monthly basis as invoiced, and

WHEREAS, this program is partially federally funded, with the remainder being donated services by Cornell Cooperative Extension-Cattaraugus County, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute an amended contract, on behalf of Cattaraugus County, with Cornell Cooperative Extension-Cattaraugus County, for the provision of the above-described Food Stamp Nutritional Education Program, for a term commencing October 1, 2013 and terminating September 30, 2014, according to the above-described terms, and be it further

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

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

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

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

Increase Estimated Revenue Account:

A.601.6010.0007.4611	Federal Aid, Food Stamp Program	\$25,429.00
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Increase Appropriation Account:

A.601.6010.0007.41015	Food Stamp Nutritional Education program	\$25,429.00.
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Approved by members of the 9 Finance Committee, 7 members of the Human Services Committee, and 7 members of the Development and Agriculture Committee.

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

²MRS. STOCKMAN moved, seconded by Ms. Edstrom to amend Act No. 448-2014 as follows: In the second Whereas, delete: "\$464,903.00", and replace with: "\$64,903.00". Carried.

Adopted, as amended, September 24, 2014 by voice vote.

ACT NO. 449-2014 by Ms. Edstrom and Mrs. Stockman
and Mr. Lamberson and Mr. Padlo¹

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
CITY OF OLEAN FOR
REIMBURSEMENT FOR OATS BUS SERVICE**

Pursuant to Public Law 104-1993, Section 119-o of the
General Municipal Law and Section 450 of the County Law.

WHEREAS, Act 87-2014 authorized a contract with the City of Olean for the operation of the O.A.T.S. bus service within the City, the term of which expired May 31, 2014, and

WHEREAS, the County Department of Social Services is desirous of continuing the aforementioned bus service within the City of Olean, and

WHEREAS, the County is desirous of reimbursing the City of Olean a lump sum amount of \$27,629.84 for transportation services provided to DSS-eligible recipients during the period June 1, 2014 through May 31, 2015, and

WHEREAS, the City of Olean has agreed to provide the O.A.T.S. bus transportation services to DSS-eligible recipients, and

WHEREAS, these services are 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 City of Olean, for reimbursement for the provision of transportation services to DSS-eligible recipients, for a term commencing June 1, 2014 and terminating May 31, 2015, according to the above-described terms, and be it further

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

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

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

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

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

Adopted September 24, 2014 by voice vote.

ACT NO. 450-2014 by Mr. Murphy

**AMENDING ACT 279-2013 REGARDING CONTRACT WITH
NEW YORK STATE OFFICE OF INDIGENT LEGAL SERVICES FOR
INDIGENT LEGAL SERVICES FUNDING AND ADJUSTING
VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
(2013 – 2016 Grant Round 3)**

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

WHEREAS, Act 279-2013 authorized a contract with the New York State Office of Indigent Legal Services to apply for, accept and receive a three (3) year grant in the amount of \$80,733.00 per year for three (3) years, for a total three-year grant in the amount of \$242,199.00, for the provision of indigent legal services, and

WHEREAS, a three-year plan must be submitted to the Office of Indigent Legal Services which demonstrates that the funding provided will be utilized to improve the quality of legal representation under Article 18-B of the County Law, and

WHEREAS, Act 279-2013 should be amended as follows: Delete the fourth Whereas, and replace it with the following new fourth Whereas:

"IV. WHEREAS, the application for the aforementioned funding shall reflect the following proposed uses as have been agreed upon by the Public Defender, the Administrator of Assigned Counsel and Legal Assistance of Western New York, with the approval of the County Administrator:

<u>Description</u>	<u>3 Year Total</u>
Professional Services for Increased and Improved Sentencing Advocacy, including social workers, psychologists and other non-attorney professionals	\$ 32,456.00
Maintain and Continue Public Defender Offices in downtown Olean, NY	\$ 14,299.00
Technology and Office Furnishings and Upgrades for Cattaraugus County Administrator of Assigned Counsel	\$ 2,484.00
Upgrade grant-funded position of P/T Keyboard Specialist to F/T Account Clerk Typist in Office of Public Defender	\$116,774.00
Pay Parity for Legal Aid Society	\$ 73,776.00
Office Equipment Upgrades and Client Internet for Cattaraugus County Public Defender's Office and	\$ 2,410.00"

WHEREAS, it is in the best interests of Cattaraugus County to submit the aforementioned three-year proposal and apply for the ILSF funding at no cost to the County, and

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

RESOLVED, that the Public Defender's Office, with the agreement of the Administrator of Assigned Counsel and Legal Assistance of Western New York, and subject to the advice and consent of the Cattaraugus County Administrator, be, and hereby is, authorized and directed to submit to the New York State Office of Indigent Legal Services a three-year proposal for its proposed use of the aforementioned funds within the parameters set forth herein, 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 the New York State Office of Indigent Legal Services, in order to apply for, accept and receive the aforementioned funds, and commit Cattaraugus County to their use as prescribed by such office, for a term commencing June 1, 2013 and terminating May 31, 2016, according to the above-described terms, and be it further

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

Decrease Estimated Revenue Account:

A.117.1170.1170.3025	State Aid, Indigent Legal Services Fund	\$ 80,733.00
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Increase Estimated Revenue Account:

A.117.1170.1178.3025	State Aid, Indigent Legal Services Fund	\$ 80,733.00
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Decrease Appropriation Accounts:

A.117.1170.1170.41233	Professional Services	\$ 11,500.00
A.117.1170.1170.44203	Office Rental	\$ 1,845.00
A.117.1170.1170.48402	Other Expenses	\$ 67,388.00

Increase Appropriation Accounts:

A.117.1170.1178.40401.1	Assigned Counsel Legal Aid of WNY, Inc.	\$ 24,592.00
A.117.1170.1178.41233	Professional Services	\$ 11,500.00
A.117.1170.1178.44203	Office Rental	\$ 3,229.00

A.117.1170.1178.20006	Computer Equipment/Software	\$ 2,411.00
A.117.1170.1178.41404	Internet Contracts	\$ 2,410.00
A.117.1170.1178.11000	Full Time Wages	\$ 16,790.00
A.117.1170.1178.81000	FICA	\$ 1,285.00
A.117.1170.1178.82000	Retirement	\$ 1,847.00
A.117.1170.1178.83000	Health Insurance	\$ 16,528.00
A.117.1170.1178.84000	Dental Insurance	\$ 141.00.

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

Adopted September 24, 2014 by voice vote.

ACT NO. 451-2014 by Mr. Murphy

**ABOLISHING ONE PART-TIME POSITION OF KEYBOARD SPECIALIST AND
CREATING ONE FULL-TIME POSITION OF ACCOUNT CLERK TYPIST AND
ESTABLISHING COMPENSATION FOR THE SAME
(Public Defender)**

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

WHEREAS, the Public Defender's Office has applied for, and received, a Counsel at First Appearance Grant, and

WHEREAS, the Public Defender's Office has applied for, and received, an Upstate Quality Improvement and Caseload Reduction Grant, and

WHEREAS, the above two grants provided for creating and funding a part-time Keyboard Specialist position within the Public Defender's Office, and

WHEREAS, the Public Defender's Office has applied for, and received, an Indigent Legal Services Enhancement Grant Round 3 (2013-2016), and

WHEREAS, in order to effectuate the purposes of these various grants, achieve improvements in the delivery of services, reductions in caseload and maintain and improve the quality of indigent legal services in Cattaraugus County, it will require an upgrade of current staff to a full-time level, and

WHEREAS, in order to reorganize staff to appropriately accomplish the goals of the grants, it is necessary to abolish one part-time position of Keyboard Specialist created under the first two grants, and

WHEREAS, it is further necessary to create one full-time position of Account Clerk Typist, and

WHEREAS, the above three grants will cover 100% of the personnel costs associated with the proposed upgrade and change in status of the staff, and

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

RESOLVED, that effective October 1, 2014, there is hereby abolished one (1) part-time position of Keyboard Specialist in the Public Defender's Office, Position No. 117-185-003, and be it further

RESOLVED, that effective October 1, 2014, there is hereby created one (1) full-time position of Account Clerk Typist, General Bargaining Unit Salary Schedule, Pay Grade 14 (\$16.45 - \$18.14), Position No. 117-002-001, and be it further

RESOLVED, that upon cessation or reduction of any of the three aforementioned grants funding this position, then the Public Defender shall immediately notify the Chairman of the Public Safety Committee, and the affected position shall be automatically abolished as of the effective date of such lack or reduction in funding.

Approved by 9 members of the Finance Committee, 7 members of the Public Safety Committee, and 5 members of the Labor Relations Committee.

Adopted September 24, 2014 by voice vote.

ACT NO. 452-2013 by Mr. Murphy

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH
LEGAL ASSISTANCE OF WESTERN NEW YORK, INC.
FOR DISBURSEMENT OF CERTAIN FUNDS RECEIVED FROM THE
NEW YORK STATE INDIGENT LEGAL SERVICES FUND (ILSF)
(2013 – 2016 Grant Round 3)**

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

WHEREAS, Act 279-2013, as amended, authorized a contract with the New York State Office of Indigent Legal Services in order to accept a three (3) year ILSF grant for the purpose of improving the availability and quality of indigent legal services, and

WHEREAS, the County will receive the amount of \$80,733.00 per year, for three (3) years, for the purpose of improving the availability and quality of indigent legal services, and

WHEREAS, Act 474-2013 authorized a contract with Legal Assistance of Western New York, Inc., for the provision of legal representation of indigent persons in Family Court matters, and

WHEREAS, one component of the plan for the disbursement of such funds includes salary enhancements for attorneys employed by Legal Assistance of Western New York, Inc., and

WHEREAS, the contract with Legal Assistance of Western New York, Inc. for the years 2014 and 2015 must be amended to include such salary enhancements, and

WHEREAS, in addition to the amount authorized by Act 474-2013, the amount of \$24,592.00 shall be paid per year to Legal Assistance of Western New York, Inc., on a pro-rated monthly basis, for salary enhancements of its personnel, 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 Legal Assistance of Western New York, Inc., for the payment of additional funds received through the ILSF grant, for a term commencing January 1, 2014 and terminating December 31, 2015, according to the above-described terms, and be it further

RESOLVED, that upon the reduction of any such funding, the County, in its sole discretion, may terminate the aforementioned contract, as amended, and salary enhancements, and be it further

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

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

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

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

Adopted September 24, 2014 by voice vote.

ACT NO. 453-2014 by Mr. Weller and Mr. Koch
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
MICHELE BORRELLO, D/B/A TPS SUPPLY CORP. FOR
PROPANE GAS FOR ONOVILLE MARINA AND MARKHAMS HIGHWAY BARN**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 392-2013 authorized a contract with Michael A. Jimerson, d/b/a Tribal Petroleum Suppliers, for the provision of propane gas for heating at the Department of Public Works-Highway Division at Markhams and the Onoville Marina, the term of which expires September 30, 2014, and

WHEREAS, the County Department of Public Works has solicited proposals from six (6) companies for the provision of propane gas for the aforementioned facilities, and

WHEREAS, the only proposal received was from Michele Borrello, d/b/a TPS Supply Corp., 1820 Route 20, Silver Creek, New York 14136, as follows: Method #2 - fixed price of \$1.349 per gallon, 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 Michele Borrello, d/b/a TPS Supply Corp., for the provision of propane gas, for a term commencing October 1, 2014 and terminating September 30, 2015, according to the above-described terms.

Six (6) sets of specifications were sent out.

One (1) submitted a bid.

State bid for propane gas at this time is for pricing that varies according to the market.

At this time, the State price is \$1.5225 per gallon.

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

Adopted September 24, 2014 by voice vote.

ACT NO. 454-2014 by Mr. Weller and Mr. Koch
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACTS WITH
LOCAL MUNICIPALITIES FOR SNOW AND ICE CONTROL
2014-2017**

Pursuant to Section 135-a of the Highway Law and
Section 450 of the County Law.

WHEREAS, Act 398-2011 authorized contracts with various local municipalities for snow and ice control for the 2011-2014 snow seasons, the terms of which expired May 31, 2014, and

WHEREAS, contracts have been negotiated with the Towns of Allegany, Ashford, Randolph and Salamanca, and the Village of Cattaraugus for the 2014-2017 snow seasons, and

WHEREAS, additional contracts may also be negotiated for terms that are up to three (3) year terms, and

WHEREAS, the County shall pay for snow and ice control services as follows:

	<u>Year</u>	<u>Length of Road</u>	<u>Payment Per Mile</u>	<u>Total Payment</u>
Town of Allegany	2014-2015	2 Miles	\$4,595.21	\$9,190.42
	2015-2016	2 Miles	\$4,733.06	\$9,466.12
	2016-2017	2 Miles	\$4,733.06	\$9,466.12
Town of Salamanca	2014-2015	.90 Mile	\$4,595.21	\$4,135.68
	2015-2016	.90 Mile	\$4,733.06	\$4,259.75
	2016-2017	.90 Mile	\$4,733.06	\$4,259.75
Village of Cattaraugus	2014-2015	.90 Mile	\$4,595.21	\$4,135.68
	2015-2016	.90 Mile	\$4,733.06	\$4,259.75
	2016-2017	.90 Mile	\$4,733.06	\$4,259.75

and

WHEREAS, the County shall make lump sum payments to the aforementioned municipalities, in two (2) installments, for services provided during the term of the contract, and
VI.

WHEREAS, the aforementioned amounts are based on 100 trips per season with a trip constituting one (1) run over the designated route centerline mileage. If more than 100 trips are necessary for proper snow and ice control of the roads, then the County will pay the Towns/Village on a pro-rata basis calculated as follows:

$$\frac{\text{Season Rate}}{100} \times \text{number of additional trips} = \text{additional payment}$$

and

WHEREAS, the County shall exchange services for snow and ice control services as follows:

- Town of Ashford – County plows Old Route 219 from new Peters Road, approximately 2,179 feet to north. Town plows County Road No. 12 (Edies Road) from Peters Road approximately 6,230 feet to Route 219; and
- Town of Randolph – Town plows County Road No. 65 from Randolph Village line to State Route 394, 1.30 miles. County plows Larkin Street from Main Street to Messenger Street; Messenger Street from Larkin Street to the Village line and Coldspring Street from Main Street to County Road No. 9 at the Village line, 1.42 miles,

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 contracts, on behalf of Cattaraugus County, with local municipalities for snow and ice control for the 2014-2017 snow seasons for a term commencing October 1, 2014 and terminating May 31, 2017, according to the above-described terms.

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

Adopted September 24, 2014 by voice vote.

ACT NO. 455-2014 by Mr. Murphy
and Mr. VanRensselaer and Mr. Weller¹
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE GRANT DOCUMENTS WITH
NEW YORK STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES
FOR 2013 PUBLIC SAFETY ANSWERING POINTS OPERATIONS GRANT AND
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
(Sheriff's Office)**

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

WHEREAS, the Sheriff's Office has been informed that it is eligible to receive an award, in the tentative amount of \$89,253.00, from the 2013 Public Safety Answering Points Operations Grant Program (2013 PSAP Operations Grant), and

WHEREAS, the purpose of the aforementioned program is to facilitate the development, consolidation and/or improved operation of public safety communications to support and enhance statewide interoperable communications for first responders, and

WHEREAS, the Sheriff's Office is desirous of applying for the aforementioned funding, and

WHEREAS, it is necessary to execute grant documents in order to apply for, and receive, the aforementioned funding, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute grant documents, on behalf of Cattaraugus County, with the New York State Division of

Homeland Security and Emergency Services, in order to apply for, and receive, the aforementioned grant funding, 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:

H.311.3197.0000.21066.3397.2	State Aid, Public Safety Capital Project	\$89,253.00
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Increase Appropriation Account:

H.311.3197.0000.21066.20011	PSAP13 Communication Equipment	\$89,253.00.
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MR. MURPHY moved, seconded by Mrs. Labuhn to waive Rule 12. Carried.

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

Adopted September 24, 2014 by voice vote.

ACT NO. 456-2014 by Mr. Murphy
who asks immediate consideration

**AUTHORIZING PLAN FOR DISBURSEMENT OF CERTAIN FUNDS RECEIVED FROM
THE NEW YORK STATE INDIGENT LEGAL SERVICES FUND (ILSF)**

Pursuant to Section 363 of the County Law.

WHEREAS, Act 254-2012 authorized the Chairman to apply for and accept a three (3) year Indigent Legal Services Funding grant from the New York State Office of Indigent Legal Services for the purpose of improving the availability and quality of indigent legal services, the term of which commenced June 1, 2012 and terminates May 31, 2015, and

WHEREAS, in order to receive such funds, the County submitted a plan to the Office of Indigent Legal Services for the disbursement of such funds, which has been approved, and

WHEREAS, one component of the plan for the disbursement of such funds includes salary enhancements made payable to the Assistant Public Defenders and the Administrator of Assigned Counsel (AAC), and

WHEREAS, the criteria established in the Office of Indigent Legal Services Standards and Criteria for the Provision of Mandated Representation effective January 1, 2013, provides that counties must ensure that attorneys and programs providing mandated legal services have and use adequate

resources and procedures to receive or provide compensation commensurate with that of opposing counsel and opposing counsel's office, and

WHEREAS, Act 569-2013 authorized a plan for the disbursement of ILSF funds for the purpose of salary enhancements for Assistant Public Defenders and the Administrator of Assigned Counsel, which were made on a quarterly basis, covering services provided October 1, 2013 through September 30, 2014, and

WHEREAS, the salary enhancements were made in accordance with the aforementioned criteria and provide parity in the assistant attorney salaries between the Public Defender's Office and the District Attorney's Office, and

WHEREAS, the County will receive the amount of \$80,733.00 in 2015 for the purpose of improving the availability and quality of indigent legal services, and

WHEREAS, the aforementioned salary enhancements for the Assistant Public Defenders and the Administrator of Assigned Counsel should be continued for the year 2015, to cover services provided October 1, 2014 through September 30, 2015, and

WHEREAS, the ILSF grant provides for the reimbursement to the County on a quarterly basis, now, therefore, be it

RESOLVED, that in addition to the regular compensation of the Assistant Public Defenders and the Administrator of Assigned Counsel (AAC), the following amounts be disbursed as indicated on the following chart, so long as the employee has been employed for the complete preceding calendar quarter, minus withholding tax, FICA, retirement and other required withholdings therefrom:

Paid on a Bi-Weekly Pay Schedule

<u>Position Number</u>	<u>10/1/14 – 9/30/15</u>	<u>Bi-Weekly Amount</u>
	<u>Total Amount</u>	
001	\$7,108.72	\$273.41
002	\$6,516.40	\$250.63
003	\$5,537.20	\$212.97
004	\$5,331.60	\$205.06
AAC	\$5,000.00	\$192.31

and be it further

RESOLVED, that upon cessation of this three-year program all positions of Assistant Public Defender and Administrator of Assigned Counsel shall revert back to their 2012 salary subject to any authorized salary adjustments and cost of living increases, and be it further

RESOLVED, that upon termination of state funding for this program, then this program and the salary enhancements hereby authorized shall be automatically abolished, and be it further

RESOLVED, that upon the reduction of any such funding, the County, in its sole discretion, may terminate such program and salary enhancements.

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

Adopted September 24, 2014 by voice vote.

MR. TEACHMAN moved, seconded by Mr. Weller to adjourn until October 8, 2014 at 3:00 p.m. Carried.

Meeting adjourned at 3:38 p.m.

Ann M. Giglio
Journal Clerk