

February 25, 2015

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

The invocation was given by Rev. leFeber.

The Attendance Roll Call disclosed two Legislators absent – Lamberson and Murphy.

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MR. WELLER moved, seconded by Ms. Edstrom that the minutes of the February 11, 2015 session be approved. Carried.

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COMMUNICATIONS:

Governor Andrew M. Cuomo: Thank you for condolences on the loss of his father.

Allegany County Legislature: Resolution No. 32-15 entitled, “Resolution Urging Governor Cuomo and the New York State Legislature to Advance Funding and Expedite Completion of the Interstate 86 Projects in Broome, Delaware, Sullivan, and Orange Counties”.

New York State Association of Counties: Acknowledging receipt of Act No. 76-2015.

* * * * *

APPOINTMENTS:

CATTARAUGUS COUNTY LONG TERM CARE ADVISORY COUNCIL

Term to expire December 31, 2015

Julia Szprygada
Director of Respite Services
Alzheimer’s Association, WNY Chapter
2805 Wehrle Drive, Suite 6
Williamsville, New York 14221
to fill unexpired term of Rachel Rotach

* * * * *

CHAIRMAN MARSH granted Privilege of the Floor to Nathan Blesy representing Cattaraugus County Farm Bureau who spoke briefly regarding Farm Bureau. Mr. Blesy introduced Joe Andrews, President of Randolph FFA, who spoke regarding milk vending machines being prohibited in schools. He asked everyone to contact their state representatives to encourage them to change the regulations to

allow the sale of milk in school. Phyllis Couture, New York State Farm Bureau Promotion and Education Chair, also spoke on Farm Bureau's efforts to promote agriculture in the state.

CHAIRMAN MARSH called a short recess to enjoy refreshments provided by the Farm Bureau.

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ACT NO. 104-2015 by Mr. Weller and Mr. Koch

**BID ACCEPTANCE FOR PRECAST CONCRETE BOX CULVERT
FOR NEW ALBION CULVERT NO. 24
(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 a precast concrete box culvert for New Albion Culvert No. 24, according to specifications provided by the Public Works Committee, and

WHEREAS, the lowest responsible bid received meeting specifications for the aforementioned precast concrete box culvert was the bid of Lakelands Concrete Products, Inc., 7520 East Main Street, Lima, New York 14485, for an amount of \$95,962.00, to be paid as invoiced and as determined by the Department of Public Works, and

WHEREAS, sufficient funds are included in the 2015 budget to cover the costs of the aforementioned culvert, now, therefore, be it

RESOLVED, that the bid of Lakelands Concrete Products, Inc., be, and the same hereby is, accepted, for a term commencing upon Notice of Award and terminating November 30, 2015, with delivery to be made by July 1, 2015, and be it further

RESOLVED, that vouchers submitted in accordance with the provisions of General Municipal Law §106-b and certified by the Commissioner of the Department of Public Works be audited by the Auditor and paid by the County Treasurer.

No State Bid.

Five sets of specifications were sent out.

Three bids were received meeting specifications.

Approved by 8 members of the Finance Committee and 7 members of the Public Works Committee.

Adopted February 25, 2015 by voice vote.

ACT NO. 105-2015 by Mr. Weller and Mr. Koch

**BID ACCEPTANCE FOR CRUSHED STONE, ROCK RIP RAP,
CONCRETE CATCH BASINS, PORTLAND CEMENT CONCRETE, FLEXIBLE
CONCRETE MATS, GEOTEXTILE FABRIC AND PROCESSED GRAVEL
(Department of Public Works)**

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

WHEREAS, the Clerk of the Legislature was authorized to advertise for sealed bids for the provision of various materials, according to specifications provided by the Public Works Committee, now, therefore, be it

RESOLVED, that the Commissioner of Public Works is authorized to contract for crushed stone, rock rip rap, concrete catch basins, portland cement concrete, flexible concrete mats, geotextile fabric and processed gravel, with the following bidders recommended by the Public Works Committee for the term May 1, 2015 through April 30, 2016, and be it further

RESOLVED, that any county, city, village, town, school, or fire district in Cattaraugus County may participate in the bid prices by dealing directly with the bidder, and be it further

RESOLVED, that the County of Cattaraugus reserves the right to make purchases of the aforementioned items at any time during the term for which the bids are taken and to require suitable bond to guarantee delivery.

♦ **CRUSHED STONE**

*County Line Stone Co., Inc.
4515 Crittenden Road
P.O. Box 150
Akron, New York 14001*

| <u>Per Ton</u> | <u>F.O.B. Co. Trucks</u> | <u>Delivered Northeast</u> | <u>Delivered Northwest</u> | <u>Delivered Southeast</u> | <u>Delivered Southwest</u> |
|---------------------|------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|
| No. 1A | \$16.25 | | \$25.65 | | |
| No. 1 ST | 15.00 | \$23.35 | \$24.40 | \$26.75 | |
| No. 1 | 14.25 | | | | |
| No. 2 | 12.90 | | | | |
| Minus 1 Crusher Run | 11.00 | | | | |
| Minus 2 Crusher Run | 9.95 | | | | |
| Gabion Stone | 11.00 | | \$19.50 | | |

***Origin of Stone: 4515 Crittenden Road Quarry, Akron, NY*

*Buffalo Crushed Stone, Inc.
2544 Clinton Street
P.O. Box 710
Buffalo, New York 14224*

| <u>Per Ton</u> | <u>F.O.B. Co. Trucks</u> | <u>Delivered Northeast</u> | <u>Delivered Northwest</u> | <u>Delivered Southeast</u> | <u>Delivered Southwest</u> |
|----------------|------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|
| No. 1A | | \$24.55 | | \$26.05 | \$26.80 |
| No. 1 ST | | | | 26.75 | 27.50 |

| | | | | |
|---------------------|-------|---------|-------|-------|
| No. 1 | 21.25 | \$22.75 | 22.75 | 23.50 |
| No. 2 | 19.85 | 21.35 | 21.35 | 22.10 |
| Minus 1 Crusher Run | 17.85 | 19.35 | 19.35 | 20.10 |
| Minus 2 Crusher Run | 16.85 | 18.35 | 18.35 | 19.10 |
| Gabion Stone | 18.05 | | 19.55 | 20.30 |

***Origin of Stone: Wehrle Drive Quarry, Lancaster, NY #1 Stone @ Como Park Quarry*

State Bid. These prices will be compared with the prices on State Contract and all items will be purchased from the source most beneficial to the County.

Five sets of specifications were sent out. Two bids were received.

◆ **ROCK RIP RAP**

*Buffalo Crushed Stone, Inc.
2544 Clinton Street
P.O. Box 710
Buffalo, New York 14224*

| <u>FINE</u> | <u>Per Ton</u> | <u>Delivery</u> | <u>Total</u> |
|-------------------|----------------|-----------------|--------------|
| Southeast Section | \$12.85 | \$ 7.25 | \$20.10 |
| Southwest Section | \$12.85 | \$ 8.00 | \$20.85 |

| <u>LIGHT</u> | <u>Per Ton</u> | <u>Delivery</u> | <u>Total</u> |
|-------------------|----------------|-----------------|--------------|
| Southeast Section | \$12.85 | \$ 7.25 | \$20.10 |
| Southwest Section | \$12.85 | \$ 8.00 | \$20.85 |

*County Line Stone Co., Inc.
4515 Crittenden Road
P.O. Box 150
Akron, New York 14001*

| <u>FINE</u> | <u>Per Ton</u> | <u>Delivery</u> | <u>Total</u> |
|-------------------|----------------|-----------------|--------------|
| Northeast Section | \$10.10 | \$ 7.65 | \$17.75 |
| Northwest Section | \$10.10 | \$ 9.05 | \$19.15 |

| <u>LIGHT</u> | <u>Per Ton</u> | <u>Delivery</u> | <u>Total</u> |
|-------------------|----------------|-----------------|--------------|
| Northeast Section | \$11.00 | \$ 7.30 | \$18.30 |
| Northwest Section | \$11.00 | \$ 8.50 | \$19.50 |

| <u>MEDIUM</u> | <u>Per Ton</u> | <u>Delivery</u> | <u>Total</u> |
|-------------------|----------------|-----------------|--------------|
| Northeast Section | \$14.75 | \$ 9.60 | \$24.35 |
| Southeast Section | \$14.75 | \$12.25 | \$27.00 |
| Northwest Section | \$14.75 | \$11.75 | \$26.50 |
| Southwest Section | \$14.75 | \$12.40 | \$27.15 |

| <u>HEAVY</u> | <u>Per Ton</u> | <u>Delivery</u> | <u>Total</u> |
|-------------------|----------------|-----------------|--------------|
| Northeast Section | \$15.10 | \$ 9.70 | \$24.80 |
| Southeast Section | \$15.10 | \$12.40 | \$27.50 |
| Northwest Section | \$15.10 | \$11.80 | \$26.90 |
| Southwest Section | \$15.10 | \$12.50 | \$27.60 |

State Bid. These prices will be compared with the prices on State Contract and all items will be purchased from the source most beneficial to the County.

Four sets of specifications were sent out. Two bids were received.

◆ **CONCRETE CATCH BASINS - price each, includes delivery**

Kistner Concrete Products, Inc.

P.O. Box 218

East Pembroke, New York 14056-0218

| <u>Frames & Grates - Basin Sizes</u> | | <u>Rate</u> |
|--|--------------------------------------|--------------|
| CCB 2436 | 24" sq. x 36" | \$396.00 |
| CCB 2436A | 24" sq. x 36" | \$426.00 |
| CCB 2436W | 24" sq. x 36" (8" wall) | \$545.00 |
| CCB 2454 | 24" sq. x 54" | \$485.00 |
| CCB 2454A | (single knockout) 24" sq. x 54" | \$575.00 |
| CCB 2454W | 24" sq. x 54" (8" wall) | \$850.00 |
| CCB 2466 | 24" sq. x 66" | \$516.00 |
| CCB 2472 | 24" sq. x 72" | \$559.00 |
| CCB 3036 | 30" sq. x 36" | \$674.00 |
| CCB 3054 | 30" sq. x 54" | \$748.00 |
| CCB 3636 | 36" sq. x 36" | *\$1,081.00 |
| | | **\$851.00 |
| | | *** |
| CCB 3654 | 36" sq. x 54" | *\$1,241.00 |
| | | **\$871.00 |
| CCB 3654L | 36" sq. x 54" | *\$1,241.00 |
| | (Large Knockout) 36" x 42" knockouts | **\$871.00 |
| CCB 3672 | 36" sq. x 72" | *\$1,541.00 |
| | | **\$1,282.00 |

*Knockouts will be 34" wide plus 1" taper for structural design purpose.

**36 sq. Alternate price has a roof slab with 24" sq. ft. Grate cast into roof slab. Height called out, is base height, i.e. 36", plus roof slab thickness of 8".

***To accommodate 34" x 34" knockout, unit will be 42" deep ID for Structural Design Purposes

Risers - 24 inches square (Height)

| | | |
|-----------|-----------|----------|
| CBR 24-6 | 6 inches | \$139.00 |
| CBR 24-12 | 12 inches | \$255.00 |
| CBR 24-24 | 24 inches | \$313.00 |

Risers - 30 inches square (Height)

| | | |
|-----------|-----------|----------|
| CBR 30-6 | 6 inches | \$165.00 |
| CBR 30-12 | 12 inches | \$308.00 |
| CBR 30-24 | 24 inches | \$415.00 |

Risers - 36 inches square (Height)

| | | |
|-----------|-----------|----------|
| CBR 36-6 | 6 inches | \$322.00 |
| CBR 36-12 | 12 inches | \$322.00 |
| CBR 36-24 | 24 inches | \$523.00 |

Extra Grates

| | | |
|--------|-----------|----------|
| CBG 24 | 24" x 24" | \$202.00 |
| CBG 30 | 30" x 30" | \$344.00 |
| CBG 36 | 36" x 36" | \$758.00 |

Jamestown Macadam, Inc.
P.O. Box 518
Celeron, New York 14720

| <u>Frames & Grates - Basin Sizes</u> | | <u>Rate</u> |
|---|---------------|-------------|
| CCB 2424 | 24" sq. x 24" | \$390.00 |
| <u>Risers - 24 inches square (Height)</u> | | |
| CBR 24-6 | 6 inches | \$140.00 |
| CBR-24-9 | 9 inches | \$150.00 |
| CBR 24-12 | 12 inches | \$160.00 |
| CBR 24-24 | 24 inches | \$240.00 |
| <u>Extra Grates</u> | | |
| CBG 24 | 24" x 24" | \$200.00 |

No State Bid. Seven sets of specifications were sent out. Three bids were received.

◆ **PORTLAND CEMENT CONCRETE** - Per cubic yard

Wayne Concrete
262 Route 44
Shinglehouse, Pennsylvania 16748

| <u>Index No.</u> | <u>Description</u> | <u>Rate</u> |
|---|--------------------|-------------|
| <u>A = NYSDOT Class "A", General Purpose Structural</u> | | |
| A-NE | Northeast Section | \$118.50 |
| A-NW | Northwest Section | \$118.50 |
| A-SE | Southeast Section | \$118.50 |
| A-SW | Southwest Section | \$118.50 |
| <u>D = NYSDOT Class "D", Thin Structured Application</u> | | |
| D-NE | Northeast Section | \$123.00 |
| D-NW | Northwest Section | \$123.00 |
| D-SE | Southeast Section | \$123.00 |
| D-SW | Southwest Section | \$123.00 |
| <u>E = NYSDOT Class "E", Structural Slabs and Structural Approach Slabs</u> | | |
| E-NE | Northeast Section | \$122.50 |
| E-NW | Northwest Section | \$122.50 |
| E-SE | Southeast Section | \$122.50 |
| E-SW | Southwest Section | \$122.50 |
| <u>F = NYSDOT Class "F", High Early Strength for Pavement or Structural Slabs</u> | | |
| F-NE | Northeast Section | \$126.00 |
| F-NW | Northwest Section | \$126.00 |
| F-SE | Southeast Section | \$126.00 |
| F-SW | Southwest Section | \$126.00 |
| <u>H = NYSDOT Class "H", Pumping Applications</u> | | |
| H-NE | Northeast Section | \$121.00 |
| H-NW | Northwest Section | \$121.00 |
| H-SE | Southeast Section | \$121.00 |
| H-SW | Southwest Section | \$121.00 |

HP = NYSDOT Class "HP", High Performance Concrete for Superstructure Slabs and Structural Approach Slabs

| | | |
|-------|-------------------|----------|
| HP-NE | Northeast Section | \$165.00 |
| HP-NW | Northwest Section | \$165.00 |
| HP-SE | Southeast Section | \$165.00 |
| HP-SW | Southwest Section | \$165.00 |

ALLOWABLE EXTRA COST - Short load, PER LOAD

| | | |
|------|--|----------|
| S-1 | 1 cubic yard or less | \$ 90.00 |
| S-2 | More than 1 CY, <= 2 CY | \$ 90.00 |
| S-3 | More than 2 CY, <= 3 CY | \$ 75.00 |
| S-4 | More than 3 CY, <= 4 CY | \$ 75.00 |
| S-5 | More than 4 CY, <= 5 CY | \$ 70.00 |
| TC-1 | Truck Conveyor (per truck load) Per Hour | \$145.00 |

ALLOWABLE EXTRA COST – Heated Concrete, PER YARD

| | | |
|------|--------------------------------|---------|
| HC-1 | When Requested (11/15 to 4/15) | \$ 9.50 |
|------|--------------------------------|---------|

ALLOWABLE EXTRA COST – Unloading, PER MINUTE

| | | |
|------|---|---------|
| XC-1 | Unloading in excess of 5 minutes per cubic yard | \$ 1.42 |
|------|---|---------|

ALLOWABLE EXTRA COST – Water-Reducing Admixture

| | | |
|------|--|---------|
| SP-1 | When Requested (High Range)(ASTM) Type F | \$ 6.85 |
|------|--|---------|

State Bid. These prices will be compared with the prices on State Contract and all items will be purchased from the source most beneficial to the County. Five sets of specifications were sent out. Three bids were received.

◆ **FLEXIBLE CONCRETE MATS**

Kistner Concrete Products, Inc.
P.O. Box 218
8713 Read Road
East Pembroke, New York 14056

| <u>Mat Index No.</u> | <u>Thickness /Mat Weight</u> | <u>Rate</u> |
|----------------------|------------------------------|-------------|
| FC35 | 4.5" / 2531 | *\$ 898.40 |
| FC45 | 5.5" / 3094 | *\$1,070.63 |
| FC70 | 8.5" / 4781 | *\$1,596.20 |

*Based on full loads of 65000#

Each Mat of flexible concrete is to be 16 ft. by 4 ft. (64 sq. ft.), made up of 3 rows of blocks, with 12 blocks per row (total 36 blocks). These blocks are to be interconnected by Stainless Steel Aircraft Cable type 302, type 1 x 19 Construction

Block Dimensions: shall be or have: General

- A) Base Dimension – 15-½" square
- B) Top Dimension – 11-½" square
- C) Space between blocks:
 - 1) Base – ½"
 - 2) Top – 4-½"

No State Bid. Three sets of specifications were sent out. One bid was received.

♦ **GEOTEXTILE FABRIC**

*Chemung Supply Corp.
P.O. Box 527
Elmira, New York 14902*

WOVEN FABRIC: TerraTex GS / TNS W200 or Equal
Length of Roll – in feet
Square Yards per Roll
Delivered: Cost per Square Yard
Cost Per Sq. Yd. Picked up at your warehouse
Manufacturer & ID Name

Cost/Square Yard
432 feet
600/sq yd
\$0.420
\$0.410
Hanes Geo, TerraTex GS

NON-WOVEN FABRIC: DuPont SF40 or Equivalent
Length of Roll – in feet
Square Yards per Roll
Delivered: Cost per Square Yard
Cost Per Sq. Yd. Picked up at your warehouse
Manufacturer & ID Name

Cost/Square Yard
360 feet
500/sq yd
\$0.530
\$0.520
Hanes Geo, TerraTex No4

No State Bid. Ten sets of specifications were sent out. Two bids were received.

♦ **PROCESSED GRAVEL** - see next 4 pages for listings

State Bid. These prices will be compared with the prices on State Contract and all items will be purchased from the source most beneficial to the County.
29 sets of specifications were sent out. 21 bids were received.

Approved by 8 members of the Finance Committee and 7 members of the Public Works Committee.

Adopted February 25, 2015 by voice vote.

PROCESSED GRAVEL**PRICE SUMMARY SHEET**

5/1/2015 - 4/30/2016

WASHED per TON F.O.B. Co. Trk.

| Material: | Vendor: > | COUNTRY SIDE SAND & GRAVEL CRUSHED / SCREEN | DAN GERNATT GRAVEL PRODUCTS CRUSHED / SCREEN | GERNATT ASPH. PRODUCTS CRUSHED / SCREEN | GERNATT ASPH. PRODUCTS CRUSHED / SCREEN | GERNATT ASPH. PRODUCTS CRUSHED / SCREEN | GERNATT ASPH. PRODUCTS CRUSHED / SCREEN |
|--------------------------------------|-----------|---|--|---|---|---|---|
| NO. 1A | | 13.80 | 10.40 | 13.50 | NB | 14.00 | 10.35 |
| NO. PA 1B | | NB | NB | NB | NB | NB | NB |
| NO. 1ST | | 12.80 | NB | NB | NB | NB | NB |
| NO. 1 | | 14.05 | NB | 13.50 | NB | 13.00 | 10.50 |
| NO. 1 & 2 MIXED | | 13.80 | NB | 13.50 | NB | 13.00 | NB |
| NO. 2 | | 13.80 | NB | 13.50 | NB | 13.00 | 11.75 |
| NO. PA 2A | | 12.00 9.75 # | NB | 12.35 | NB | 10.85 9.60 # | NB |
| NO. 3 | | NB | NB | 3A 14.25 | NB | 13.25 | 12.00 |
| NO. 4 | | NB | NB | NB | NB | NB | NB |
| NO. 5 | | NB | NB | NB | NB | NB | NB |
| OVERSIZED (LGR. THAN NO. 5) | | 11.05 # (2"-6") | 14.00 (2"-6") | 11.55, 10.30 # (2"-8") | 9.35 (3"-6") | 11.30 (2"-8") | NB |
| RUN OF BANK GRAVEL: (# - At Deposit) | | 7.15 # | 8.45, 7.45 # | 8.25, 7.00 # | 6.25* | 8.00, 7.00 # | 8.45* |
| SAND SUITABLE FOR CONCRETE | | 9.60 | 9.60 | 9.60 | NB | 9.60 | 9.60* |
| SAND SUITABLE FOR ICE & SNOW CONTROL | | 6.60 | NB | 7.60 | 5.50 | 5.50 | 8.10* |
| MINUS 1" CRUSHER RUN HARDHEADS | | NB | NB | 12.85, 11.60 # | 11.10* | 11.85 | NB |
| SUB-BASE MATERIALS | | \$10.75; \$8.50 # | \$11.10; \$10.10 # | 9.60, 8.35# | 7.60* | 9.35, 8.35 # | 10.95* |
| BITUMINOUS STABILIZED COURSE | | NB | NB | 53.00 | NB | NB | NB |
| ADDITIONAL ITEMS: (see below) | | | | | | | |
| DELIVERY CHARGES # | | | | | | | |
| 0 - 5 MILES (per net ton mile) | | 2.90 | 2.90 | 2.90 | 2.90 | 2.90 | 2.90 |
| 6 - 15 MILES | | .16 | .16 | .16 | .16 | .16 | .16 |
| 16 - 50 MILES | | .16 | .16 | .16 | .16 | .16 | .16 |
| PLANT LOCATION: | | ROUTE 62 SOUTH DAYTON | TAYLOR HOLLOW COLLINS, NY | BENZ DRIVE SPRINGVILLE | ROUTE #16 CHAFFEE | RT. 98 FREEDOM, NY | BROADWAY ROAD GOWANDA, NY |

- AT DEPOSIT * - NYSDOT APPROVED

PROCESSED GRAVEL

WASHED per TON F.O.B. Co. Trk.

| Material: | Vendor:-> | GERNAIT ASPH. PRODUCTS CRUSHED / SCREEN | SCHWAB AGGREGATES LLC CRUSHED / SCREEN | BUFFALO CRUSHED STONE, INC. CRUSHED / SCREEN | LITTLE VALLEY SAND & GRAVEL CRUSHED / SCREEN | JAMESTOWN MACADAM CRUSHED / SCREEN | E.E. LIPPETT & CO. INC. I.A. CONSTRUCTION CRUSHED / SCREEN |
|--------------------------------------|-----------|---|--|--|--|---------------------------------------|---|
| NO. 1A | | 12.50 | 9.80 | 12.85 | 10.70 | 12.55 | 15.00 |
| NO. PA 1B | | 12.25 | NB | 11.55 | 10.70 | 12.00 | 15.95* |
| NO. 1ST | | NB | NB | 11.15 | 10.70 | 12.00 | 13.00 |
| NO. 1 | | 12.80 | 9.80 | 10.45 | 10.40 | 12.00 | NB |
| NO. 1 & 2 MIXED | | 12.80 | NB | 10.70 | 10.40 | 12.00 | 14.00 |
| NO. 2 | | 12.80 | NB | 10.70 | 11.00 | 12.00 | 14.00 |
| NO. PA 2A | | 9.80 # | NB | 8.45 | 9.30 | NB | 9.95* |
| NO. 3 | | NB | NB | NB | 10.30 | 13.00 | 14.00 |
| NO. 4 | | NB | NB | NB | 10.30 | NB | NB |
| NO. 5 | | NB | NB | NB | NB | NB | NB |
| OVERSIZED (LGR. THAN NO. 5) | | 10.35 # (2" - 8") | 7.75 (2" - 5") Not Washed | NB | 10.00 | 9.50 | NB |
| RUN OF BANK GRAVEL | | 7.00 # | 5.10 | 7.45 | 5.00 | 5.50 | 5.95 |
| SAND SUITABLE FOR CONCRETE | | 9.60 | 8.65* | 9.25 | 5.70 | 9.00 | 8.25* |
| SAND SUITABLE FOR ICE & SNOW CONTROL | | 5.10 | 8.65 | 7.85 | 5.30* | 4.50 | 3.45* |
| MINUS 1" CRUSHER RUN HARDHEADS | | 11.80 | 9.50 | NB | NB | NB | NB |
| SUB-BASE MATERIALS | | 8.05 | 6.65 | 7.95 | 7.20 | 6.50 | 6.95* |
| BITUMINOUS STABILIZED COURSE | | NB | NB | NB | NB | NB | NB |
| ADDITIONAL ITEMS: (see below) | | | XX1 | | | | |
| DELIVERY CHARGES ## | | SEE DELIVERY | | | | | |
| 0 - 5 MILES (per net ton mile) | | 2.90 | Delivery available @ \$85/HR Tandem Rate | 2.15 | 2.70 | 3.00 | 4.00 |
| 6 - 15 MILES | | .16 | | .15 | .15 | .25 | .40 |
| 16 - 50 MILES | | .16 | | .12 | .15 | .25 | .40 |
| PLANT LOCATION: | | RT. 219 GREAT VALLEY | 10152 Pigeon Hill Rd. DELEVAN | FRANKLINVILLE | New Albion Rd. LITTLE VALLEY | Walden Avenue JAMESTOWN | S. NINE MILE RD. ALLEGANY |

- AT DEPOSIT * - NYSDOT APPROVED

XX1 - CRUSHER RUN HARDHEADS 2" 8.75 / TON

PROCESSED GRAVEL

WASHED per TON F.O.B. Co. Trk.

| Material: | Vendor: > | PORTVILLE SAND & GRAVEL L.A. CONSTRUCTION CRUSHED / SCREEN | | UNGERMANN EXCAVATING CRUSHED / SCREEN | | GIARDINI BROS. CONST. CO. CRUSHED / SCREEN | | GLACIAL MATERIALS LLC CRUSHED / SCREEN | |
|--------------------------------------|-----------|---|--------|--|-------|--|----|--|--------|
| NO. 1A | | NB | NB | 11.00* | 5.75* | NB | NB | 12.90* | 8.00* |
| NO. PA 1B | | 13.00* | 13.00* | 10.50* | 6.00* | NB | NB | NB | NB |
| NO. 1 ST | | NB | NB | 10.00* | NB | NB | NB | NB | NB |
| NO. 1 | | NB | NB | 10.00* | 6.00* | 13.50 | NB | 12.90* | 8.50* |
| NO. 1 & 2 MIXED | | 13.00 | 13.00 | 10.00* | 7.00* | NB | NB | 12.90* | 9.00* |
| NO. 2 | | 13.00 | 13.00 | 10.00* | 7.50* | 13.50 | NB | 12.90* | 8.50* |
| NO. PA 2A | | 9.95* | 9.95* | 9.00* | NB | 9.50 | NB | NB | NB |
| NO. 3 | | 13.00 | 13.00 | 10.00* | NB | 13.50 | NB | NB | 12.50* |
| NO. 4 | | NB | NB | NB | NB | NB | NB | NB | NB |
| NO. 5 | | NB | NB | NB | NB | NB | NB | NB | NB |
| OVERSIZED (LGR. THAN NO. 5) | | 13.00 | | 8.50* | | 12.00 | | 12.50* | |
| RUN OF BANK GRAVEL | | 6.95 | | 5.00* (Machias) 5.00* (Cuba Pit) | | 6.50 | | NB | |
| SAND SUITABLE FOR CONCRETE | | NB | | NB | | NB | | 9.95* | |
| SAND SUITABLE FOR ICE & SNOW CONTROL | | 4.85 | | 5.40 | | 6.50 | | 5.00* | |
| MINUS 1" CRUSHER RUN HARDHEADS | | NB | | 9.00* | | NB | | NB | |
| SUB-BASE MATERIALS | | 6.50* | | 4.75(Machias) | | 7.00* | | NB | |
| BITUMINOUS STABILIZED COURSE | | NB | | NB | | NB | | NB | |
| ADDITIONAL ITEMS: (see below) | | | | XYZ#1 | | | | | |
| DELIVERY CHARGES ## | | | | | | | | | |
| 0 - 5 MILES (per net ton mile) | | 4.00 | | 1.50 | | 5.00 | | NB | |
| 6 - 15 MILES | | .40 | | 1.50 | | 2.50 | | NB | |
| 16 - 50 MILES | | .40 | | 4.00 | | 2.00 | | NB | |
| PLANT LOCATION: | | BARBERTOWN RD. PORTVILLE | | BROWN ROAD, MACHIAS Spring Valley Rd, Cuba | | GARGOYLE RD. ALLEGANY, NY | | 10811 Rt 16, DELEVAN, NY | |

- AT DEPOSIT * - NYSDOT APPROVED

XYZ#1 - 1-1/4" Minus Crushed Bankrun - \$7.00 (Machias & Cuba Pits)

PROCESSED GRAVEL:

GRAVEL PITS BIDDING ONLY A FEW ITEMS:

LITTLE VALLEY SAND & GRAVEL RICKERT PIT - RTE. 242

RUN OF BANK \$7.00 /CU. YD.
 SUB-BASE MATER. \$9.00 /CU. YD.
 PEASE PIT - RTE. 353
 RUN OF BANK \$7.00 /CU. YD.
 SUB-BASE MATER. \$9.00 /CU. YD.

0 - 5 MILES PER NET TON MILE \$2.50
 6 - 15 MILES PER NET TON MILE .15
 16 - 50 MILES PER NET TON MILE .15

McEWAN TRUCKING & GRAVEL PRODUCTS, INC.

12370 Sharp St, Springville, NY

OVERSIZED STONE 2" - 6" \$8.75 /TON
 RUN OF BANK GRAVEL \$5.50 /TON
 SCREENED TOPSOIL \$22.50 /TON
 SUB-BASE MATERIALS \$6.25 /TON

D & H EXCAVATING, INC.(THERE ARE THREE (3) LOCATIONS)"MARTIN ROAD"

OVERSIZED STONE \$7.75 /TON
 RUN OF BANK \$4.95 /TON
 MINUS 1" CRUSHER RUN HARDHEADS \$7.20 /TON
 MINUS 2" CRUSHER RUN HARDHEADS \$7.20 /TON
 CRUSHED #3, #4, #5 WASHED \$7.75 /TON
 TOPSOIL \$15.00 /TON
 SUB-BASE MATERIAL \$5.45* /TON

"MCKINSTRY RD"

OVERSIZED STONE \$7.75 /TON
 RUN OF BANK \$4.95 /TON
 MINUS 1" CRUSHER RUN HARDHEADS \$7.20 /TON
 MINUS 2" CRUSHER RUN HARDHEADS \$7.20 /TON
 CRUSHED #3, #4, #5 WASHED \$7.75 /TON
 TOPSOIL \$15.00 /TON
 SUB-BASE MATERIAL \$5.45 /TON

"HIRAM ROAD"

OVERSIZED STONE \$7.75 /TON
 RUN OF BANK \$4.95 /TON
 MINUS 1" CRUSHER RUN HARDHEADS \$7.20 /TON
 MINUS 2" CRUSHER RUN HARDHEADS \$7.20 /TON
 CRUSHED #3, #4, #5 WASHED \$7.75 /TON
 TOPSOIL \$15.00 /TON
 SUB-BASE MATERIAL \$5.45 /TON

0 - 5 MILES PER NET TON MILE \$2.40
 6 - 15 MILES PER NET TON MILE .15
 16 - 50 MILES PER NET TON MILE .14

WATERBORO GRAVEL 12841 Rt. 394, Randolph, NY

OVERSIZED STONE \$6.50 /TON
 RUN OF BANK \$4.25 /TON
 SUB-BASE MATERIAL \$4.90 /TON

RICK PERKINS CONTRACTING

(PIT LOCATION - LAIDLAW ROAD, FRANKLINVILLE/FARMERSVILLE

RUN OF BANK \$5.25 /TON (\$7.85 /CU YD)
 MINUS 1" CRUSHER RUN HARDHEADS NB
 SUB-BASE MATERIALS \$5.50 /TON (\$7.85 /CU YD)

0 - 5 MILES PER NET TON MILE \$2.35
 6 - 15 MILES PER NET TON MILE .15
 16 - 50 MILES PER NET TON MILE .15

BIG DOG GRAVEL PRODUCTS (PIT LOCATION - 5157 NORTH ROUTE 62 - CONEWANGO, NY

OVERSIZED STONE \$6.50 /CU. YD
 RUN OF BANK GRAVEL \$3.50 /CU. YD
 SUB-BASE MATERIALS \$4.50 /CU. YD

RICHARD L. PECK CONSTRUCTION INC. (PIT LOCATION - BIRCH RUN ROAD - ALLEGANY, NY)

OVERSIZED STONE \$13.00 /CU. YD
 RUN OF BANK GRAVEL \$8.50 /CU. YD
 SUB-BASE MATERIALS \$10.75 /CU. YD

0 - 5 MILES PER NET TON MILE \$3.05
 6 - 15 MILES PER NET TON MILE \$5.00
 16 - 50 MILES PER NET TON MILE \$9.50

MIDLAND ASPHALT MATERIALS, INC. (PIT LOCATION - LOWER BIRCH RUN ROAD, ALLEGANY)

BITUMINOUS STABILIZED COURSE \$ 68.00 ^

^ = Price is based on the average FOB terminal price of AC-15 or AC-20
 Asphalt Index of (\$621.00) PER U.S. TON

WAYNE GRAVEL PRODUCTS, INC. (PIT LOCATION - CERES TWP., MCKEAN CO., PA)

RUN OF BANK \$5.25 /TON
 SUB-BASE MATERIAL \$6.35 /TON

PA2A UNWASHED CRUSHED GRAVEL \$7.50 /TON
 PA2A UNWASHED SCREENED GRAVEL (2RC) \$6.35 /TON
 NO. 3 UNWASHED CRUSHED GRAVEL \$10.75 /TON
 NO. 3 UNWASHED SCREENED GRAVEL \$9.50 /TON
 3"-6" UNWASHED CRUSHED GRAVEL \$10.00 /TON
 3"-5" UNWASHED CRUSHED GRAVEL \$8.60 /TON
 6" + UNWASHED SCREENED GRAVEL \$10.50 /TON

0 - 5 MILES PER NET TON MILE \$2.90
 6 - 15 MILES PER NET TON MILE .16
 16 - 50 MILES PER NET TON MILE .16

MACHIAS SAND & GRAVEL, INC. RTE 242, MACHIAS, NY2"-4"
4"-6"

OVERSIZED STONE: \$7.50 /CU. YD. \$6.00 /TON
 RUN OF BANK \$8.10 /CU. YD. \$6.50 /TON
 SUB-BASE MATERIAL \$6.00 /CU. YD. \$4.00 /TON
 \$6.38 /CU. YD. \$4.25 /TON

ACT NO. 106-2015 by Mr. Felton, Ms. Vickman, Mr. Weller and Mr. Koch

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT
WITH ERDMAN, ANTHONY AND ASSOCIATES, INC.
FOR ASHFORD BRIDGE NO. 37 ENGINEERING DESIGN SERVICES**

Pursuant to Section 450 of the County Law.

WHEREAS, the County Department of Public Works is in need of engineering design services for the Ashford Bridge No. 37 Rehabilitation Project, located on County Road No. 12 (Edies Road) over Cattaraugus Creek, in the Town of Ashford, and

WHEREAS, Erdman, Anthony and Associates, Inc., 2165 Brighton Henrietta Town Line Road, Rochester, New York 14623-2755, can provide the aforementioned engineering design services for an amount not to exceed \$179,367.00, 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 Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Erdman, Anthony and Associates, Inc., for the provision of the above-described services, for a term commencing March 11, 2015 and terminating December 31, 2016, according to the above-described terms.

Approved by 8 members of the Finance Committee and 7 members of the Public Works Committee.

Adopted February 25, 2015 by voice vote.

ACT NO. 107-2015 by Mr. Weller and Mr. Koch

**AUTHORIZING THE CHAIR TO APPLY FOR
COCA-COLA/KEEP AMERICA BEAUTIFUL RECYCLING BIN GRANT PROGRAM**

Pursuant to Section 450 of the County Law.

WHEREAS, the Coca-Cola/Keep America Beautiful Recycling Bin Grant Program supports recycling in communities by providing bins for the collection of beverage container recyclables, and

WHEREAS, the program offers recycling bins designed for use in various settings – special events, general utility and prestige locations, and

WHEREAS, grant recipients are responsible for implementing all collection and processing arrangements and are expected to track and submit weights for the quantity of recyclables collected in two reports, the first due six months after receiving the grant followed by a second, approximately one year after receiving the bins, and

WHEREAS, the Coca-Cola/Keep America Beautiful Recycling Bin Grant Program is funded through a grant from The Coca-Cola Foundation, and

WHEREAS, the Department of Public Works is desirous of applying for the aforementioned grant program, at no cost to the County, 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 Coca-Cola/KAB Recycling Bin Grant Program and/or The Coca-Cola Foundation, for participation in the above-described grant program, according to the above-described terms.

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

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

Adopted February 25, 2015 by voice vote.

ACT NO. 108-2015 by Ms. Edstrom, Mr. Edwards, Mr. Snyder, Jr. and Mr. Teachman

**EXPRESSING INTENT TO JOIN CITIZENS ADVOCATING MEMORIAL PRESERVATION
IN ITS PRESERVATION EFFORTS FOR MEMORIAL AND HISTORICAL BUILDING
(Former Board of Elections Building)**

Pursuant to Section 153 of the County Law.

WHEREAS, Citizens Advocating Memorial Preservation (CAMP) is continuing with its preservation efforts for the Cattaraugus County Memorial and Historical Building, also known as the former Board of Elections Building, and

WHEREAS, CAMP has requested the County to formally state in a letter its intent to join CAMP in a cooperative effort to explore the possible options for the continued existence and use of the Memorial and Historical Building in a way which will be beneficial to the citizens of Cattaraugus County, and

WHEREAS, the County's formal statement of willingness to cooperatively work with CAMP would be helpful to CAMP's fundraising efforts, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a letter of intent, on behalf of Cattaraugus County, expressing the County's intent to join CAMP in its cooperative efforts.

Held in Finance Committee and Public Works Committee.

ACT NO. 109-2015 by Mr. Murphy
and Mr. VanRensselaer¹

**APPROVING DUES FOR PROFESSIONAL ORGANIZATION
(Office of Emergency Services)**

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

WHEREAS, it is beneficial for the Office of Emergency Services to be a member of the Cattaraugus County Association of Chiefs of Police, and

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

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

WHEREAS, annual dues in the amount of \$25.00 are due, now, therefore, be it

RESOLVED, that effective January 1, 2015, Cattaraugus County authorizes membership and the payment of dues to the Cattaraugus County Association of Chiefs of Police.

Approved by 8 members of the Finance Committee and 6 members of the Public Safety Committee.

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

Adopted February 25, 2015 by voice vote.

ACT NO. 110-2015 by Mr. VanRensselaer and Mrs. Labuhn

**AUTHORIZING CONSOLIDATION OF
CATTARAUGUS COUNTY AGRICULTURAL DISTRICTS 1, 3, 4, 5, 6, AND 7
INTO CONSOLIDATED AGRICULTURAL DISTRICT 5**

Pursuant to Section 153 of the County Law and
Article 25AA of the Agriculture and Markets Law.

WHEREAS, the Cattaraugus County Department of Economic Development, Planning & Tourism and the Agricultural and Farmland Protection Board are authorized to conduct Eight-Year Reviews of each of the County's six (6) Agricultural Districts pursuant to Agriculture & Markets Law Section 303-a, and

WHEREAS, the purpose of such reviews is to assess the economic viability of the districts and to determine boundary modifications that are beneficial to the agricultural integrity of the districts, and

WHEREAS, each of the County's Agricultural Districts are currently due to undergo the Eight-Year Review process, and

WHEREAS, the authority to consolidate agricultural districts exists pursuant to Agriculture & Markets Law, Article 25AA, which provides for the reasonable consolidation of existing agricultural districts with other existing districts, and

WHEREAS, an Agricultural District Consolidation Plan that combines Agricultural Districts 1, 3, 4, 5, 6, and 7 into Consolidated Agricultural District 5, using District 5 as the parent district, will make it procedurally and operationally more efficient to review such districts, with no adverse impacts on farming operations or property owners within the districts, and

WHEREAS, the proposed plan to consolidate said districts has been deemed appropriate by the New York State Department of Agriculture & Markets, and has been approved by a unanimous vote of the Cattaraugus County Agricultural and Farmland Protection Board, now, therefore, be it

RESOLVED, that the Cattaraugus County Department of Economic Development, Planning & Tourism and the Agricultural and Farmland Protection Board are hereby authorized to

proceed with the Agricultural District Consolidation Plan that combines Agricultural Districts 1, 3, 4, 5, 6, and 7 into Consolidated Agricultural District 5, using District 5 as the parent district, and be it further

RESOLVED, that such consolidation shall only be completed upon compliance with the requirements of Article 25AA of the Agriculture and Markets law, including the requirement that the Legislature hold a public hearing prior thereto, and be it further

RESOLVED, that the Chairman of the Cattaraugus County Legislature is hereby authorized and directed to execute any and all documents necessary to effect such consolidation.

Approved by 7 members of the Finance Committee and 6 members of the Development and Agriculture Committee.

Adopted February 25, 2015 by voice vote.

ACT NO. 111-2015 by Mr. Felton and Ms. Vickman

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT
WITH TERRY COTTON, CPA FOR
CONSULTANT SERVICES FOR DEPARTMENT OF NURSING HOMES
AND ADJUSTING VARIOUS APPROPRIATION ACCOUNTS
(Department of Nursing Homes)**

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

WHEREAS, Act 409-2014 authorized the Chair to execute a contract with Terry Cotton, CPA, 1235 Hunters Run, Victor, New York 14564, for the provision of consultant services regarding reimbursement and operations issues, the term of which expired December 31, 2014, and

WHEREAS, the Department of Nursing Homes is desirous of renewing the aforementioned contract, and

WHEREAS, Terry Cotton, CPA, can serve as technical advisor regarding certain issues, which include, but are not limited to the following services:

- consultant regarding reimbursement and operation issues,
- provide staff training on various issues and procedures,
- assist with the preparation for an audit, review and analyze reimbursement methodology, and
- assist with the preparation and review of cost,

and

WHEREAS, Terry Cotton, CPA, shall provide the aforementioned services for an amount of \$110.00 per hour, plus actual out-of-pocket expenses, for a total contract amount not to exceed \$10,572.00, 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, on behalf of Cattaraugus County, with Terry Cotton, CPA, for the provision of the above-described services, for a term commencing January 1, 2015 and terminating December 31, 2015, according to the above-described terms, and be it further

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

Decrease Appropriation Accounts:

| | | |
|------------------------|----------|------------|
| EF.453.4530.8220.44102 | Heat | \$2,643.00 |
| EF.453.4530.8220.44103 | Electric | \$2,643.00 |
| El.453.4530.8220.44102 | Heat | \$2,643.00 |
| El.453.4530.8220.44103 | Electric | \$2,643.00 |

Increase Appropriation Accounts:

| | | |
|------------------------|---------------------|-------------|
| EF.453.4530.8350.41611 | Consultant Services | \$5,286.00 |
| El.453.4530.8350.41611 | Consultant Services | \$5,286.00. |

Approved by 8 members of the Finance Committee and 6 members of the Senior Services Committee.

Adopted February 25, 2015 by voice vote.

ACT NO. 112-2015 by Mr. Felton and Ms. Vickman

**AUTHORIZING THE CHAIR TO EXECUTE LEASE EXTENSION
WITH RYDER TRUCK RENTAL, INC. D/B/A RYDER TRANSPORTATION
FOR LAUNDRY TRUCK
(Department of Nursing Homes)**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 590-2008 authorized the five-year lease of a 2009 Ford F450 (Diesel) Super Duty cab & chassis, a 2009 Morgan aluminum van body, Model No. GVSD91-16, and a 2009 4G Maxon GPC22 cantileaver 55" x 92" liftgate, through Ryder Truck Rental, Inc., d/b/a Ryder Transportation Services, 3247 New York Lakes-194, Buffalo, New York, and

WHEREAS, Act 118-2014 authorized an extension of the aforementioned lease to February 15, 2015, under the same terms, and

WHEREAS, the Department of Nursing Homes is desirous of extending the term of the aforementioned lease to April 5, 2015 to allow time to solicit bids, and

WHEREAS, Ryder Truck Rental, Inc., d/b/a Ryder Transportation Services, shall continue leasing the aforementioned vehicle to the Department of Nursing Homes, under the same terms and conditions until April 5, 2015, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a lease extension, on behalf of Cattaraugus County, with Ryder Truck Rental, Inc., d/b/a Ryder Transportation Services, for the provision of the above-described services, for a term commencing February 16, 2015 and terminating April 5, 2015, according to the above-described terms.

Approved by 8 members of the Finance Committee and 6 members of the Senior Services Committee.

Adopted February 25, 2015 by voice vote.

ACT NO. 113-2015 by Ms. Edstrom and Mrs. Stockman

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
SIDNEY C. HURLBERT FOR PROFESSIONAL DEVELOPMENT
SERVICES TRAINING FOR DEPARTMENT OF SOCIAL SERVICES**

Pursuant to Section 450 County Law.

WHEREAS, the Department of Social Services is desirous of obtaining professional development services to enhance interaction between its clients and co-workers, and

WHEREAS, Sidney C. Hurlbert, P.O. Box 293806, Kerrville, Texas 78029, can provide professional development training to include: telephone skills, customer service, listening skills, ways to deal with inappropriate behavior, tone of voice, and defusing upset customers and co-workers, for an amount not to exceed \$4,500.00, 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 Sidney C. Hurlbert for the provision of the above-described training, for a term commencing March 1, 2015 and terminating March 31, 2015, according to the above-described terms.

Approved by 8 members of the Finance Committee and 5 members of the Human Services Committee.

Adopted February 25, 2015 by voice vote.

ACT NO. 114-2015 by Mr. Murphy
and Mr. Teachman¹

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES FOR
SHERIFF'S OFFICE VIOLENCE AGAINST WOMEN GRANT PROGRAM AND
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
(Sheriff's Office)**

Pursuant to 28 CFR Part 66 and
Sections 363, 366 and 450 of the County Law.

WHEREAS, Act 430-2014 authorized the Chair to execute grant documents to apply for funding through the Violence Against Women Grant Program for the 2014 program year, and

WHEREAS, the Sheriff's Office has been awarded \$20,726.32 in federal funding for the 2014 program year through the New York State Division of Criminal Justice Services for the continuation of the Violence Against Women Grant Program, and

WHEREAS, the purpose of the aforementioned grant funding is to assist the Criminal Bureau with domestic violence investigation issues, and

WHEREAS, it is necessary to execute a contract in order to obtain the aforementioned funding, and

WHEREAS, the initial contract period is for three (3) years with annual awards processed through an "increase extension" process each year until December 31, 2017, at which point DCJS may exercise a one-time opportunity to renew contracts for one (1) additional two-year term expiring on December 31, 2019, and

WHEREAS, there will be no additional application process required for the initial three (3) years of the contract, 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, on behalf of Cattaraugus County, with the New York State Division of Criminal Justice Services, in order to accept the above-described funding, for a term commencing January 1, 2015 and terminating December 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, and be it further

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

Increase Estimated Revenue Account:

| | | |
|-------------------------|--|-------------|
| A.311.3650.0000.4320.08 | Federal Aid, Crime Control Domestic Violence Grant | \$20,726.32 |
|-------------------------|--|-------------|

Increase Appropriation Accounts:

| | | |
|-----------------------|-----------------|--------------|
| A.311.3650.0000.11000 | Full-Time Wages | \$ 8,500.00 |
| A.311.3650.0000.12000 | Part-Time Wages | \$ 6,750.00 |
| A.311.3650.0000.81000 | FICA | \$ 1,166.00 |
| A.311.3650.0000.82000 | Retirement | \$ 4,310.32. |

Approved by 8 members of the Finance Committee and 6 members of the Public Safety Committee.

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

Adopted February 25, 2015 by voice vote.

ACT NO. 115-2015 by Mr. Edwards, Mr. Felton, Mr. Snyder, Jr.,
Ms. Vickman, Mr. Koch and Mrs. Labuhn

**ABOLISHING ONE (1) FULL-TIME POSITION OF ASSISTANT FOOD SERVICE MANAGER
AND CREATING ONE (1) FULL-TIME POSITION OF FOOD SERVICE MANAGER
AND ESTABLISHING COMPENSATION FOR SAME
(Department of Aging)**

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

WHEREAS, the Department of Aging is desirous of reorganizing its Food Service Division to better utilize staff and accomplish savings by abolishing one (1) position of Assistant Food Service Manager and creating one (1) position of Food Service Manager, and

WHEREAS, the New Position Duties Statement has been submitted to the Cattaraugus County Civil Service Commission, which has approved the title as Food Service Manager in accordance with Civil Service Law Section 22, now, therefore, be it

RESOLVED, that effective immediately, there is hereby abolished one (1) full-time position of Assistant Food Service Manager in the Department of Aging, Position No. 677-018-111, and be it further

RESOLVED, that effective immediately, there is hereby created one (1) position of Food Service Manager in the Department of Aging to be filled on a full-time basis, Supervisory Bargaining Unit Salary Schedule, Pay Grade 23 (\$21.04 per hour), Position No. 677-146-112¹.

Approved by 8 members of the Finance Committee and 6 members of the Senior Services Committee.

¹MS. VICKMAN moved, seconded by Mr. Teachman, to amend as follows: In the 2nd Resolved, delete: "677-146-111", and replace with: "677-146-112". Carried.

Adopted, as amended, February 25, 2015 by voice vote.

ACT NO. 116-2015 by Mr. Edwards, Mr. Felton, Mr. Snyder, Jr.,
Ms. Vickman, Mr. Koch and Mrs. Labuhn

**ABOLISHING TWO (2) PART-TIME POSITIONS OF NURSE AIDE AND
CREATING TWO (2) PART-TIME POSITIONS OF LEISURE TIME ACTIVITIES WORKER
AND ESTABLISHING COMPENSATION FOR THE SAME
(Department of Nursing Homes)**

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

WHEREAS, the Department of Nursing Homes needs to become more compliant with state regulations regarding staffing of services for the residents of The Pines Healthcare and Rehabilitation Center – Machias, and

WHEREAS, dedicated staffing is needed to provide leisure activities to residents, and

WHEREAS, the Department of Nursing Homes is currently relying on nurse aides to provide leisure activities to the residents of the Machias facility and the nurse aides are often reassigned to resident care leaving the leisure activities under performed, and

WHEREAS, the residents of the Machias facility would be better served by staff dedicated to fulfilling the leisure time activities, bettering the quality of life for the residents, and

WHEREAS, the New Position Duties Statement has been submitted to the Cattaraugus County Civil Service Commission, which has approved the title as Leisure Time Activities Worker in accordance with Civil Service Law Section 22, now, therefore, be it

RESOLVED, that effective immediately, there are hereby abolished two (2) part-time positions of Nurse Aide in the Department of Nursing Homes, Position Nos. 300-222-147 and 300-222-193, and be it further

RESOLVED, that effective immediately, there are hereby created two (2) positions of Leisure Time Activities Worker in the Department of Nursing Homes to be filled on a part-time basis, Part-Time Employee Unit Salary Schedule, Pay Grade 13 (\$12.18 per hour), Position Nos. 300-200-001 and 300-200-002.

Approved by 8 members of the Finance Committee and 6 members of the Senior Services Committee.

Adopted February 25, 2015 by voice vote.

ACT NO. 117-2015 by Mr. Marsh

**REQUESTING NEW YORK STATE LEGISLATURE AUTHORIZE
EXTENSION OF 25 CENT MORTGAGE RECORDING FEE**

Pursuant to Section 40 of the Municipal Home Rule Law.

WHEREAS, the New York State Legislature authorized the imposition of a 25 cent per \$100 recording tax for mortgages in Cattaraugus County by Chapter 98 of the Laws of 2009 of the State of New York, and

WHEREAS, New York State ("the State") extended this imposition by Chapter 223 of the Laws of 2012 of the State until December 1, 2015, and

WHEREAS, by reason of the State's continued cap on Cattaraugus County's tax levy and otherwise, the County must request that its authority to impose a recording tax for mortgages be further extended to December 1, 2018, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature hereby requests the New York State Legislature to adopt legislation authorizing Cattaraugus County to extend a 25 cent per \$100 mortgage recording tax until December 1, 2018, and be it further

RESOLVED, that the County Attorney be, and hereby is, authorized and directed to submit one or more Home Rule Requests to the New York State legislature pursuant hereto, and be it further

RESOLVED, that the Clerk of the Legislature is hereby directed to forward a certified copy of this resolution to State Senator Catharine M. Young and Assembly Member Joseph M. Giglio, the New York State Tax Commission, and the New York State Department of Audit and Control.

Approved by 8 members of the Finance Committee and 7 members of the County Operations Committee.

Adopted February 25, 2015 by voice vote.

ACT NO. 118-2015 by Mr. Marsh

**REQUESTING NEW YORK STATE LEGISLATURE TO AUTHORIZE EXTENSION OF
ADDITIONAL 1% SALES TAX FOR CATTARAUGUS COUNTY**

Pursuant to Section 40 of the Municipal Home Rule Law.

WHEREAS, the New York State Legislature authorized the imposition of an additional 1% sales tax in Cattaraugus County by Chapter 208 of the Laws of 2013 of the State of New York, and

WHEREAS, that authorization expires on November 30, 2015, and

WHEREAS, the revenue generated by the 1% sales tax during 2014 was approximately \$9,671,634.00, and

WHEREAS, the additional 1% sales tax has been allocated in the 2015 budget for the maintenance, repair, rehabilitation and replacement of the infrastructure in Cattaraugus County, and

WHEREAS, due to the need to continue this infrastructure program, the additional 1% sales tax should be extended for a term commencing December 1, 2015 through November 30, 2017, and

WHEREAS, there should be an exemption for home heating fuels from this additional 1% sales tax, and

WHEREAS, a necessity exists for the passage of such legislation by the New York State Legislature, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature hereby requests the New York State Legislature adopt special legislation to amend such laws, including the New York State Tax Law, to authorize the Cattaraugus County Legislature to extend the additional 1% sales tax, for a term commencing December 1, 2015 and terminating November 30, 2017, and be it further

RESOLVED, that the Clerk of the Legislature is hereby directed to forward certified copies of this resolution to Senator Catharine M. Young and Assembly Member Joseph M. Giglio.

Approved by 8 members of the Finance Committee and 7 members of the County Operations Committee.

Adopted February 25, 2015 by voice vote.

ACT NO. 119-2015 by Mr. Weller and Mr. Koch
who ask immediate consideration

**BID ACCEPTANCE FOR ELECTRONIC WASTE COLLECTION AND RECYCLING SERVICES
(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 electronic waste collection and recycling services, according to specifications provided by the Public Works Committee, and

WHEREAS, SunnKing, Inc., 4 Owens Road, Brockport, New York 14420, submitted the only acceptable bid meeting specifications for the provision of electronic waste collection and recycling services, for an amount based on the following:

| <u>Item</u> | <u>Charge/Pound</u> | <u>Rebate/Pound</u> |
|---|---------------------|---------------------|
| CRT Electronics | \$.20/lb | - |
| Non-CRT Electronics | - | \$.02/lb |
| CRT Televisions/Monitors which contain broken glass or bare CRT Tubes and | \$.35/lb | |

WHEREAS, sufficient funds are included in the 2015 budget to cover the cost of the aforementioned services, now, therefore, be it

RESOLVED, that the bid of SunnKing, Inc., be, and the same hereby is, accepted, for a term commencing March 1, 2015 and terminating February 28, 2017, with the option to renew for two additional one-year periods at the same rates, and be it further

RESOLVED, that the vouchers submitted in accordance with the provisions of General Municipal Law §106-b and certified by the Commissioner of the Department of Public Works be audited by the Auditor and paid by the County Treasurer.

No State Bid.

Eight sets of specifications were sent out.

One bid was received which met specifications.

MR. WELLER moved, seconded by Mrs. Stockman to waive Rule 12. Carried.

Adopted February 25, 2015 by voice vote.

ACT NO. 120-2015 by Mr. Weller and Mr. Koch
who ask immediate consideration

**REJECTING CERTAIN DEPARTMENT OF PUBLIC WORKS BIDS FOR
ASBESTOS ABATEMENT PROJECT
(Department of Public Works-Museum/Board of Elections)**

Pursuant to Section 103 of the General Municipal Law.

WHEREAS, the Department of Public Works advertised for sealed bids for the asbestos abatement project for the Cattaraugus County Museum/Board of Elections Building, according to bid specifications and general information provided by the Public Works Committee, and

WHEREAS, the bids received for the aforementioned project, which were opened on December 8, 2014, should be rejected as the bids have expired, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature hereby rejects the bids received for the asbestos abatement project for the Cattaraugus County Museum/Board of Elections Building, which were opened on December 8, 2014.

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

Adopted February 25, 2015 by voice vote.

ACT NO. 121-2015 by Mr. Marsh, Mr. Snyder, Sr., Ms. Vickman and Mr. Sprague
and Ms. Edstrom, Mr. Edwards, Mr. Felton, Mr. Hale, Mr. Klancer,
Mr. Snyder, Jr., Mrs. Stockman, Mr. Teachman, Mr. VanRensselaer,
*Mr. Weller, Mr. Boser, Mr. Koch, Mrs. Labuhn, Mr. Padlo and Mr. Keller*¹
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE EXTENSION OF
PAYMENT IN LIEU OF TAXES AGREEMENT WITH
CITY OF OLEAN REGARDING OLEAN AIRPORT TAXATION**

Pursuant to Section 406(2) of the Real Property Tax Law and
Section 450 of the County Law.

WHEREAS, Act 683-2007 authorized the Chair to execute a Payment in Lieu of Taxes (PILOT) agreement with the City of Olean regarding the Olean Airport taxation, the term of which expired January 31, 2014, and

WHEREAS, it is necessary to extend the term of the aforementioned PILOT agreement to January 31, 2016, to cover the January 2015 payment and the January 2016 payment, and

WHEREAS, an extension of the aforementioned PILOT agreement is necessary between the City of Olean and the County of Cattaraugus, under which the City of Olean would pay to Cattaraugus County a payment in lieu of taxes in an amount as follows:

| | |
|------|---|
| 2015 | \$8,500.00 payable by May 1, 2015 |
| 2016 | \$8,500.00 payable by January 31, 2016, |

now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute an extension of the payment in lieu of taxes agreement, on behalf of Cattaraugus County, with the City of Olean, for a term extending the PILOT dated December 27, 2007 to January 31, 2016, according to the above-described terms.

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

¹The following Legislators requested their names be listed as additional sponsors: "Ms. Edstrom, Mr. Edwards, Mr. Felton, Mr. Hale, Mr. Klancer, Mr. Snyder, Jr., Mrs. Stockman, Mr. Teachman, Mr. VanRensselaer, Mr. Weller, Mr. Boser, Mr. Koch, Mrs. Labuhn, Mr. Padlo and Mr. Keller".

Adopted February 25, 2015 by voice vote.

ACT NO. 122-2015 by Mr. Hale, Mr. Klancer, Mr. Marsh, Mr. Murphy, Mrs. Stockman, Mr. Teachman, Mr. VanRensselaer, Mrs. Vickman, Mr. Boser, Mr. Koch, Mrs. Labuhn, Mr. Padlo and Mr. Sprague who ask immediate consideration

**AUTHORIZING CHAIR TO EXECUTE CONTRACTS WITH
CORNELL COOPERATIVE EXTENSION OF ALLEGANY AND CATTARAUGUS COUNTIES
FOR THE CONTINUED OPERATION OF THE 4-H PROGRAM AND
VEGETABLE AND GRAPE TEAM IN CATTARAUGUS COUNTY
AND TRANSFER OF FUNDS
(Contingent Fund – Cornell)**

Pursuant to Sections 224(8), 363, 365 and 450 of the County Law.

WHEREAS, for many years the Cattaraugus County Legislature has, for the benefit of its taxpayers and residents, and particularly its large farming community, provided significant funding for the continued existence and operation of programs offered by Cornell Cooperative Extension of Allegany and Cattaraugus Counties ("CCE"), and

WHEREAS, in 2012, New York State initiated a Property Tax Cap program that limited the amount of property taxes that could be levied by the County in that year and thereafter, causing significant reductions in levels of funding available for programs and services provided by all contract agencies and by the County itself, and

WHEREAS, in 2012, the Legislature reduced the amount of such funding when it became known that CCE had experienced financial difficulties caused, at least in part, by its failure to establish and utilize sufficient financial controls for the operation of the organization, and

WHEREAS, the financial stability of CCE was further seriously compromised in the years 2013 and 2014, causing the Legislatures of both Cattaraugus and Allegany Counties in late 2014 to jointly fund an independent audit of the organization, and

WHEREAS, the independent auditor has reported to county officials that CCE has failed to provide the financial records necessary to complete the audit, and

WHEREAS, the Legislature is deeply committed to providing for the continued existence of the 4-H program, which has benefitted many families for almost a century, and

WHEREAS, the 2015 Cattaraugus County budget, adopted by the Legislature on November 25, 2014, includes an appropriation of \$84,849.00, the amount requested by CCE, for the continued operation of the 4-H program in the County, and

WHEREAS, after further negotiations with the CCE Board and staff, and at the request of Cattaraugus County, the CCE Board has voted to dissolve the existing two-county association, and

WHEREAS, this Legislature intends to develop and provide funding for a Cooperative Extension Association in Cattaraugus County as soon as such association is created pursuant to §224 of the County Law, and

WHEREAS, pending the creation of a new Cooperative Extension Association in Cattaraugus County, the Legislature is willing to fund the continued operation of 4-H in Cattaraugus County by CCE until October 1, 2015 on the condition that CCE will progress toward and complete such dissolution in a prudent and diligent manner and that such dissolution be complete no later than September 30, 2015, and

WHEREAS, in the event that such dissolution is completed before September 30, 2015, the Chair should be authorized without the enactment of further legislation to contract with CCE's successor for the continuation of the 4-H program until October 1, 2015, and

WHEREAS, the Legislature also desires to provide requested funding for the vegetable and grape team to provide educational and other services in Cattaraugus County for the year 2015, and

WHEREAS, a transfer of funds is necessary, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized to execute contracts, on behalf of Cattaraugus County, with Cornell Cooperative Extension of Allegany and Cattaraugus Counties ("CCE") or with such other entity as may be approved by the County Attorney, to fund the 4-H program in the County for the months of January through September, 2015 for a sum not to exceed \$87,000.00, which contract shall be subject to the approval of the County Attorney and contain, *inter alia*, the following terms:

- a. The County will, within thirty (30) days following the execution thereof, and upon the receipt of an invoice therefor, pay to CCE the sum of \$29,000.00 to be applied only to and for the operation, staffing and other expenses of the 4-H program in Cattaraugus County for the months of January, February and March, 2015;
- b. Upon the submission of invoices therefor, and upon the receipt of documentation acceptable to the County Administrator detailing the expenses incurred by CCE for the operation of such program for the months of April through September, 2015, the County will reimburse CCE for such expenses;
- c. In the event that CCE uses any part of the funding hereby authorized for any purpose other than the operation of the 4-H program in this County, such information shall be reported to the Chairman of the Legislature and the Chairman and Vice-Chairman of the Development and Agriculture Committee of the Legislature, which shall consider the matter at its next meeting, and upon the affirmative vote of a majority of such committee and due notice by certified mail to CCE, the County's obligation to make further payments to CCE pursuant to the contract to shall immediately cease and the contract will thereafter be void and of no further effect; and
- d. CCE, its board of directors having voted on February 17, 2015 to dissolve the existing two-county association, will proceed with all due haste and diligence to accomplish that goal and such dissolution shall be complete no later than September 30, 2015,

and be it further

RESOLVED, in the event that such dissolution is completed prior to September 30, 2015, the Chair of the Legislature is hereby authorized to execute an amendment to the contract authorized by Resolved Paragraph I hereof, for the purpose of substituting the Allegany County Cooperative Extension Association, or such other entity as may then operate the 4-H program in Allegany County, in the place and stead of CCE therein, so that such successor shall be authorized to continue to provide and operate the 4-H program in Cattaraugus County until October 1, 2015, and be it further

RESOLVED, that such contract shall also provide that CCE or its successor shall provide the services of a vegetable and grape team in Cattaraugus County for the year 2015, which services shall include at least three seminars to be held during the year, for the additional sum of \$9,000.00, to be paid in a lump sum upon the submission of an invoice therefor, and be it further

RESOLVED, that the Clerk of the Legislature shall forward certified copies of this resolution to the President of CCE's Board of Directors Diane Clayson, CCE Executive Director Laura

Hunsberger, and State Extension Specialist Peter T. Landre, and be it further

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

Decrease Appropriation Account:

| | | |
|-----------------------|-----------------|------------|
| A.901.1990.0000.40601 | Contingent Fund | \$2,151.00 |
|-----------------------|-----------------|------------|

Increase Appropriation Account:

| | | |
|--------------------------|---|-------------|
| A.298.2980.0000.42003.02 | Cornell Cooperative Extension 4H Program/Youth Development | \$2,151.00. |
|--------------------------|---|-------------|

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

Adopted February 25, 2015 by voice vote.

ACT NO. 123-2015 by Mr. Koch and Mrs. Labuhn
who ask immediate consideration

**SUPPORTING GOVERNOR CUOMO'S PROPOSED DISTRIBUTION OF
JPMORGAN CHASE SETTLEMENT FUNDS TO CDFIs**

Pursuant to Section 153 of the County Law.

WHEREAS, the State of New York has settled its claim against JPMorgan Chase ("Chase") arising out of its sub-prime mortgage lending activities for consideration paid by Chase in the amount of \$250 million, and

WHEREAS, Governor Cuomo's proposed use of the settlement funds includes \$70 million to be used for the purpose of revitalizing commercial and residential properties, a portion of which may benefit Cattaraugus County's proposed land bank, and

WHEREAS, the Governor also proposes to use \$15 million of the settlement proceeds to fund low cost financing and access to capital through Community Development Financial Institutions ("CDFI"), which act as alternative lenders, technical assistance providers and advocates for underserved communities and provide a range of affordable, flexible and fair financial services and products to underserved individuals and communities, including loans to homeowners, housing developers, small businesses and community organizations, and

WHEREAS, the Seneca Nation of Indians Economic Development Company ("SNIEDC"), located in Salamanca, New York, is the only native CDFI in New York State certified by the Federal Treasury Department, out of a total of 67 CDFIs in the state, and

WHEREAS, since its inception, SNIEDC has provided over \$5 million in business loans to enrolled Seneca members for local economic development on Seneca Territories, and

WHEREAS, the proposed financing for CDFIs is the fulfilment of legislation passed by the Assembly in 2007 that was placed on hold in the face of recession, and

WHEREAS, the proposed appropriation to CDFIs will make it possible for SNIEDC to continue to make commercial and home mortgage loans on Seneca Territory for which there are no other financing sources and to help entrepreneurs start businesses and create jobs to revitalize their communities and improve the quality of life on the Territories and for all residents of Cattaraugus County and Western New York, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature hereby declares its support for Governor Cuomo's proposed distribution of \$15 million from the proceeds of the State's settlement of its lawsuit against JPMorgan Chase to the CDFIs in New York, including SNIEDC, and urges its state legislators to support such distribution, and be it further

RESOLVED, that the Clerk of the Legislature is hereby authorized and directed to forward certified copies of this resolution to Governor Andrew Cuomo, Seneca Nation of Indians President Maurice John, Senator Dean Skelos, Senator Catharine Young, Speaker of the Assembly Carl Heastie, Assemblyman Joseph Giglio, and Lucille Brooks, Executive Director of SNIEDC.

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

Adopted February 25, 2015 by voice vote.

MS. EDSTROM moved, seconded by Mr. Hale to adjourn until March 11, 2015 at 3:00 p.m. Carried.

Meeting adjourned at 4:08 p.m.

Ann M. Giglio
Journal Clerk