

March 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 one Legislator absent – Lamberson.

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MR. SNYDER, SR. moved, seconded by Mr. Teachman that the minutes of the March 11, 2015 session be approved. Carried.

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COMMUNICATIONS:

New York State Senator Catharine M. Young: Acknowledging receipt of Act No. 76-2015 entitled, "Urging Governor Cuomo and the New York State Legislature to Advance Funding and Expedite Completion of Interstate 86 Projects in Broome, Delaware, Sullivan and Orange Counties".

Erie County Legislature: Receipt of Comm. 4E-6 (2015) opposing transfer of ownership and maintenance of former US Rt. 219 bridge over Cattaraugus Creek to Erie and Cattaraugus Counties.

Town of Persia: Letter of support of the Cattaraugus County Land Bank.

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PROCLAMATIONS:

CHAIRMAN MARSH proclaimed the month of April 2015 as **National County Government Month** in Cattaraugus County.

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CHAIRMAN MARSH announced that it is the time and place for a public hearing on **Act No. 153-2015**, Local Law Number 2-2015, entitled, "A Local Law Amending Local Law No. 23-2002 (Act No. 473-2002)(Intro No. 28-2002), Entitled 'A Local Law Creating The Human Resources Department And Repealing Local Law No. 17-2001 (Intro No. 4-2001)', Effective September 30, 2002, As Amended By Act No. 269-2004 (Local Law No. 5-2004 [Intro No. 4-2004] And Act No. 475-2008 [Intro No. 7-2008]]", and that anyone wishing to speak for or against this local law may now do so.

There being no one wishing to speak, CHAIRMAN MARSH declared the public hearing closed.

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CHAIRMAN MARSH called up **Act No. 153-2015**, A Local Law Amending Local Law No. 23-2002 (Act No. 473-2002)(Intro No. 28-2002), Entitled "A Local Law Creating The Human Resources Department And Repealing Local Law No. 17-2001 (Intro No. 4-2001)", Effective September 30, 2002, As Amended By Act No. 269-2004 (Local Law No. 5-2004 [Intro No. 4-2004] And Act No. 475-2008 [Intro No. 7-2008]), and asked that it be read.

MR. TEACHMAN moved, seconded by Mr. Snyder, Sr. to refer Act No. 153-2015 to the Finance Committee and the Labor Relations Committee. Carried.

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MR. PADLO moved, seconded by Mrs. Stockman to adjourn into Executive Session for the purpose of seeking and receiving legal advice from the County Attorney. Carried.

MRS. LABUHN moved, seconded by Ms. Edstrom to adjourn out of Executive Session. Carried.

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CHAIRMAN MARSH granted Privilege of the Floor to Joseph G. Keller, County Treasurer, who presented the 2014 Annual Treasurer's Report.

CHAIRMAN MARSH granted Privilege of the Floor to Crystal Abers, Director of the Department of Economic Development, Planning & Tourism, who unveiled a new brochure compiled by the Historical Advisory Committee called "The Underground Railroad in Cattaraugus County...A County Wide Fight for Freedom". Mrs. Abers also gave an overview of the Committee's functions and accomplishments. Mrs. Abers introduced Della Moore who spoke about the new brochure as well as the upcoming Olean walking tour which will highlight the Underground Railroad along with African American heritage and influence in the Olean area. Maggie Fredrickson also highlighted sections of the new brochure and its compilation.

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ACT NO. 155-2015 by Ms. Edstrom, Mr. Klancer, Mr. Snyder, Jr., Mrs. Stockman, Mr. Teachman, Mr. Weller, Mr. Koch and Mr. Sprague

**AMENDING RULE 41 OF THE
RULES OF ORDER OF THE COUNTY LEGISLATURE**

Pursuant to Rule 32 of the Rules of Order.

WHEREAS, Rule 41 of the Rules of Order should be amended as follows: Add a new subsection 41.6 to read:

"41.6 The Public Works Committee may authorize the sale of surplus equipment to municipalities and school districts in Cattaraugus County upon the payment of fair market value of such equipment, to be determined by an appraisal.",
now, therefore, be it

RESOLVED, that Rule 41 of the Rules of Order is hereby amended as stated above.

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

Adopted March 25, 2015 by voice vote.

ACT NO. 156-2015 by Mr. Weller and Mr. Koch

**REJECTING A CERTAIN DEPARTMENT OF PUBLIC WORKS BID FOR
FIVE YEAR LEASE OF LAUNDRY TRUCK
(Departments of Public Works – Nursing Homes)**

Pursuant to Section 103 of the General Municipal Law.

WHEREAS, the Department of Public Works advertised for sealed bids for the five (5) year lease of one (1) 2015 or newer laundry truck for the Department of Nursing Homes, according to bid specifications and general information provided by the Public Works Committee, and

WHEREAS, the one bid received for the aforementioned laundry truck, which was opened on March 6, 2015, did not contain the required bid security and should be rejected and rebid, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature hereby rejects the bid received for the five (5) year lease of one (1) 2015 or newer laundry truck for the Department of Nursing Homes and hereby authorizes the lease to be rebid.

Approved by 9 members of the Finance Committee, 8 members of the Public Works Committee and 7 members of the Senior Services Committee.

Adopted March 25, 2015 by voice vote.

ACT NO. 157-2015 by Mr. Weller and Mr. Koch

**BID ACCEPTANCE FOR REPLACEMENT OF PORTVILLE BRIDGE NO. 20 AND
COUNTY ROAD NO. 27 PHASE IV RECONSTRUCTION/REHABILITATION PROJECT
(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 County Road No. 27 (Haskell Road) reconstruction/rehabilitation project, which includes the realignment and replacement of Portville Bridge No. 20, according to specifications provided by the Public Works Committee, and

WHEREAS, the lowest bid received meeting specifications was the bid of Union Concrete and Construction Corp., P.O. Box 410, 105 Center Street, West Seneca, New York 14224, in the amount

of \$3,182,059.09, to be paid periodically based on a percentage 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 project, now, therefore, be it

RESOLVED, that the bid of Union Concrete and Construction Corp. be, and the same hereby is, accepted, for a term commencing upon notice to proceed, with completion on or before November 30, 2015, with a contract termination date of December 31, 2015, and be it further

RESOLVED, that vouchers submitted in accordance with the provisions of the 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.

Seven sets of specifications were sent out.

Three bids were received meeting specifications.

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

Adopted March 25, 2015 by voice vote.

ACT NO. 158-2015 by Mr. Hale, Mr. Snyder, Sr., Mr. Weller and Mr. Koch

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH
HUNT ENGINEERS ARCHITECTS & LAND SURVEYORS, P.C. FOR
ON-SITE CONSTRUCTION INSPECTION SERVICES FOR PORTVILLE BRIDGE NO. 20
AND COUNTY ROAD NO. 27 PHASE IV RECONSTRUCTION/REHABILITATION PROJECT**

Pursuant to Section 117 of the Highway Law and
Section 450 of the County Law.

WHEREAS, Act 356-2013 authorized a contract with Hunt Engineers Architects & Land Surveyors, P.C., Airport Corporate Park, 100 Hunt Center, Horseheads, New York 14845, for the provision of Phase IV engineering services for the County Road No. 27 (Haskell Road) reconstruction/rehabilitation project, which includes the realignment and replacement of Portville Bridge No. 20, the term of which expires December 31, 2015, and

WHEREAS, additional engineering services and on-site construction inspection services are needed for Phase IV of the aforementioned project, and

WHEREAS, Hunt Engineers Architects & Land Surveyors, P.C., can provide the additional engineering services and on-site construction inspection services for an amount not to exceed \$219,086.00, to be paid on a percent-of-completion basis, as invoiced and approved by the Department of Public Works, as follows:

Engineering Costs (additional)	\$15,000.00
Construction Inspection (additional)	\$204,086.00,

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 an amended contract, on behalf of Cattaraugus County, with Hunt Engineers Architects & Land Surveyors, P.C., for the provision of the above-described engineering services, for a term commencing January 1, 2015 and terminating July 31, 2016, according to the above-described terms.

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

Adopted March 25, 2015 by voice vote.

ACT NO. 159-2015 by Mr. Felton and Ms. Vickman

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
MDA CONSULTING ENGINEERS, PLLC, FOR ENGINEERING SERVICES FOR
DEPARTMENT OF NURSING HOMES SEWAGE DISPOSAL SYSTEM**

Pursuant to Sections 215 and 450 of the County Law.

WHEREAS, Act 211-2012, as amended by Act 401-2012, authorized a contract with Mark D. Alianello, P.E., P.O. Box 604, One Washington Street, Ellicottville, New York 14731, for the provision of engineering services for the sewage disposal system at The Pines Healthcare and Rehabilitation Center – Machias Campus, and wastewater sampling for The Pines Healthcare and Rehabilitation Center – Olean Campus, the term of which expired December 31, 2014, and

WHEREAS, the Departments of Public Works and Nursing Homes are desirous of continuing the aforementioned services, and

WHEREAS, MDA Consulting Engineers, PLLC, P.O. Box 604, Three Bristol Lane, Ellicottville, New York 14731, shall provide the following engineering services for an amount not to exceed \$89,600.00, to be paid as invoiced:

Task 1	Coordinate Sampling	
	\$900 per event assuming 36 events	\$32,400.00
Task 2	TCOMM Monitoring	
	\$200 per month assuming 36 months	\$ 7,200.00
Task 3	Quarterly Inspections and Reporting	
	\$1,800 per quarterly inspection assuming 12 events	\$21,600.00
Task 4	Routine Consultations	
	Estimated at \$6,000 per year	\$18,000.00
Task 5	Wastewater Sampling – The Pines Olean Campus:	
	\$900 per event assuming 6 events for the contract period	\$ 5,400.00
	Allowance for additional sampling events (hourly, not to exceed)	\$ 3,500.00
	Reimbursable Expenses	(not to exceed) \$ 1,500.00,

and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with MDA Consulting Engineers, PLLC, for the provision of the above-described services for a term commencing January 1, 2015 and terminating December 31, 2017, according to the above-described terms.

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

Adopted March 25, 2015 by voice vote.

ACT NO. 160-2015 by Mr. Weller and Mr. Koch

**BID ACCEPTANCE FOR REPLACEMENT OF FREEDOM BRIDGE NO. 10
(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 replacement of Freedom Bridge No. 10, located on County Road No. 23 over Clear Creek in the Town of Freedom, according to specifications provided by the Public Works Committee, and

WHEREAS, the lowest bid received meeting specifications was the bid of The L.C. Whitford Co., Inc., 164 North Main Street, Wellsville, New York 14895, in the amount of \$1,066,666.00, to be paid periodically based on a percentage of completion, 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 replacement project, now, therefore, be it

RESOLVED, that the bid of The L.C. Whitford Co., Inc., be, and the same hereby is, accepted, for a term commencing upon notice to proceed, with completion on or before October 31, 2015, with a contract termination date of December 31, 2015, and be it further

RESOLVED, that vouchers submitted in accordance with the provisions of the 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.

Three bids were received meeting specifications.

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

Adopted March 25, 2015 by voice vote.

ACT NO. 161-2015 by Mr. Murphy

**BID ACCEPTANCE FOR DRY CLEANING SERVICES
(Sheriff's Office)**

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 dry cleaning services for the Sheriff's Office for the period covering March 1, 2015 through February 28, 2017, with the option to renew for two (2) additional one (1) year periods at the prices specified in the bid, according to specifications provided by the Public Safety Committee, and

WHEREAS, the only bid received meeting specifications was the bid of Anderson Cleaners, 5 Hunt Road, Jamestown, New York 14701, according to the following fee schedule:

<u>Items</u>	<u>Projected Annual Volume</u>	<u>Unit Bid</u>
<u>Dry Clean</u>		
Uniform-All Season Jacket	100 per year	\$7.85/Jacket
Investigators' Trousers	250 per year	\$5.65/Trouser
Investigators' Suit Coats	125 per year	\$7.25/Coat
Ties	25 per year	\$2.95/Tie
Sweaters	20 per year	\$4.85/Sweater
Skirts	10 per year	\$4.95/Skirt
Dresses	5 per year	\$8.45/Dress
Women's Slacks	10 per year	\$5.65/Slacks
Women's Blouses	10 per year	\$4.95/Blouse
<u>Launder/Press</u>		
Uniform Trousers	1,000 per year	\$5.65/Trouser
Uniform Shirt	1,000 per year	\$3.05/Shirt
Uniform Vest		\$3.75/vest,

now, therefore, be it

RESOLVED, that the bid of Anderson Cleaners be, and the same hereby is, accepted, and be it further

RESOLVED, that the vouchers accordingly certified by the Sheriff be audited by the Auditor and paid by the County Treasurer.

No State Bid.

Twelve sets of specifications were sent out.

One bid was received.

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

Adopted March 25, 2015 by voice vote.

ACT NO. 162-2015 by Mr. Murphy

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
SAM ASHER COMPUTING SERVICES, INC. FOR
SHERIFF'S OFFICE HYPER-REACH SYSTEM**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 127-2012 authorized a contract with Sam Asher Computing Services, Inc., 3300 Monroe Avenue, Suite 317, Rochester, New York 14618, for the provision of the Hyper-Reach notification system in the Sheriff's Office, for a three-year period which terminated February 28, 2015, and

WHEREAS, Hyper-Reach notification system enables the County to instantly send voice messages to any number of recipients at the same time, advising of an emergency of any nature, and

WHEREAS, the cost to access the Hyper-Reach notification system has increased and a new contract is necessary, and

WHEREAS, the Sheriff's Office is desirous of continuing the aforementioned Hyper-Reach notification system, and

WHEREAS, Sam Asher Computing Services, Inc., can provide access to the Hyper-Reach notification system for an amount not to exceed \$32,400.00 for the account management fee, plus an amount of \$.10 per minute of usage, for a three-year period commencing March 1, 2015, as follows:

3/1/2015 to 2/28/2016	\$10,800.00
3/1/2016 to 2/28/2017	\$10,800.00
3/1/2017 to 2/28/2018	\$10,800.00,

and

WHEREAS, the funding for the above-described system is provided through State 911 funds, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Sam Asher Computing Services, Inc., for the provision of the above-described services, for a three-year term commencing March 1, 2015 and terminating February 28, 2018, with an automatic renewal thereafter with the same terms unless terminated by either party, according to the above-described terms.

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

Adopted March 25, 2015 by voice vote.

ACT NO. 163-2015 by Mr. Murphy
and Mr. Teachman, Mr. VanRensselaer and Mr. Koch¹

**AUTHORIZING THE CHAIR TO APPLY FOR FUNDING THROUGH
NEW YORK STATE GOVERNOR'S TRAFFIC SAFETY COMMITTEE FOR
SHERIFF'S DEPARTMENT TRAFFIC SAFETY PARTNERSHIP PROGRAM**

Pursuant to Section 1229-c of the Vehicle and
Traffic Law and Section 450 of the County Law.

WHEREAS, Act 224-2014 authorized the Chairman to apply for funding through the New York State Governor's Traffic Safety Committee for a Traffic Safety Enforcement Program for the 2013-2014 program year, and

WHEREAS, funding is again available through the New York State Governor's Traffic Safety Committee for a Traffic Safety Enforcement Program for the 2015-2016 program year, for the following components:

Child Safety Seat Program
Selective Traffic Enforcement Program (STEP)
Traffic Safety Education Program,

and

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

WHEREAS, this program includes funding from the New York State Governor's Traffic Safety Committee, 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 Governor's Traffic Safety Committee, in order to apply for the aforementioned 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.

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

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

Adopted March 25, 2015 by voice vote.

ACT NO. 164-2015 by Mr. Felton and Ms. Vickman

**AUTHORIZING THE CHAIR TO EXECUTE GRANT DOCUMENTS WITH
NEW YORK STATE OFFICE FOR THE AGING FOR FUNDING UNDER
VARIOUS TITLES OF THE OLDER AMERICANS ACT OF 1965, AS AMENDED**

Pursuant to Titles III-B, III-C1, III-C2, III-D and III-E of the Older Americans Act of 1965,
as amended, Section 541 of the Executive Law and
Section 95-a of the General Municipal Law.

WHEREAS, Act 166-2014 authorized the Chair to apply for funding through the New York State Office for the Aging for the 2014 program year, and

WHEREAS, federal funding is again available through the New York State Office for the Aging under Titles III-B, III-C1, III-C2, III-D and III-E of the Older Americans Act of 1965, as amended, for the 2015 program year, for the following programs:

- Title III-B - direct services to the senior citizens of Cattaraugus County,
- Title III-C - congregate and home delivered services and other related services to the senior citizens of Cattaraugus County,
- Title III-D - preventative services to senior citizens of Cattaraugus County, and
- Title III-E - family caregiver support program,

and

WHEREAS, it is necessary to file grant applications with the New York State Office for the Aging to obtain this funding, and

WHEREAS, the above-described programs are funded as follows:

Title III-B	- 90% federally funded	\$ 86,220.00
Title III-C1	- 90% federally funded	\$111,106.00
Title III-C2	- 90% federally funded	\$ 50,074.00
Title III-D	- 90% federally funded	\$ 5,135.00
Title III-E	- 75% federally funded	\$ 37,402.00,

now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute the necessary grant applications, on behalf of Cattaraugus County, with the New York State Office for the Aging in order to apply for, and accept, funding under Titles III-B, III-C1, III-C2, III-D and III-E for the 2015 program year, 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 Senior Services Committee.

Adopted March 25, 2015 by voice vote.

ACT NO. 165-2015 by Mr. Felton and Ms. Vickman

**AUTHORIZING THE CHAIR TO EXECUTE GRANT DOCUMENTS WITH
NEW YORK STATE OFFICE FOR THE AGING FOR VARIOUS PROGRAMS
FOR DEPARTMENT OF AGING**

Pursuant to Title III of the Older Americans Act of 1965,
as amended, Section 541 of the Executive Law and
Section 95-a of the General Municipal Law.

WHEREAS, Act 165-2014 authorized the Chair to apply for, and accept, funding through the New York State Office for the Aging for the 2014 program year for various programs, and

WHEREAS, funding is available for various programs through the New York State Office for the Aging for the 2015 program year, and

WHEREAS, the County Department of Aging is desirous of applying for the following program funding:

Caregiver Resource Center (CRC)	\$ 19,611.00
Community Services for the Elderly (CSE)	\$120,306.00
Congregate Services Initiative (CSI)	\$ 1,722.00
Expanded In-Home Services for the Elderly (EISEP)	\$222,760.00
Health Insurance Information, Counseling & Assistance (HIICAP)	\$ 32,270.00
Wellness in Nutrition (WIN)	\$215,523.00
State Transportation Program	\$ 5,600.00
State Retired Senior Volunteer Program (RSVP)	\$ 5,972.00,

and

WHEREAS, a contract is necessary with the New York State Office for the Aging in order to accept the aforementioned funds, and

WHEREAS, one of the aforementioned program is 100% federally funded, four of the aforementioned programs are 100% state funded and three of the aforementioned programs are 75% state funded and 25% county funded, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with the New York State Office for the Aging, in order to apply for, and accept, the aforementioned funds, for a term commencing April 1, 2015 and terminating March 31, 2016, 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 Senior Services Committee.

Adopted March 25, 2015 by voice vote.

ACT NO. 166-2015 by Mr. Felton and Ms. Vickman

**AUTHORIZING THE CHAIR TO EXECUTE GRANT DOCUMENTS WITH
NEW YORK STATE OFFICE FOR THE AGING FOR
MEDICARE IMPROVEMENTS FOR PATIENTS & PROVIDERS ACT (MIPPA) FUNDING**

Pursuant to Medicare Improvements for Patients & Providers
Act (MIPPA) of 2008, Section 541 of the Executive Law,
Section 95-a of the General Municipal Law and Section 450 of the County Law.

WHEREAS, Act 612-2013 authorized the Chair to execute grant documents with the New York State Office for the Aging for the Medicare Improvements for Patients & Providers Act (MIPPA) component, and

WHEREAS, funding is again available through the New York State Office for the Aging for the MIPPA program, and

WHEREAS, funding is also available through the New York State Office for the Aging for the Aging and Disability Resource Center (ADRC) program, and

WHEREAS, the aforementioned program strengthens the capability of area agencies on aging to provide Medicare beneficiaries information, counseling and assistance to purchase, file claims and appeal health insurance coverage decisions, and allow for more public outreach, and

WHEREAS, the County should execute grant documents in order to apply for and receive the aforementioned funding, 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 grant documents, on behalf of Cattaraugus County, with the New York State Office for the Aging, in order to apply for and receive the above-described funding, for a term commencing October 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 Senior Services Committee.

Adopted March 25, 2015 by voice vote.

ACT NO. 167-2015 by Mr. Felton and Ms. Vickman

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
HEALTHY COMMUNITY ALLIANCE, INC. FOR
HEALTH INSURANCE AND LONG-TERM CARE INFORMATION AND COUNSELING**

Pursuant to Article 2, Title 3 of the Elder Law and
Section 450 of the County Law.

WHEREAS, Act 114-2014 authorized a contract with Healthy Community Alliance, Inc., 1 School Street, Suite 100, Gowanda, New York 14070, for the provision of information, counseling and workshops to Cattaraugus County residents in order to help them better understand health insurance and long term care services, the term of which expires March 31, 2015, and

WHEREAS, the Department of Aging is desirous of continuing the aforementioned program, and

WHEREAS, Healthy Community Alliance, Inc., can provide staff persons to the Department of Aging who will provide information, counseling and workshops to Cattaraugus County residents in order to help them better understand health insurance, Medicare benefits, EPIC and other long-term care services, for an amount of \$55,874.00 for staffing, training and travel-related expenses, to be paid on a quarterly basis, as invoiced, and

WHEREAS, this program is 77% federal, 1% local and 24%¹ county funded, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Healthy Community Alliance, Inc., for the provision of the above-described services, for a term commencing April 1, 2015 and terminating March 31, 2016, according to the above-described terms, and be it further

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

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

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

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

¹MR. FELTON moved, seconded by Ms. Vickman to amend Act No. 167-2015 as follows: In the Fourth Whereas, delete: "22%", and replace with: "24%". Carried.

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

ACT NO. 168-2015 by Mr. Felton and Ms. Vickman

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
CATTARAUGUS REHABILITATION CENTER, INC., FOR MANAGEMENT,
OPERATION AND CONTROL OF LINWOOD CENTER ADULT DAY SERVICES**

Pursuant to Older Americans Act Title III-E and
Section 450 of the County Law.

WHEREAS, Act 161-2014 authorized a contract with The Rehabilitation Center, Inc., for the management, operation and control of the Linwood Center, the term of which expires March 31, 2015, and

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

WHEREAS, Cattaraugus Rehabilitation Center, Inc., 1439 Buffalo Street, Olean, New York 14760, shall provide for the management, operation and control of the Linwood Center Adult Day Services Program for an amount of \$65,000.00, to be paid quarterly as invoiced and approved by the Department of Aging, and

WHEREAS, this program is 38% federal, 44% state and 18% county funded, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Cattaraugus Rehabilitation Center, Inc., for the management, operation and control of the Linwood Center, for a term commencing April 1, 2015 and terminating March 31, 2016, according to the above-described terms.

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

Adopted March 25, 2015 by voice vote. Mrs. Labuhn and Mr. Padlo abstained from vote.

ACT NO. 169-2015 by Mr. Felton and Ms. Vickman

**AUTHORIZING THE CHAIR TO EXECUTE LEASE AGREEMENT WITH
CATTARAUGUS REHABILITATION CENTER, INC. FOR DEPARTMENT OF AGING
SENIOR WELLNESS AND NUTRITION PROGRAM SITE**

Pursuant to Section 95-a of the General Municipal Law, Title III-C
of the Older Americans Act of 1965, as amended and
Sections 215 and 450 of the County Law.

WHEREAS, the County Department of Aging is desirous of leasing space in Allegany for a Senior Wellness and Nutrition (SWAN) Program site, and

WHEREAS, Cattaraugus Rehabilitation Center, Inc., 1439 Buffalo Street, Olean, New York 14760, has agreed to lease space located at the South Nine Mile/Allegany Building, to the County for a SWAN Program site for an amount of \$350.00 per month to be paid on a quarterly basis at an amount of \$1,050.00 per quarter, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a lease agreement, on behalf of Cattaraugus County, with Cattaraugus Rehabilitation Center, Inc., for the leasing of a Senior Wellness and Nutrition Program site, for a term commencing April 1, 2015 and terminating March 31, 2016, according to the above-described terms, and be it further

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

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

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

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

Adopted March 25, 2015 by voice vote. Mrs. Labuhn and Mr. Padlo abstained from vote.

ACT NO. 170-2015 by Ms. Edstrom and Mrs. Stockman

**AUTHORIZING THE CHAIR TO EXECUTE RENTAL DOCUMENTS WITH
BI INCORPORATED FOR YOUTH BUREAU YOUTH PLACEMENT
PREVENTION ELECTRONIC MONITORING PROGRAM**

Pursuant to Section 65.10 of the Penal Law and
Section 450 of the County Law.

WHEREAS, Act 173-2014 authorized the Chair to execute rental documents for the provision of electronic monitoring devices for the Youth Bureau Youth Placement Prevention Electronic Monitoring Program, the term of which expires March 31, 2015, and

WHEREAS, the Youth Bureau is desirous of continuing the aforementioned electronic monitoring services, and

WHEREAS, BI Incorporated, 6400 Lookout Road, Boulder, Colorado 80301, has agreed to provide the following monitoring equipment and services for a total amount not to exceed \$25,000.00 per year, as follows:

1. HomeGuard 200 Unit Charges:

- HomeGuard 200 Unit Rental Charge	\$1.27 per day per Unit provided from BI Inventory
- HomeGuard 200 Monitoring Service Charge	\$1.10 per Unit per active day
Total HomeGuard 200 Unit Charge	\$2.37 per Unit per day

Additional Services:

- 20% HomeGuard 200 Unit No-charge Spares	Each month, the YB is entitled to keep a quantity of HomeGuard 200 Units equal to 20% of that month's average number of active HomeGuard 200 Units per day in its possession at no charge. For any inactive HomeGuard 200 Units in excess of the 20% allowance, the YB will incur a \$1.27 charge per unit per day.
Replacement Cost (after exceeding annual 5% allowance)	HomeGuard 200 Receiver - \$1,320.00 each HomeGuard 200 Transmitter - \$575.00 each

2. HomeGuard 206 unit Terms & Charges:

- HG206 HomeGuard Digital Cell Unit Rental Charge	\$3.18 per day per Unit provided from BI Inventory
- HG206 HomeGuard Digital Cell Monitoring Service Charge	\$1.10 per Unit per active day
Total HG206 HomeGuard Digital Cell Unit Charge	\$4.28 per Unit per day

Additional Services:

- 10% HG206 HomeGuard Digital Cell Unit No-charge Spares	Each month, the YB is entitled to keep a quantity of inactive HG206 HomeGuard Digital Cell Units equal to 10% of that month's average number of active Units per day in its possession at no charge. For any inactive HG206 HomeGuard Digital Cell Units in excess of the 10% spares allowance, the YB will incur a \$3.18 charge per unit per day.
Replacement Cost	HG206 HomeGuard Digital Cell Receiver - \$1,620.00 each

HG206 HomeGuard Digital Cell Transmitter -
\$575.00 each

3. ExacuTrack One Charges:

- Exacutrack One Tracker Component Rental \$3.95 per day per Unit provided from BI Inventory

ExacuTrack One with 1.30.A0 ZX Service:

- ExacuTrack One 1.30.A0 ZX Service \$1.59 per day per Unit provided from BI Inventory
- ExacuTrack One 1.30.A0 ZX Total \$5.54 total of ExacuTrack One Components & ExacuTrack One 1.30.A0 ZX Service charges

ExacuTrack One with 1.720.A0 ZX Service:

- ExacuTrack One 1.720.A0 ZX Service \$0.68 per day per Unit provided from BI Inventory
- ExacuTrack One 1.720.A0 ZX Total \$4.63 total of ExacuTrack One Components & ExacuTrack One 1.720.A0 ZX Service charges

Additional Services:

- 10% ExacuTrack One Unit No-charge Spares Each month, the YB is entitled to keep a quantity of ExacuTrack One Tracking Units equal to 10% of that month's average number of active Units per day in its possession at no charge. For any inactive ExacuTrack One Units in excess of the 10% allowance, the YB will incur a \$3.95 charge per unit per day.

Replacement Cost

ExacuTrack One Beacon - \$250.00 each
ExacuTrack One Tracking Unit - \$1,740.00 each
ExacuTrack One Fiber Optic Strap - \$60.00 each
ExacuTrack One Wallcharger - \$60.00 each

and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute rental documents, on behalf of Cattaraugus County, with BI Incorporated, for the provision of the above-described services, for a term commencing April 1, 2015 and terminating March 31, 2017, with automatic one-year renewals, at the sole option of the County, at the same rates as listed above, according to the above-described terms.

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

Adopted March 25, 2015 by voice vote.

ACT NO. 171-2015 by Mr. Felton and Ms. Vickman

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH
ABILITY NETWORK, INC. FOR PURCHASE OF ADDITIONAL COMPONENT OF
ELECTRONIC BILLING FOR MEDICARE
(Department of Nursing Homes)**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 407-2013 authorized a contract with ABILITY Network, Inc., 100 North 6th Street, Suite 900A, Minneapolis, Minnesota 55403, for the provision of the installation and set-up of the ABILITY software necessary for participation in electronic billing for Medicare, and

WHEREAS, the County Department of Nursing Homes is desirous of purchasing an additional component the aforementioned electronic billing system to include ABILITY/CHOICE All Payer Claims software, and

WHEREAS, ABILITY Network, Inc., can provide for the installation and set-up of the ABILITY/CHOICE All Payer Claims, for an additional amount of \$194.00¹ per month, for a total monthly amount of \$458.00, plus a one-time set up fee in the amount of \$350.00 to process the ABILITY/CHOICE All Payer Claims, and

WHEREAS, any increase in the monthly cost shall be agreed upon between the parties hereto on an annual basis prior to renewal, 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 an amended contract, on behalf of Cattaraugus County, with ABILITY Network, Inc., for the provision of the above-described software and services, for a term commencing April 1, 2015 and terminating December 31, 2015, with automatic annual renewals, until terminated by either party hereto, according to the above-described terms.

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

¹MS. VICKMAN moved, seconded by Mr. Teachman to amend as follows: In the Third Whereas, delete the extra “.00” after “\$194.00”. Carried.

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

ACT NO. 172-2015 by Ms. Edstrom and Mrs. Stockman

**AUTHORIZING THE CHAIR TO EXECUTE GRANT DOCUMENTS WITH
NEW YORK STATE DEPARTMENT OF HEALTH FOR EBOLA GRANT FUNDING AND
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
(Health Department)**

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

WHEREAS, funding is available through the New York State Department of Health through Health Research, Inc., Health Emergency Preparedness Program for Ebola preparedness and response activities, and

WHEREAS, the County must execute grant documents in order to apply for and receive the aforementioned funding, and

WHEREAS, this program is 100% federally funded, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute grant documents, on behalf of Cattaraugus County, with the New York State Department of Health, in order to apply for and receive the above-described Ebola Grant funding, for a term commencing April 1, 2015 and terminating September 30, 2016, according to the above-described terms, and be it further

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

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

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

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

Increase Estimated Revenue Account:

A.401.4095.0000.4389.01	Ebola Grant Funding	\$38,000.00
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Increase Appropriation Account:

A.401.4095.0000.46106	Training	\$38,000.00.
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Approved by 9 members of the Finance Committee and 6 members of the Human Services Committee.

Adopted March 25, 2015 by voice vote.

ACT NO. 173-2015 by Ms. Edstrom and Mrs. Stockman
and Ms. Vickman¹

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
NEW YORK STATE DEPARTMENT OF HEALTH FOR ADOLESCENT TOBACCO
USE PREVENTION ACT ENFORCEMENT PROGRAM**

Pursuant to Article 13-F of the Public Health Law and
Section 450 of the County Law.

WHEREAS, Act 147-2014, as amended, authorized a contract with New York State Department of Health for a youth tobacco enforcement and preventive work plan to reduce the use and accessibility of tobacco to youths under 18 years of age, the term of which expires March 31, 2015, and

WHEREAS, funding is available in the amount of \$30,473.00 through the New York State Department of Health under the Center for Environmental Health, Bureau of Community Sanitation and Food Protection, Flanigan Square, 547 River Street, Room 515, Troy, New York 12180-2216, for an Adolescent Tobacco Use Prevention Act Enforcement Program for the 2015-2016 program year, and

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

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with the New York State Department of Health for the aforementioned program funding, for a term commencing April 1, 2015 and terminating March 31, 2016, according to the above-described terms, and be it further

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

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

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

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

¹The following Legislator requested her name be listed as an additional sponsor: "Ms. Vickman".

Adopted March 25, 2015 by voice vote.

ACT NO. 174-2015 by Ms. Edstrom and Mrs. Stockman

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
HEALTHY COMMUNITY ALLIANCE, INC. FOR
MEDICAID MANAGED CARE RECRUITMENT SPECIALIST**

Pursuant to 42 CFR Section 435, Section 363 of the Social Services Law
and Section 450 of the County Law.

WHEREAS, Act 134-2014 authorized a contract with Healthy Community Alliance, Inc., One School Street, Suite 100, Gowanda, New York 14070, for the provision of education, support and outreach services to clients, agency personnel, and providers of the Medicaid Managed Care Program, the term of which expires March 31, 2015, and

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

WHEREAS, Healthy Community Alliance, Inc., has agreed to provide the aforementioned services for an amount not to exceed \$52,843.00, which shall be paid in monthly installments, as invoiced, and

WHEREAS, this program is 50% federally funded, 25% state funded through the New York State Department of Health, and 25% County funded, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Healthy Community Alliance, Inc., for the provision of the above-described services, for a term commencing April 1, 2015 and terminating March 31, 2016, according to the above-described terms, and be it further

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

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

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

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

Adopted March 25, 2015 by voice vote.

ACT NO. 175-2015 by Ms. Edstrom and Mrs. Stockman

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH
CATHOLIC CHARITIES OF WESTERN NY FOR DEPARTMENT OF
SOCIAL SERVICES TANF FUNDING FOR MULTI-SYSTEMIC
THERAPY SERVICES FOR PINS DIVERSION AND
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
(Department of Social Services)**

Pursuant to Public Law 104-193 and Sections 363, 366 and 450 of the County Law.

WHEREAS, Act 571-2014 authorized a contract with Catholic Charities of Western NY for the provision of 1 1/2 therapists for the Multi-Systemic Therapy (MST) program, for the provision of preventive and other supportive services to persons in need of supervision (PINS), ages 16 and 17, the term of which expires December 31, 2015, and

WHEREAS, the Department of Social Services is desirous of increasing the amount to be paid to Catholic Charities for the continuation of the aforementioned services by an additional \$24,306.00, and

WHEREAS, Catholic Charities of Western NY, 2636 West State Street, Olean, New York 14760, has agreed to continue the provision of home-based services to 16 and 17 year olds for whom a PINS action has been initiated in an attempt to prevent detention and foster care placements, for a total annual amount not to exceed \$215,000.00, to be paid on a monthly basis as invoiced, and

WHEREAS, it is necessary to amend the aforementioned contract to include the additional payment of \$24,306.00 to Catholic Charities, and

WHEREAS, this program is funded through federal, state and local funds, and

WHEREAS, various appropriation and revenue accounts must be adjusted in order to accommodate the additional funding, 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 Catholic Charities of Western NY 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:

Increase Estimated Revenue Account:

A.601.6151.0000.4615	FFFS	\$24,306.00
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Increase Appropriation Account:

A.601.6151.0000.41607.07	Catholic Charities PINS	\$24,306.00.
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Approved by 9 members of the Finance Committee and 6 members of the Human Services Committee.

Adopted March 25, 2015 by voice vote.

ACT NO. 176-2015 by Ms. Edstrom and Mrs. Stockman

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
BERKSHIRE FARM CENTER & SERVICES FOR YOUTH, INC. FOR
DEPARTMENT OF SOCIAL SERVICES CHILD ABUSE PREVENTION SERVICES**

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

WHEREAS, Act 562-2014 authorized a contract with Berkshire Farm Center & Services for Youth, Inc., Tri-Main Center, 2495 Main Street, Suite 330, Buffalo, New York 14214, for the provision of family assessment response services for child protection cases, the term of which expires December 31, 2015, and

WHEREAS, the Department of Social Services is desirous of contracting for the provision of child abuse prevention services and would like to terminate the family assessment response services, and

WHEREAS, the aforementioned contract for the provision of family assessment response services should be terminated effective February 28, 2015, and

WHEREAS, Berkshire Farm Center & Services for Youth, Inc., can provide child abuse prevention services for an amount not to exceed \$66,856.00, to be paid on a monthly basis as invoiced, and

WHEREAS, this program is 62% state funded and 38% county funded, and

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

RESOLVED, that the contract with Berkshire Farm Center & Services for Youth, Inc., for the provision of family assessment response services be, and hereby is, terminated effective February 28, 2015, 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 Berkshire Farm Center & Services for Youth, Inc., for the provision of the aforementioned child abuse prevention services, for a term commencing March 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.

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

Adopted March 25, 2015 by voice vote.

ACT NO. 177-2015 by Ms. Edstrom and Mrs. Stockman
and Ms. Vickman¹

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
CATTARAUGUS COMMUNITY ACTION, INC. FOR DEPARTMENT OF
SOCIAL SERVICES CHILD ABUSE PREVENTION SERVICES**

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

WHEREAS, Act 505-2014 authorized a contract with Cattaraugus Community Action, Inc., 25 Jefferson Street, Salamanca, New York 14779, for the provision of family assessment response services for child protection cases for the Department of Social Services, the term of which expires September 30, 2015, and

WHEREAS, the Department of Social Services is desirous of contracting for the provision of child abuse prevention services and would like to terminate the family assessment response services, and

WHEREAS, the aforementioned contract for the provision of family assessment response services should be terminated effective February 28, 2015, and

WHEREAS, Cattaraugus Community Action, Inc., can provide the aforementioned child abuse prevention services for an amount not to exceed \$37,336.00, to be paid in monthly installments as invoiced, and

WHEREAS, this program is 62% state funded and 38% county funded, and

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

RESOLVED, that the contract with Cattaraugus Community Action, Inc., for the provision of family assessment response services be, and hereby is, terminated effective February 28, 2015, 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 Cattaraugus Community Action, Inc., for the provision of the aforementioned child abuse prevention services, for a term commencing March 1, 2015 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 6 members of the Human Services Committee.

¹The following Legislator requested her name be listed as an additional sponsor: "Ms. Vickman".

Adopted March 25, 2015 by voice vote.

ACT NO. 178-2015 by Ms. Edstrom and Mrs. Stockman

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
ALFRED UNIVERSITY FOR
EDUCATIONAL CLINICAL EXPERIENCE PROGRAMS**

Pursuant to Section 450 of the County Law.

WHEREAS, Alfred University, 1 Saxon Drive, Alfred, New York 14802, is desirous of implementing a field instruction program component in its Clinical Mental Health Program, and

WHEREAS, the Department of Community Services is desirous of working collaboratively with the Clinical Mental Health Program at Alfred University for training and educational clinical experience programs to mental health program students who would benefit from field placement experience in the Cattaraugus County Department of Community Services, and

WHEREAS, the Department of Community Services has agreed to allow the program to be conducted at the Department's facilities at no cost to the County, and

WHEREAS, in the event other County departments are desirous of participating in a clinical experience program with Alfred University, then additional contracts may be entered into pursuant to this act, 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 Alfred University, for the provision of the above-described educational clinical experience program, for a term commencing April 1, 2015 to continue in full force and effect until terminated by either party hereto, according to the above-described terms.

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

Adopted March 25, 2015 by voice vote.

ACT NO. 179-2015 by Ms. Edstrom and Mrs. Stockman
and Mr. Padlo¹

**AUTHORIZING THE CHAIR TO EXECUTE ATTESTATION
CONFIRMING THAT 2% FUNDING INCREASES WILL BE USED TO
SUPPORT SALARY AND SALARY-RELATED FRINGE BENEFIT COSTS OF
CERTAIN STAFF AT NOT-FOR-PROFIT PROVIDERS**

Pursuant to Budget Bulletin H-1033 and Part 1 of Chapter 60 of the Laws of 2014.

WHEREAS, the 2014-2015 enacted budget included funding for the provision of a 2% increase in annual salary and salary-related fringe benefit costs for Direct Support (CFR 100 series titles) and Direct Care (CFR 200 series titles) staff at not-for-profit providers effective January 1, 2015, and

WHEREAS, additionally, the statute provides for an additional 2% increase for these staff effective April 1, 2015, as well as a 2% increase for Clinical staff (CFR 200 series titles) effective April 1, 2015, and

WHEREAS, the statute requires each provider to submit an attestation confirming that the funding increases will be used solely to support salary and salary-related fringe benefit increases, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute an attestation certifying that COLA (Cost of Living Adjustment) State-aid funding provided to Cattaraugus County will be used solely to provide salary increases and salary-related fringe benefit increases for direct care staff and direct support professionals as defined by the Commissioner of Mental Health.

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

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

Adopted March 25, 2015 by voice vote.

ACT NO. 180-2015 by Mr. VanRensselaer and Mrs. Labuhn

**AUTHORIZING THE CHAIR TO EXECUTE LOAN DOCUMENTS
WITH HIDE-A-WAY RESTAURANT, LLC FOR
EXPANSION PROJECT**

Pursuant to Section 99-h of the State Finance Law and
Section 450 of the County Law.

WHEREAS, Cattaraugus County has designated casino funds for economic development in the approved spending plan to address projects such as business retention and expansion by providing incentives to companies that retain and expand employment within Cattaraugus County, and

WHEREAS, the County is desirous of retaining and expanding employment in Cattaraugus County, and

WHEREAS, the Hide-A-Way Restaurant, LLC, located at 2597 NYS Route 394, Steamburg, New York 14783, is an established fine dining restaurant and bar, and

WHEREAS, the Hide-A-Way Restaurant, LLC, proposes an expansion project to improve efficiency and streamline food service operations, improve accessibility, and enhance the appearance of the facility's exterior, and

WHEREAS, the proposed project creates a need for equipment acquisition and working capital to renovate property at 2597 NYS Route 394, Steamburg, New York, and

WHEREAS, the Hide-A-Way Restaurant, LLC, proposes equity and private investment in this project of \$150,000.00, and the creation of two (2) full-time equivalent (FTE) positions and several part-time positions, and

WHEREAS, the Hide-A-Way Restaurant, LLC, is in need of \$75,000.00 to help defray costs of the aforementioned expansion project, and

WHEREAS, the County has \$75,000.00 in its economic development program, using casino funds for economic development projects in the County, and

WHEREAS, it is proposed that the County loan to the Hide-A-Way Restaurant, LLC, the sum of \$75,000.00, at a 5% fixed interest rate per annum, to be repaid in monthly installments over a seven (7) year period, with the following conditions:

- Payments for months 1 through 84 shall be principal and interest;
- Upon the County's receipt of acceptable documentation verifying the proposed net new job creation, the Hide-A-Way Restaurant, LLC is eligible for loan principal forgiveness \$5,000.00 per one (1) FTE;
- The Hide-A-Way Restaurant, LLC shall provide job creation documentation once per year, and such loan principal forgiveness will be pro-rated for the preceding 12 month period; and
- To maintain eligibility for loan principal forgiveness, loan repayments must be made on time,

and

WHEREAS, sufficient funds are included in the economic development fund from casino proceeds for this project, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute loan documents, on behalf of Cattaraugus County, with the Hide-A-Way Restaurant, LLC, for a term commencing upon signing of the loan documents and terminating seven (7) years thereafter, according to the above-described terms.

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

ACT NO. 181-2015 by Mr. Felton and Ms. Vickman
and Mr. Weller¹

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
LINSTAR, INC. FOR ON-SITE SERVICE AND MAINTENANCE OF
ACCESS CONTROL AND ID SYSTEMS AND VIDEO SURVEILLANCE SYSTEM**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 439-2013 authorized a contract with Linstar, Inc., 430 Lawrence Bell Drive, Buffalo, New York 14221-7085, for the expansion of the LINSTAR Galaxy Access Control System at

The Pines Healthcare and Rehabilitation Center – Machias Campus, the term of which expires March 31, 2015, and

WHEREAS, Act 139-2014 authorized a contract with Linstar, Inc., for the provision of on-site service and maintenance services for the county-wide Linstar proximity and security camera equipment at the Sheriff's Office, the term of which expires March 31, 2015, and

WHEREAS, Act 358-2014 authorized a contract with Linstar, Inc., for the provision of a video surveillance system at the County Museum and Research Library, and

WHEREAS, on-site service and maintenance is needed for the aforementioned access control and ID systems and video surveillance system, and

WHEREAS, Linstar, Inc., can provide on-site support services for equipment and software, which includes remote support, emergency labor, replacement parts and all travel required for each of the locations below, for an amount of \$36,378.74, as follows:

	<u>Location</u>	<u>Price</u>
EMS – ID System		\$ 1,662.51
DPW – Access Control		\$ 369.78
Health – Access Control		\$ 390.45
Info Services Little Valley – Access Control & ID System		\$9,645.82
Info Services Olean – Access Control		\$4,008.91
Probation – Access Control		\$ 163.59
Pines-Olean Campus – Access Control & ID System		\$2,690.72
Pines-Machias Campus – Access Control & ID System		\$3,337.91
Little Valley – Video Surveillance System		\$6,873.43
Olean – Video Surveillance System		\$7,139.26
Museum – Video Surveillance System		\$ 96.36
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 Linstar, Inc., for the provision of the above-described support services, for a term commencing April 1, 2015 and terminating March 31, 2016, according to the above-described terms.

Approved by 9 members of the Finance Committee, 7 members of the County Operations Committee and 7 members of the Senior Services Committee.

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

Adopted March 25, 2015 by voice vote.

ACT NO. 182-2015 by Mr. Teachman and Mr. Padlo

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT
WITH VAN HOOK SERVICE CO., INC.
FOR LIEBERT CRV COOLING SYSTEM
(Information Services)**

Pursuant to Section 450 of the County Law.

WHEREAS, the Department of Information Services is in need of a new cooling system for the server room located in the Little Valley County Center, and

WHEREAS, Van Hook Service Co., Inc., 76 Seneca Avenue, Rochester, New York 14621-2317, can provide and install one (1) new Liebert CRV cooling system in the server room located in the Little Valley County Center, for an amount of \$41,315.00, with includes capital improvement tax, and

WHEREAS, sufficient funds are included in the budget to cover the cost of the aforementioned system and installation 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 Van Hook Service Co., Inc., for the provision of the above-described services, for a term commencing March 25, 2015 and terminating July 31, 2015, according to the above-described terms.

Approved by 9 members of the Finance Committee and 7 members of the County Operations Committee.

Adopted March 25, 2015 by voice vote.

ACT NO. 183-2015 by Mr. Marsh

**LOCAL LAW NUMBER 3-2015
COUNTY OF CATTARAUGUS, NEW YORK**

Pursuant to Section 10 of the Municipal Home Rule Law and
Sections 201 and 205 of the County Law.

**A LOCAL LAW ALLOWING FOR COMMON, SAFE ITEMS TO BE EXCLUDED
FROM THE DANGEROUS FIREWORKS DEFINITION AS PERMITTED
BY NEW YORK STATE PENAL LAW SECTION 405(b)**

BE IT ENACTED by the County Legislature of the County of Cattaraugus as follows:

SECTION 1. Legislative Intent.

1.1 On November 21, 2014, Governor Cuomo signed into law Chapter 477 of the Laws of 2014 (S.7888/A10141).

1.2 The aforementioned provision amended the Penal Law, the Executive Law and the General Business Law, placing further restrictions on dangerous fireworks while at the same time recognizing that certain fireworks should not be labeled dangerous when they pose little or no danger to the public.

1.3 The Governor signed this law in part due to its strong home rule provisions, only allowing for certain fireworks to be sold and used in municipalities that affirmatively enact a local law authorizing such action.

1.4 It is the intent of this local law to allow the sale and use of "sparkling devices" in Cattaraugus County.

SECTION 2. Definitions. "Sparkling Devices" are defined as follows:

2.1 "Sparkling Devices" which are ground-based or hand-held devices that produce a shower of white, gold, or colored sparks as their primary pyrotechnic effect. Additional effects may include a colored flame, an audible crackling effect, an audible whistle effect, and smoke. These devices do not rise into the air, do not fire inserts or projectiles into the air, and do not explode or produce a report (an audible crackling-type effect is not considered to be a report). Ground-based or hand-held devices that produce a cloud of smoke as their sole pyrotechnic effect are also included in this category. Types of devices in this category include:

2.1.1 cylindrical fountain: cylindrical tube containing not more than seventy-five grams of pyrotechnic composition that may be contained in a different shaped exterior such as a square, rectangle, cylinder or other shape but the interior tubes are cylindrical in shape. Upon ignition, a shower of colored sparks, and sometimes a whistling effect or smoke, is produced. This device may be provided with a spike for insertion into the ground (spike fountain), a wood or plastic base for placing on the ground (base fountain), or a wood or cardboard handle to be hand held (handle fountain). When more than one tube is mounted on a common base, total pyrotechnic composition may not exceed two hundred grams, and when tubes are securely attached to a base and the tubes are separated from each other on the base by a distance of at least half an inch (12.7 millimeters), a maximum total weight of five hundred grams of pyrotechnic composition shall be allowed.

2.1.2 cone fountain: cardboard or heavy paper cone containing not more than fifty grams of pyrotechnic composition. The effect is the same as that of a cylindrical fountain. When more than one cone is mounted on a common base, total pyrotechnic composition may not exceed two hundred grams, as is outlined in this subparagraph.

2.1.3 wooden sparkler/dipped stick: these devices consist of a wood dowel that has been coated with pyrotechnic composition. Upon ignition of the tip of the device, a shower of sparks is produced. Sparklers may contain up to one hundred grams of pyrotechnic composition per item.

2.1.4 novelties which do not require approval from the United States Department of Transportation and are not regulated as explosives, provided that they are manufactured and packaged as described below:

a) party popper: small devices with paper or plastic exteriors that are actuated by means of friction (a string or trigger is typically pulled to actuate the device). They frequently resemble champagne bottles or toy pistols in shape. Upon activation, the device expels flame-resistant paper streamers, confetti, or other novelties and produces a small report. Devices may contain not more than sixteen milligrams (0.25 grains) of explosive composition, which is limited to potassium chlorate and red phosphorus. These devices must be packaged in an inner packaging which contains a maximum of seventy-two devices.

b) snapper: small, paper-wrapped devices containing not more than one milligram of silver fulminate coated on small bits of sand or gravel. When dropped, the device explodes, producing a small report. Snappers must be in inner packages not to exceed fifty devices each, and the inner packages must contain sawdust or a similar, impact-absorbing material.

SECTION 3. Authorized Sale and Use of Sparkling Devices.

3.1 Pursuant to §405(5)(b) of the New York State Penal Law (Penal Law) and Penal Law

§270(3)(b)(v), as enacted by Chapter 477 of the Laws of 2014, "sparkling devices" shall be excluded from the definition of "fireworks" and "dangerous fireworks" as those terms as are defined by Penal Law §270(1)(a)(i) and 270(1)(b) respectively.

3.2 The sale and use of "sparkling devices" as defined in Penal Law §270(1)(a)(vi) which is incorporated hereunder shall be lawful in Cattaraugus County provided such sale and use are not in violation of §270 of the Penal Law or any rules and regulations thereunder.

3.3 The sale and use of sparkling devices is permitted subject to the following restrictions:

3.3.1 The sale of sparkling devices will only be permitted on and between June 1st and July 5th and December 26th and January 2nd of each calendar year.

3.3.2 All distributors, manufacturers and retailers of sparkling devices must be licensed through the New York State Department of State.

3.3.3 Only persons over the age of 18 may purchase sparkling devices.

SECTION 4. Severability. If any clause, sentence, paragraph, subdivision, section or part of this law or the application thereof to any person, individual, corporation, firm, partnership, or business shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair or invalidate the remainder thereof but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this law, or in its specific application.

SECTION 5. Effective Date. This Local Law shall become effective upon filing with the Secretary of State.

Approved by 9 members of the Finance Committee and 7 members of the County Operations Committee.

No action taken on Act No. 183-2015 at this time.

ACT NO. 184-2015 by Mr. Marsh

AUTHORIZING PUBLIC HEARING ON LOCAL LAW NUMBER 3-2015

Pursuant to Section 20 of the Municipal Home Rule Law.

WHEREAS, there has been duly presented and introduced at a meeting of this Legislature held on March 25, 2015, a proposed Local Law entitled "A Local Law Allowing for Common, Safe Items to be Excluded from the Dangerous Fireworks Definition as Permitted by New York State Penal Law Section 405(b)", and

WHEREAS, no local law shall be adopted until a public hearing thereon has been had by the Cattaraugus County Legislature upon at least five days' notice, now, therefore, be it

RESOLVED, that a public hearing shall be held on the proposed local law by this County Legislature on the 8th day of April, 2015, at 3:01 p.m. at the Legislature's Chambers, County Center, 303 Court Street, Little Valley, New York, and that at least five days' notice of such hearing shall be given by the Clerk by the due posting thereof upon the bulletin board of each County Court House within the County and by publishing such notice at least once in the official newspapers of the County.

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

Adopted March 25, 2015 by voice vote.

ACT NO. 185-2015 by Mr. Edwards

**LOCAL LAW NUMBER 4-2015
COUNTY OF CATTARAUGUS, NEW YORK**

Pursuant to Article 5 of the Workers' Compensation Law.

**A LOCAL LAW AMENDING LOCAL LAW NUMBER 3-1989 ENTITLED
"A LOCAL LAW TO ESTABLISH THE CATTARAUGUS COUNTY SELF-INSURANCE PLAN
AND TO PROVIDE FOR THE ADMINISTRATION THEREOF",
AS AMENDED BY LOCAL LAW NUMBER 6-2014**

BE IT ENACTED by the County Legislature of the County of Cattaraugus as follows:

SECTION 1. Legislative Intent. It is the intent of this Local Law to remove the term "Human Resources Director" throughout Local Law No. 3-1989, as amended, and all subsequent local laws, and to replace it with the term "Personnel Officer".

SECTION 2. Amendment. Local Law Number 3-1989 (Intro No. 3-1989), as amended by Local Law Number 6-2014 (Intro No. 6-2014), is hereby amended by removing the term "Human Resources Director" from Sections 2, 3, 4, 5, 7, 9, 12 and 13 thereof by substituting and adding in the place and stead thereof the term "Personnel Officer".

SECTION 3. Severability. If any provision of this Local Law shall be adjudged by any court of competent jurisdiction to be invalid, then such adjudication, shall not effect, impair or invalidate the remainder thereof, but shall be confined in its operation to the particular provision directly involved in the controversy in which such judgment shall have been rendered.

SECTION 4. Effective Date. This Local Law shall take effect immediately.

Approved by 9 members of the Finance Committee and 4 members of the Labor Relations Committee.

No action taken on Act No. 185-2015 at this time.

ACT NO. 186-2015 by Mr. Edwards

AUTHORIZING PUBLIC HEARING ON LOCAL LAW NUMBER 4-2015

Pursuant to Article 5 of the Workers' Compensation Law.

WHEREAS, there has been duly presented and introduced at a meeting of this Legislature held on March 25, 2015, a proposed Local Law entitled, "A Local Law Amending Local Law Number 3-1989 entitled 'A Local Law to Establish the Cattaraugus County Self-Insurance Plan and to Provide for the Administration Thereof, as Amended by Local Law Number 6-2014' ", and

WHEREAS, no local law shall be adopted until a public hearing thereon has been had by the Cattaraugus County Legislature upon at least five (5) days' notice, now, therefore, be it

RESOLVED, that a public hearing shall be held on the proposed local law by this County Legislature on the 8th day of April, 2015, at 3:02 p.m. at the Legislature's Chambers, County Center, 303 Court Street, Little Valley, New York, and that at least five (5) days' notice of such hearing shall be given by the Clerk by the due posting thereof upon the bulletin board of each County Court House within the County and by publishing such notice at least once in the official newspapers of the County.

Approved by 9 members of the Finance Committee and 4 members of the Labor Relations Committee.

Adopted March 25, 2015 by voice vote.

ACT NO. 187-2015 by Mr. Snyder, Sr. and Mr. VanRensselaer
who ask immediate consideration

**APPOINTMENT TO JAMESTOWN COMMUNITY COLLEGE
REGIONAL BOARD OF TRUSTEES**

Pursuant to Section 6310(1-a) of the Education Law.

RESOLVED, due to the resignation of Elizabeth Powers, the following individual is hereby appointed to the Jamestown Community College Regional Board of Trustees to fill the remainder of her term which will expire June 30, 2021:

John S. Stahley
21 Messenger Road
Randolph, New York 14772,

and be it further

RESOLVED, that the Clerk of the Legislature is hereby directed to forward a certified copy of this resolution to the President's Office of Jamestown Community College, 525 Falconer Street, Jamestown, New York 14701.

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

Adopted March 25, 2015 by voice vote.

ACT NO. 188-2015 by Mr. Felton, Mr. Hale, Mr. Klancer, Mr. Murphy, Mr. Snyder, Jr.,
Ms. Vickman, Mr. Weller, Mr. Boser, Mr. Lamberson and Mr. Sprague
who ask immediate consideration

**SALE OF TAX TITLE PROPERTY TO FORMER OWNERS
(Towns of Allegany, Freedom, Hinsdale, Machias, New Albion and Yorkshire)**

Pursuant to Section 215 of the County Law and
Rule 40 of the Rules of Order of the
Cattaraugus County Legislature.

WHEREAS, Cattaraugus County has tax title to certain properties situate in the Towns of Allegany, Freedom, Hinsdale, Machias, New Albion and Yorkshire, and

WHEREAS, the former owners of the properties have offered to purchase the same at a cost which will cover the County's financial involvement in these premises, and

WHEREAS, the costs involved for these premises have been tendered to the County Treasurer's Office, now, therefore, be it

RESOLVED, that the County Treasurer be, and hereby is, authorized and directed, on behalf of Cattaraugus County, to execute County Treasurer's Deeds conveying these properties to the following individuals:

TOWN OF ALLEGANY

PARCEL	TAX MAP NO.	FORMER OWNER(S)	ADDRESS	COUNTY INVOLVEMENT
106	93.002-1-29	Timothy Phearsdorf	2515 N. Nine Mile Rd. Allegany, NY 14706	\$1,819.70

TOWN OF FREEDOM

PARCEL	TAX MAP NO.	FORMER OWNER(S)	ADDRESS	COUNTY INVOLVEMENT
227	14.004-1-14.2	Carol A. Martin Gerald T. Martin	111 Edgewood Circle Halifax, VA 24558	\$10,475.05

TOWN OF HINSDALE

PARCEL	TAX MAP NO.	FORMER OWNER(S)	ADDRESS	COUNTY INVOLVEMENT
245	77.004-3-5.2	Laurie Holdcroft	3825 Hedden Hollow Rd. Cuba, NY 14727	\$2,508.07
251	77.003-2-13	Estate of Charles A. Rishel	113 N. 18 th St. Olean, NY 14760	\$3,594.14

TOWN OF MACHIAS

PARCEL	TAX MAP NO.	FORMER OWNER(S)	ADDRESS	COUNTY INVOLVEMENT
288	21.068-2-11	Hilda Girdlestone Marvin Girdlestone	273 Broad Bay Circle Machias, NY 14101	\$22,113.55
295	29.004-3-9	JoAnn M. Martin	3242 Seneca St., Apt. 5 West Seneca, NY 14224	\$4,082.94

TOWN OF NEW ALBION

PARCEL	TAX MAP NO.	FORMER OWNER(S)	ADDRESS	COUNTY INVOLVEMENT
329	44.002-2-14	Shannon L. Reed	7126 Lovers Lane Rd. Cattaraugus, NY 14719	\$6,428.28

TOWN OF YORKSHIRE

PARCEL	TAX MAP NO.	FORMER OWNER(S)	ADDRESS	COUNTY INVOLVEMENT
413	21.001-1-15.4	Jesse J. Jansen Kimberly R. Jansen	3549 Martin Rd. Machias, NY 14101	\$7,624.90
420	12.044-3-16	Vicki Pixley	30 Mill Street Delevan, NY 14042	\$7,175.93

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

Adopted March 25, 2015 by voice vote.

ACT NO. 189-2015 by County Operations Committee:
Mr. Teachman, Mr. Padlo, Mr. Klancer, Mr. Snyder, Jr.,
Mr. VanRensselaer, Mr. Weller and Mr. Sprague
who ask immediate consideration

APPOINTMENT OF COUNTY ATTORNEY

Pursuant to Sections 204, 205 and 501 of the County Law.

WHEREAS, the County Attorney has announced that it is his intention to retire from the Office of the County Attorney effective May 30, 2015, and

WHEREAS, pursuant to Section 31 of the Public Officers Law, the County Attorney cannot file his formal resignation to be effective on such date until on or after May 1, 2015, and

WHEREAS, in order to provide for an effective and seamless succession in the Office of the County Attorney and in order to prepare for other personnel changes in such office, it is necessary

that the Legislature appoint the incumbent's successor now, contingent on the timely filing of the formal resignation of the incumbent as provided by law, now, therefore, be it

RESOLVED, that M. Mark Howden, Esq., Main Street, Olean, New York, be and hereby is, contingent upon the County Clerk's receipt of the incumbent's resignation, appointed County Attorney to fill the unexpired term of the retiring County Attorney, commencing May 31, 2015 and terminating December 31, 2015, at a bi-weekly salary of \$4,553.00, and be it further

RESOLVED, that M. Mark Howden shall be credited with fifteen (15) days of annual leave time on the date of his appointment and with any and all other benefits provided for in such compensation and benefit package as is, or may be, established for Managerial and Confidential Officers and Employees.

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

Adopted March 25, 2015 by voice vote.

ACT NO. 190-2015 by County Operations Committee:
Mr. Teachman, Mr. Padlo, Mr. Klancer, Mr. Snyder, Jr.,
Mr. VanRensselaer, Mr. Weller and Mr. Sprague
who ask immediate consideration

ESTABLISHING COMPENSATION FOR ASSISTANT COUNTY ATTORNEY

Pursuant to Section 205 of the County Law.

WHEREAS, Act 123-2014 created one full-time position of Assistant County Attorney assigned to work in the Department of Social Services, and

WHEREAS, Act 123-2014 also established the compensation for such position, and

WHEREAS, the salary for the aforementioned position of Assistant County Attorney should be increased, now, therefore, be it

RESOLVED, that effective immediately, the salary for Assistant County Attorney, Position No. 142-015-003, be set at a bi-weekly salary of \$3,076.92.

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

Adopted March 25, 2015 by voice vote.

ACT NO. 191-2015 by County Operations Committee:
Mr. Teachman, Mr. Padlo, Mr. Klancer, Mr. Snyder, Jr.,
Mr. VanRensselaer, Mr. Weller and Mr. Sprague
who ask immediate consideration

ESTABLISHING SALARY FOR SUPERVISING SOCIAL SERVICES ATTORNEY IN THE COUNTY ATTORNEY'S OFFICE

Pursuant to Sections 204 and 205 of the County Law
and Sections 22 and 64 of the Civil Service Law.

WHEREAS, the Cattaraugus County Civil Service Commission, has approved and certified the title Supervising Social Services Attorney in accordance with Section 22 of the Civil Service Law, and

WHEREAS, the Cattaraugus County Civil Service Commission has approved the promotion of Stephen D. Miller to the position of Supervising Social Services Attorney, and

WHEREAS, the County Attorney is desirous of recognizing this promotion and years of service with a compensation commensurate with Supervising Social Services Attorney effective March 22, 2015, and

WHEREAS, the County Attorney has set that amount at \$3,346.15 bi-weekly, and

WHEREAS, sufficient funds are included in the 2015 budget to cover the costs associated with this change, now, therefore, be it

RESOLVED, that effective immediately, the position of Supervising Social Services Attorney in the County Attorney's Office will be compensated at a bi-weekly salary of \$3,346.15.

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

Adopted March 25, 2015 by voice vote.

ACT NO. 192-2015 by County Operations Committee:

Mr. Teachman, Mr. Padlo, Mr. Klancer, Mr. Snyder, Jr.,

Mr. VanRensselaer, Mr. Weller and Mr. Sprague

who ask immediate consideration

**CREATING ONE POSITION OF TEMPORARY ASSISTANT COUNTY ATTORNEY IN THE
OFFICE OF COUNTY ATTORNEY AND ESTABLISHING COMPENSATION FOR SAME**

Pursuant to Sections 204 and 205 of the County Law and
Sections 22 and 64 of the Civil Service Law.

WHEREAS, a vacancy will occur in the position of Assistant County Attorney on May 31, 2015, and

WHEREAS, the County is desirous of having a replacement in position to assume the duties and responsibilities immediately upon such vacancy, and

WHEREAS, the best method of assuring an expedient and fluid transition is to create a Temporary Assistant County Attorney position so that the appointee will be able to receive training and guidance from the incumbent Assistant County Attorney with regard to the legal representation of the Department of Social Services and the effective transfer of current and active case files therein, and

WHEREAS, it is necessary to create a position of Temporary Assistant County Attorney on a limited, temporary basis in accordance with Civil Service Law Section 64(1b), and

WHEREAS, it is also necessary to establish a salary for the Temporary Assistant County Attorney, 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 Temporary Assistant County Attorney in accordance with Section 22 of the Civil Service Law, and

WHEREAS, sufficient funds are included in the 2015 budget to cover the costs associated with this temporary position, now, therefore, be it

RESOLVED, that effective May 4, 2015, there is hereby created one (1) position of Temporary Assistant County Attorney in the County Attorney's Office to be compensated at a bi-weekly salary of \$3,076.92, and be it further

RESOLVED, that effective May 30, 2015, this position shall be automatically abolished.

MR. EDWARDS moved, seconded by Mr. Hale to waive Rule 12. Carried.

Adopted March 25, 2015 by voice vote.

MR. TEACHMAN moved, seconded by Mr. Sprague to adjourn until April 8, 2015 at 3:00 p.m. Carried.

Meeting adjourned at 4:53 p.m.

Ann M. Giglio
Journal Clerk