

May 13, 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 – Klancer and Lamberson.

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MS. EDSTROM moved, seconded by Mrs. Labuhn that the minutes of the April 22, 2015 session be approved. Carried.

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COMMUNICATIONS:

Thomas C. Brady, Esq., Cattaraugus County Attorney: Letter of Retirement effective May 30, 2015.

Dawn M. Colburn, Director of Community Services: Letter of resignation effective one month from May 7, 2015.

Family of Ericka Lamberson: Thank you note for donation to Muscular Dystrophy in memory of Ericka.

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APPOINTMENTS:

CRIMINAL JUSTICE ADVISORY COMMITTEE

Term to expire December 31, 2015

Eric Keller, Captain
Sheriff's Office
301 Court Street
Little Valley, New York 14755,
to fill the unexpired term of Daniel French.

PLANNING BOARD

Term to expire July 31, 2016

Andrea Mellon
9877 Burns Hill Road
West Valley, New York 14171,
to fill the unexpired term of Mark Hopkins.

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ACT NO. 244-2015 by Strategic Planning Committee:
Mrs. Stockman, Mr. Sprague, Mr. Edwards, Mr. Felton,
Mr. Klancer, Mrs. Labuhn and Mr. Keller
and Ms. Vickman and Mr. Koch
*and Mr. Padlo*¹

**AUTHORIZING THE COUNTY ADMINISTRATOR TO SUBMIT
TAX FREEZE EFFICIENCY PLAN TO NEW YORK STATE
DEPARTMENT OF TAXATION AND FINANCE**

Pursuant to Section 153 of the County Law.

WHEREAS, New York State requires all municipalities to prepare and submit a tax freeze efficiency plan that shows levy savings to be achieved during the period 2017-2019 so that the taxpayers of Cattaraugus County are eligible for a property tax rebate in 2016, and

WHEREAS, the tax freeze efficiency plan must be filed with the NYS Department of Taxation and Finance by June 1, 2015, and

WHEREAS, the Cattaraugus County Strategic Planning Committee has been developing the aforementioned plan since January 2015, and

WHEREAS, the amount of levy savings required by the State is in the amount of \$510,428.00, and

WHEREAS, the Strategic Planning Committee has identified over \$650,000.00 in potential savings per year over the 2017-2019 period, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature hereby authorizes the County Administrator to submit the County's Tax Freeze Efficiency Plan to New York State on or before June 1, 2015.

Approved by 9 members of the Finance Committee.

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

Adopted May 13, 2015 by voice vote.

ACT NO. 245-2015 by Mr. Marsh, Mr. VanRensselaer, Mr. Weller and Mr. Koch

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT EXTENSION WITH
GREENMAN-PEDERSEN, INC. FOR CONSTRUCTION
INSPECTION SERVICES FOR CONEWANGO BRIDGE NO. 8
REPLACEMENT PROJECT**

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

WHEREAS, Act 242-2014, as amended by Act 629-2014, authorized a contract with Greenman-Pedersen, Inc., 4950 Genesee Street, Suite 165, Buffalo, New York 14225, for the replacement of Conewango Bridge No. 8, located on Cowens Corners Road in the Town of Conewango, and

WHEREAS, the County Department of Public Works is desirous of extending the term of the aforementioned contract to March 31, 2015, in order to allow for more time to complete the construction inspection services for the project, at no additional cost to the County, and

WHEREAS, Greenman-Pedersen, Inc., has agreed to complete the aforementioned services by March 31, 2015, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract extension, on behalf of Cattaraugus County, with Greenman-Pedersen, Inc., for the provision of the above-described engineering services, for a term commencing May 14, 2014 and terminating March 31, 2015, according to the above-described terms.

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

Adopted May 13, 2015 by voice vote.

ACT NO. 246-2015 by Mr. Weller and Mr. Koch

**AUTHORIZING THE ACQUISITION OF LANDS IN THE
TOWN OF DAYTON FOR HIGHWAY PURPOSES
(County Road No. 57 and Bentley Road Intersection)**

Pursuant to Sections 118 and 119 of the Highway Law and
Articles 2 and 3 of the Eminent Domain Procedure Law.

WHEREAS, fee title is needed for property, more fully described below, located in the Town of Dayton, for the reconstruction of the County Road No. 57 and Bentley Road intersection:

PARCEL HDA-57E

All that piece or parcel of property hereinafter designated as Parcel HDA-57E situate in Lot No. 37, Township No. 5, Range No. 9 of the Holland Land Company Survey, Town of Dayton, County of Cattaraugus, State of New York, as shown on the accompanying map and described as follows:

Beginning at a point on the southwesterly highway boundary of existing County Road 57 (Cottage - Markham Road) at its intersection with the division line between property of Phillip C. Pagett and Catherine J. Pagett (reputed owners) on the north and property of Frederick T. Hagerdon (reputed owner) on the south, said point being 6± feet distant easterly measured radially from Station CM 6+91± of the hereinafter described centerline of improvement for the reconstruction of County Road 57 (Cottage - Markham Road) and Bentley Road, said point of beginning also being at the northeast corner property previously acquired by the County of Cattaraugus, designated as Parcel HDA-57B in a Warranty Deed dated May 23, 1997, and recorded in Liber 966 of Deeds at page 1134; thence westerly along said division line 44± feet to a point being 35.00 feet distant westerly measured radially from Station CM 6+75± of said centerline; thence through the property of said Phillip C. Pagett and Catherine J. Pagett (reputed owners) the following two (2) courses and distances: (1) northwesterly, along a 579.00 foot radius curve to the left, 166± feet to a point being 35.00 feet distant southwesterly measured radially from Station 5+00.00 of said centerline; thence (2) North 54° 13' 08" East, 12± feet to a point on said southwesterly boundary of County Road 57, said point being 23± feet distant southwesterly measured radially from Station CM 5+00.00 of said centerline; thence southerly along said highway boundary, 198± feet to the place of beginning, containing 5,252 square feet or 0.12 acre, more or less.

The above mentioned centerline of improvement, as shown on the accompanying map, is established from the 2009 survey baseline for the reconstruction of County Road 57 (Cottage - Markham Road) and Bentley Road, as shown on a map or plan on file in the Office of the Cattaraugus County Department of Public Works, said centerline being described as follows: Beginning at centerline Station CM 1+00; thence South 40° 53' 47" East, 345.18 feet to centerline P.C. Station CM 4+45.18; thence along a 614.00 foot radius curve to the right, 292.54 feet to centerline P.T. Station CM 7+37.72; thence South 13° 35' 54" East, 30.64 feet to centerline Station CM 7+68.36 which equals Bentley Road/C.R. 57 centerline Station 107+54.00., now, therefore, be it

RESOLVED, that the Commissioner of the Department of Public Works is hereby authorized and directed to acquire lands or rights or interests therein for County highway purposes and to acquire such lands or rights or interests therein by option to purchase, release or agreement which gives the County the right to enter and occupy the above-described property for highway purposes, or by condemnation pursuant to Articles 2 and 3 of the Eminent Domain Procedure Law.

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

Adopted May 13, 2015 by voice vote.

ACT NO. 247-2015 by Mr. Weller and Mr. Koch

**DECLARING THAT THE ACQUISITION OF CERTAIN REAL PROPERTY
IN THE TOWN OF DAYTON REPUTEDLY OWNED BY
PHILLIP C. PAGETT AND CATHERINE J. PAGETT, IS DE MINIMIS AND
THAT THE PUBLIC INTEREST WILL NOT BE PREJUDICED BY THE
RECONSTRUCTION OF THE COUNTY ROAD NO. 57 AND BENTLEY ROAD INTERSECTION**

Pursuant to Section 206 (D) of the
Eminent Domain Procedure Law.

WHEREAS, Act 246-2015 authorized the County Department of Public Works to acquire lands or rights or interests therein for County highway purposes by condemnation pursuant to Articles 2 and 3 of the Eminent Domain Procedure Law, and

WHEREAS, the County is about to acquire the lands or rights or interests described in Act 246-2015, reputedly owned by Phillip C. and Catherine J. Pagett, and

WHEREAS, the parcel to be acquired in fee simple is described in Act 246-2015, now, therefore, be it

RESOLVED, that it is the opinion of the Cattaraugus County Legislature that the acquisition of the above-described real property, reputedly owned by Phillip C. Pagett and Catherine J. Pagett is de minimis in nature and that the public interest will not be prejudiced by the reconstruction of the County Road No. 57 and Bentley Road intersection, and be it further

RESOLVED, that the Cattaraugus County Legislature hereby determines that, pursuant to Section 206 (D) of the Eminent Domain Procedure Law, the aforementioned acquisition is exempt from a public hearing as required by Section 201 of the Eminent Domain Procedure Law, and be it further

RESOLVED, that the Commissioner of the Department of Public Works is hereby authorized to institute a proceeding pursuant to Articles 2 and 3 of the Eminent Domain Procedure Law to acquire the aforementioned real property.

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

Adopted May 13, 2015 by voice vote.

ACT NO. 248-2015 by Mr. Weller and Mr. Koch

**AUTHORIZING THE COUNTY ATTORNEY TO NEGOTIATE THE
FAIR MARKET VALUE AND MAKE AN OFFER TO PURCHASE
CERTAIN PROPERTY LOCATED IN THE TOWN OF DAYTON FROM
PHILLIP C. PAGETT AND CATHERINE J. PAGETT**

Pursuant to Article 3 of the Eminent Domain Procedure Law.

WHEREAS, Act 246-2015 authorized the County Department of Public Works to acquire lands or rights or interests therein for County highway purposes by condemnation pursuant to Articles 2 and 3 of the Eminent Domain Procedure Law, and

WHEREAS, pursuant to Section 302 of the Eminent Domain Procedure Law, the County must have real property, which is to be acquired by condemnation, appraised, and

WHEREAS, pursuant to Section 303 of the Eminent Domain Procedure Law, the County must make a written offer to represent just compensation for the real property to be acquired, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature hereby authorizes the County Attorney to negotiate the fair market value of the above-described property and make an offer for the purchase of the same.

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

Adopted May 13, 2015 by voice vote.

ACT NO. 249-2015 by Mr. Klancer, Mr. Murphy and Mrs. Stockman

SALE OF TAX TITLE PROPERTY TO VILLAGE OF GOWANDA

Pursuant to Section 215 of the County Law, Rule 33 of the Rules of Order of the Cattaraugus County Legislature, and Section 72-h of the General Municipal Law.

WHEREAS, Cattaraugus County has tax title to certain properties in the Village of Gowanda described as being that part of Parcel 364: Palmer Street, Tax Map No. 17.021-1-6, 1.60 acres, Property Class: 331 Commercial Vacant w/imp., and

WHEREAS, the Village of Gowanda has offered to purchase the above-described property for an amount of \$1,400.00, which is sufficient to reimburse the County for the amount of returned taxes as required by Rule 40.9 of the Rules of Order, and

WHEREAS, that upon receipt of the aforementioned amount, the property should be conveyed to the Village of Gowanda, now, therefore, be it

RESOLVED, that the County Treasurer, upon receipt of the amount of \$1,400.00, is hereby authorized and directed to convey the aforementioned parcel to the Village of Gowanda, by the issuance of a County Treasurer's Deed the description for which will be prepared by the County Attorney's Office, after a survey of the property is completed.

Approved by 9 members of the Finance Committee.

Adopted May 13, 2015 by voice vote.

ACT NO. 250-2015 by Mr. Felton and Ms. Vickman

**AUTHORIZING THE CHAIR TO EXECUTE LEASE AGREEMENT
WITH ASCOM HASLER LEASING, HASLER FINANCIAL SERVICES, LLC
FOR DEPARTMENT OF NURSING HOMES MAIL EQUIPMENT**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 338-2009 authorized a lease agreement with Ascom Hasler Leasing, Hasler Financial Services, LLC, 3400 Bridge Parkway, Suite 201, Redwood City, California 94065, for mail equipment for The Pines Healthcare & Rehabilitation Center–Olean Campus, and

WHEREAS, the current mail equipment has become outdated and needs to be replaced, and

WHEREAS, Ascom Hasler Leasing, Hasler Financial Services, LLC, has agreed to provide the following replacement equipment and maintenance for The Pines Healthcare & Rehabilitation Center-Olean Campus at the following State Bid price:

Hasler IM360 Digital Mailing System

- integrated 5 lb. Weight platform with all USPS rates,
- prints postage directly on envelopes or on self-adhesive postage labels,
- process up to 45 letters per minute with automatic moistening,
- integrated digital scale weighs envelopes & parcels up to 5 lbs. and automatically sets the postage value,
- tracks postage transaction for up to 100 accounts,
- accounting data can be printed to a USB port, and
- Tele meter setting for easy postage replenishment

63 month lease

\$39.03/month

- Fair market value purchase option at lease end

IH360A Total Funds BasicPlus Postage Meter

\$28.00/month

- includes all postage downloads & USPS rate changes
- meter rental rate locked in for full lease term
- added to lease payment

Full Service Maintenance Agreement

\$16.00/month

- includes all service to mailing system & interfaced scale
- added to lease payment

TOTAL LEASE PAYMENT

\$83.03/month

(includes all of above items),

and

WHEREAS, various lease documents must be executed in connection with the leasing of the aforementioned equipment, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a lease agreement and related financing documents, on behalf of Cattaraugus County, with Ascom Hasler Leasing, Hasler Financial Services, LLC, for the leasing of the above-described equipment, for a term of 63 months commencing May 15, 2015, according to the above-described terms.

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

Adopted May 13, 2015 by voice vote.

ACT NO. 251-2015 by Mr. Felton and Ms. Vickman

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACTS WITH
VARIOUS ENTITIES FOR DEPARTMENT OF NURSING HOMES ANCILLARY SERVICES**

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

WHEREAS, Act 722-2009, as amended by Acts 271-2011, 333-2011 and 249-2012, authorized contracts for reimbursement for Department of Nursing Homes skilled nursing services for individuals enrolled with Independent Health Association, Inc., and each of its subsidiaries and affiliates, and

WHEREAS, Independent Health Association, Inc., 511 Farber Lakes Drive, Buffalo, New York 14221, and each of its subsidiaries and affiliates, effective February 1, 2015, has increased the Skilled Nursing Facility Services reimbursement to an amount of \$260.00 per diem at The Pines Healthcare and Rehabilitation Centers, and

WHEREAS, contract amendments are necessary with Independent Health Association, Inc., and each of its subsidiaries and affiliates, for the aforementioned reimbursement to The Pines Healthcare and Rehabilitation Centers, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute amended contracts, on behalf of Cattaraugus County, with Independent Health Association, Inc., and each of its subsidiaries and affiliates, for the provision of the above-described services to The Pines Healthcare and Rehabilitation Centers, for a term commencing February 1, 2015 to continue in full force and effect at the same rates until terminated by either party, according to the above-described terms.

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

Adopted May 13, 2015 by voice vote.

ACT NO. 252-2015 by 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, as extended by Act 118-2014, 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, the term of which expired February 16, 2015, and

WHEREAS, the Department of Nursing Homes is desirous of extending the term of the aforementioned lease to October 31, 2015, and

WHEREAS, in the event the new truck is delivered to, and accepted by, the Department of Nursing Homes prior to October 31, 2015, the term of the aforementioned lease shall terminate upon commencement of the new lease, 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, for an amount not to exceed \$17,000.00, which includes mileage at the rate of \$.10 per mile, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a lease extension with Ryder Truck Rental, Inc., d/b/a Ryder Transportation Services, extending the aforementioned lease to October 31, 2015, according to the above-described terms.

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

Adopted May 13, 2015 by voice vote.

ACT NO. 253-2015 by Mr. Murphy

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
DENTRUST DENTAL NEW YORK, P.C. FOR JAIL DENTAL SERVICES**

Pursuant to Sections 217 and 450 of the County Law.

WHEREAS, Act 236-2014 authorized a contract with Dentrust Dental New York, P.C., 6097 Easton Road, Pipersville, Pennsylvania 18947, for the provision of dental services for inmates in the Cattaraugus County Jail, the term of which expired April 30, 2015, and

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

WHEREAS, the County shall reimburse Dentrust Dental New York, P.C., in accordance with its standard fee schedule, an amount not to exceed \$22,000.00 per year, to be paid on a monthly basis, as invoiced, 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 Dentrust Dental New York, P.C., for the provision of the above-described services, for a term commencing May 1, 2015 and terminating April 30, 2018, with the option by the County to renew for additional one (1) year terms at the same rates, according to the above-described terms.

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

Adopted May 13, 2015 by voice vote.

ACT NO. 254-2015 by Mr. Marsh

**AUTHORIZING THE CHAIR TO EXECUTE AGREEMENT WITH
ALLEGANY COUNTY TO REQUEST INITIAL WORKFORCE DEVELOPMENT AREA DESIGNATION
UNDER THE WORKFORCE INNOVATION AND OPPORTUNITY ACT**

Pursuant to Section 106 (b)(1) of the Workforce Innovation and Opportunity Act.

WHEREAS, the Workforce Innovation and Opportunity Act (WIOA), enacted on July 22, 2014, amends the Workforce Investment Act of 1998 (WIA) and requires that local workforce investment areas established under WIA be re-designated under WIOA, and

WHEREAS, Cattaraugus and Allegany Counties have been operating as a local workforce investment area under WIA since 2000, and

WHEREAS, the local workforce investment area has achieved sound fiscal integrity and met or exceeded all required federal performance measures as required under WIA, and

WHEREAS, the local workforce investment board, board chair, and chief elected officials of Cattaraugus and Allegany Counties wish to continue operating as the two-county area under WIOA, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute an agreement, on behalf of Cattaraugus County, with Allegany County to request initial designation of Cattaraugus-Allegany Counties as a local workforce development area under WIOA.

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

Adopted May 13, 2015 by voice vote.

ACT NO. 255-2015 by Ms. Edstrom and Mrs. Stockman
and Mr. Koch and Mr. Lamberson¹

**BID ACCEPTANCE FOR MOSQUITO SPRAYING
(Health Department)**

Pursuant to Section 103 of the General Municipal Law and
Section 450 of the County Law.

WHEREAS, the Clerk of the Legislature was authorized to advertise for sealed bids for aerial application and insect control, according to specifications provided by the Cattaraugus County Health Department, and

WHEREAS, the only bid received was Duflo Spray-Chemical, Inc., 8369 State Route 812, Lowville, New York 13367, as follows:

Applications - Applied Rates

Teknar HP-D & Zoecon Altosid Mixture

1st larvicide application $\$12.78/\text{acre} \times 3,223.56 \text{ acres} = \$41,197.10$

Subsequent larvicide application $\$12.23/\text{acre} \times 3,223.56 \text{ acres} = \$39,424.14$

1st adulticide application

if Scourge is used $\$4.39/\text{acre} \times 10,639 \text{ acres} = \$46,705.21$

subsequent adulticide $\$4.18/\text{acre} \times 10,639 \text{ acres} = \$44,471.02$

2nd adulticide application

if Anvil 10 + 10 is used $\$4.22/\text{acre} \times 10,639 \text{ acres} = \$44,896.58$

subsequent adulticide $\$4.12/\text{acre} \times 10,639 \text{ acres} = \$43,832.68,$

and

WHEREAS, the aforementioned services are 100% locally 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 bid of Duflo Spray-Chemical, Inc. be, and the same hereby is, accepted, for a term commencing May 1, 2015 and terminating December 31, 2015, and be it further

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

No State Bid.

14 sets of specifications were sent out.

Only one bid was received.

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

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

Adopted May 13, 2015 by voice vote.

ACT NO. 256-2015 by Ms. Edstrom and Mrs. Stockman

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
FIELDS RESEARCH, INC. FOR
DEPARTMENT OF HEALTH HH-CAHPS SURVEY**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 277-2014 authorized a contract with Fields Research, Inc., 3814 West Street, Cincinnati, Ohio 45227, for the provision of mandated patient satisfaction surveys, the term of which expires July 31, 2015, and

WHEREAS, the Centers for Medicare & Medicaid Services require that all home health care agencies that receive Medicare/Medicaid conduct a HH-CAHPS survey on a monthly basis, and

WHEREAS, the Consumer Assessment of Healthcare Providers and Systems (CAHPS®) Home Health Care Survey, hereafter referred to as the "HH-CAHPS Survey", is designed to measure the experiences of people receiving home health care from Medicare-certified home health agencies, and

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

WHEREAS, Fields Research, Inc., can conduct 300 HH-CAHPS surveys for a flat fee of \$300.00 per month, to be paid as invoiced, 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 Fields Research, Inc., for the provision of the above-described services, for a term commencing August 1, 2015 and terminating July 31, 2016, according to the above-described terms.

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

Adopted May 13, 2015 by voice vote.

ACT NO. 257-2015 by Ms. Edstrom and Mrs. Stockman

**ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
FOR PURCHASE OF VEHICLE
(Health Department)**

Pursuant to Sections 363 and 366 of the County Law.

WHEREAS, the Health Department is desirous of purchasing a 2015 Dodge Grand Caravan SE through Main Motorcar utilizing New York State contract #PC66385, and

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

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

Decrease Appropriation Accounts:

A.401.4090.4072.20006	Computer Equipment	\$ 2,460.00
A.401.4090.4072.41603	Contracted Services	\$ 3,150.00
A.401.4090.4072.45401	Small Equipment	\$ 450.00
A.401.4090.4072.48001	Advertising	\$ 1,500.00
A.401.4090.4072.47006	Operating Supplies	\$ 653.00
A.401.4090.4072.48220	Compliance Checks	\$ 1,000.00

Increase Estimated Revenue Accounts:

A.401.4090.4072.3450.09	ATUPA Grant	\$ 1,712.00
A.401.4010.0000.1338	Van Per Diem	\$10,571.00

Increase Appropriation Accounts:

A.401.4090.4072.20101	Vehicles	\$10,925.00
A.401.4010.0000.20101	Vehicles	\$10,571.00.

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

Adopted May 13, 2015 by voice vote.

ACT NO. 258-2015 by Mr. VanRensselaer and Mr. Boser
and Ms. Edstrom, Mr. Edwards, Mr. Felton, Mr. Hale, Mr. Marsh,
Mr. Murphy, Mr. Snyder, Jr., Mr. Snyder, Sr., Mrs. Stockman,
Mr. Teachman, Ms. Vickman, Mr. Weller, Mr. Koch,
Mrs. Labuhn, Mr. Padlo, Mr. Sprague and Mr. Keller¹

**AMENDING ACT 101-2015 REGARDING CONTRACTS WITH
CATTARAUGUS COUNTY FEDERATION OF SNOWMOBILE CLUBS, INC. AND
VARIOUS SNOWMOBILE CLUBS IN CATTARAUGUS COUNTY FOR
SNOWMOBILE TRAIL GRANT PROGRAM AND ADJUSTING
VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
(Department of Economic Development, Planning and Tourism)**

Pursuant to Article 27 of the Parks, Recreation and Historic
Preservation Law and Sections 363, 366 and 450 of the County Law.

WHEREAS, Act 101-2015 authorized the Chair to execute contracts with the New York State Office of Parks, Recreation and Historic Preservation, the Cattaraugus County Federation of Snowmobile Clubs, Inc., and various snowmobile clubs for the snowmobile trail grant program, the terms of which expired March 31, 2015, and

WHEREAS, Act 101-2015 authorized the County to claim an administration fee of 5% (\$7,390.25), and

WHEREAS, it is proposed that Act 101-2015 be amended to remove the 5% administration fee, and

WHEREAS, it is further proposed that the aforementioned 5% administration fee of \$7,390.25 be added back into the amounts awarded to the various snowmobile clubs, and

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

RESOLVED, that Act 101-2015 be, and hereby is, amended as follows: Remove the entire 5th Whereas and renumber the remaining paragraphs, and be it further

RESOLVED, that Act 101-2015 be, and hereby is, further amended as follows: Replace the listing contained in the 6th Whereas with the following revised listing:

	<u>2014 Grant</u>	<u>2015 Grant</u>
Ashford Snowmobile Club, Inc. PO Box 96 West Valley, NY 14171	\$ 8,820.00	\$ 9,450.00
Elibomwons, Inc. 4164 Elm Creek Road Randolph, NY 14772	\$ 23,100.00	\$ 22,225.00
Enchanted Mountains Border Riders, Inc. PO Box 325 Westons Mills, NY 14788	\$ 4,095.00	\$ 5,040.00
Franklinville Snow Sled Club, Inc. PO Box 22 Franklinville, NY 14737	\$ 23,520.00	\$ 24,710.00
Portville Snowmobile Club, Inc. PO Box 466 Portville, NY 14770	\$ 10,290.00	\$11,655.00
Snow Bounders, Inc. 9189 Cattaraugus-Otto Road Cattaraugus, NY 14719	\$ 51,345.00	\$46,690.00
Southern Tier Snow Drifters, Inc. PO Box 755 North Collins, NY 14111	\$ 10,710.00	\$11,655.00
Tri-County Drift Hoppers, Inc. Snowmobile Club PO Box 161 Sandusky, NY 14133-0161	\$ 12,600.00	\$11,970.00
Western New York Snowmobile Club of Boston, Inc. PO Box 137 Boston, NY 14025	\$ 4,410.00	\$ 4,410.00

and be it further

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

Decrease Estimated Revenue Account:

A.642.6420.0000.1365	Snowmobile Grant Administration	\$7,444.00
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Decrease Appropriation Account:

A.901.1990.0000.40601	Contingent Fund	\$7,444.00.
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Approved by 9 members of the Finance Committee and 7 members of the Development and Agriculture Committee.

¹The following Legislators requested their names be listed as additional sponsors: “Ms. Edstrom, Mr. Edwards, Mr. Felton, Mr. Hale, Mr. Marsh, Mr. Murphy, Mr. Snyder, Jr., Mr. Snyder, Sr., Mrs. Stockman, Mr. Teachman, Ms. Vickman, Mr. Weller, Mr. Koch, Mrs. Labuhn, Mr. Padlo, Mr. Sprague and Mr. Keller”.

Adopted May 13, 2015 by voice vote.

ACT NO. 259-2015 by Mr. VanRensselaer and Mrs. Labuhn
and Mr. Teachman and Mr. Padlo¹

**AUTHORIZING THE CHAIR TO EXECUTE LOAN DOCUMENTS
WITH FOUR MILE BREWING, LLC FOR PURCHASE OF
BREWERY MACHINERY AND EQUIPMENT**

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, Four Mile Brewing, LLC, 1599 Four Mile Road, Allegany, New York 14706, is currently developing a brewery in the City of Olean and expects to create four (4) new full-time and five (5) part-time employment positions over the next thirty-six (36) month period, and

WHEREAS, the company is current and in good standing with the County (loan #1077) and is in need of additional funds for the purchase of machinery and equipment and working capital, and

WHEREAS, the County administers its economic development loan program, using casino funds for economic development projects in the County, and

WHEREAS, it is proposed that the County loan to Four Mile Brewing, LLC, the sum of an additional \$46,539.77 (bringing the current total indebtedness to \$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 (one) through 84 (eight-four) shall be principal and interest,
- Upon the County's receipt of acceptable documentation verifying the creation of at least ten (10) full-time equivalent positions (FTE) and five (5) part-time positions,

Four Mile Brewing, LLC, is eligible for loan principal forgiveness of up to \$25,000.00 (calculated at \$5,000.00 per one (1) FTE),

- Four Mile Brewing, 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 Four Mile Brewing, LLC, for a term commencing upon signing of the loan documents and terminating seven (7) years thereafter, according to the above-described terms.

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

¹The following Legislators requested their names be listed as additional sponsors: “Mr. Teachman and Mr. Padlo”.

Adopted May 13, 2015 by voice vote.

ACT NO. 260-2015 by Mr. VanRensselaer and Mrs. Labuhn
and Mr. Teachman¹

**AUTHORIZING THE CHAIR TO EXECUTE LOAN DOCUMENTS
WITH SOUTHERN TIER ELECTRIC SUPPLY, INC. FOR
A RENOVATION AND 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, Southern Tier Electric Supply, Inc., 123 North Clark Street, Olean, New York 14760, an electrical supplier and distributor, proposes a renovation and expansion project that creates a need for equipment acquisition, inventory, and working capital, and

WHEREAS, Southern Tier Electric Supply, Inc. will retain three (3) full time equivalent and two (2) part time equivalent employees and projects that three (3) full time equivalent positions will be created as a result of this growth and expansion, and

WHEREAS, Southern Tier Electric Supply, Inc. proposes owner equity and investment of \$75,000.00, and

WHEREAS, Southern Tier Electric Supply, Inc., is in need of \$75,000.00 to help defray costs of the aforementioned project, and

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

WHEREAS, it is proposed that the County loan to Southern Tier Electric Supply, Inc., 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 (one) through 12 (twelve) shall be interest only,
- Payments for months 13 (thirteen) through 84 (eighty-four) shall be principal and interest,
- Upon the County's receipt of acceptable documentation verifying the creation of at least five (5) full-time equivalent positions (FTE), Southern Tier Electric Supply, Inc., is eligible for loan principal forgiveness of up to \$25,000.00 (calculated at \$5,000.00 per one (1) FTE),
- Southern Tier Electric Supply, Inc., 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 Southern Tier Electric Supply, Inc., for a term commencing upon signing of the loan documents and terminating seven (7) years thereafter, according to the above-described terms.

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

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

Adopted May 13, 2015 by voice vote.

ACT NO. 261-2015 by Mr. VanRensselaer and Mrs. Labuhn
and Mr. Teachman and Mr. Padlo¹

**AUTHORIZING THE CHAIR TO EXECUTE LOAN DOCUMENTS
WITH BILLINGS SHEET METAL, INC. FOR
OPERATIONS AND EFFICIENCY 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, Billings Sheet Metal, Inc., 1002 South Union Street, Olean, New York 14760, a sheet metal fabricating company incorporated in 1990, is located in a 13,000 square foot facility and currently employs nine (9) full time equivalent employees, and

WHEREAS, Billings Sheet Metal, Inc., proposes an operations and efficiency improvement project to implement a strategic marketing plan for new and diverse business growth creating a need for working capital, and

WHEREAS, Billings Sheet Metal, Inc., is in need of \$15,000.00 to help defray costs of the aforementioned project, and

WHEREAS, Billings Sheet Metal, Inc. is also participating in the Manufacturer's Productivity Improvement Program grant through Southern Tier West and National Grid and is eligible for combined reimbursements totaling \$11,100.00, and

WHEREAS, the County has \$15,000.00 in its economic development loan program, using casino funds for economic development projects in the County, and

WHEREAS, it is proposed that the County loan to Billings Sheet Metal, Inc., the sum of \$15,000.00, at a 5% fixed interest rate per annum, to be repaid in monthly installments over a three (3) year period, with the following conditions:

- Payments for months 1 (one) through 36 (thirty-six) shall be principal and interest, and
- Billings Sheet Metal, Inc., will utilize grant reimbursements from the Manufacturer's Productivity Improvement Program towards debt service of this loan,

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 Billings Sheet Metal, Inc., for a term commencing upon signing of the loan documents and terminating three (3) years thereafter, according to the above-described terms.

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

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

Adopted May 13, 2015 by voice vote.

ACT NO. 262-2015 by Mr. VanRensselaer and Mrs. Labuhn
and Ms. Vickman, Mr. Koch and Mr. Padlo¹

**AUTHORIZING THE CHAIR TO EXECUTE LOAN DOCUMENTS
WITH KATY'S CAFÉ, 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, Katy's Café, LLC, 10A Washington St., P.O. Box 614, Ellicottville, New York 14731, a restaurant incorporated in 2012, operates Katy's Café at the above address, and

WHEREAS, Katy's Café, LLC, proposes an expansion project to renovate and operate Katy's Fly In at 4836 Route 219, Great Valley, New York (the former Eddy's) that creates a need for equipment acquisition and working capital, and

WHEREAS, Katy's Café, LLC, proposes equity and private investment in this project of \$60,000.00, and the creation of four (4) full-time equivalent (FTE) positions and four (4) part-time positions, and

WHEREAS, Katy's Café, LLC, is in need of \$51,000.00² to help defray costs of the aforementioned project, and

WHEREAS, the County has \$51,000.00² in its economic development loan program, using casino funds for economic development projects in the County, and

WHEREAS, it is proposed that the County loan to Katy's Café, LLC, the sum of \$51,000.00², 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 (one) through 84 (eight-four) shall be principal and interest,
- Upon the County's receipt of acceptable documentation verifying the creation of at least four (4) full-time equivalent (FTE) positions and four (4) part-time positions, Katy's Café, LLC, is eligible for loan principal forgiveness of up to \$15,000.00 (calculated at \$3,000.00 per one (1) FTE),
- Katy's Café, 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 Katy's Café, LLC, for a term commencing upon signing of the loan documents and terminating seven (7) years thereafter, according to the above-described terms.

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

¹The following Legislators requested their names be listed as additional sponsors: “Ms. Vickman, Mr. Koch and Mr. Padlo”.

²MR. VANRENSELAER moved, seconded by Mr. Boser to amend as follows: In the sixth, seventh and eighth Whereas, delete: “\$45,000.00”, and replace with: “\$51,000.00”. Carried.

Adopted, as amended, May 13, 2015 by voice vote.

ACT NO. 263-2015 by Mr. VanRensselaer and Mrs. Labuhn
*and Mr. Teachman and Mr. Padlo*¹

**AUTHORIZING THE CHAIR TO EXECUTE LOAN DOCUMENTS
WITH PREMO LIMOUSINE SERVICE OF WNY, LLC FOR
AN 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, Premo Limousine Service of WNY, LLC, 301 South Union Street, Olean, New York 14760, provides limousine, medical, and bus transportation services and proposes an expansion project that creates a need for equipment and property acquisition, and

WHEREAS, Premo Limousine Service of WNY, LLC, will retain eleven (11) part-time equivalent employees and anticipates that four (4) full-time equivalent positions and two (2) part-time equivalent positions will be created as a result of this project, and

WHEREAS, Premo Limousine Service of WNY, LLC, proposes other financing, owner equity and investment of \$525,000.00, and

WHEREAS, Premo Limousine Service of WNY, LLC, is in need of \$75,000.00 to help defray costs of the aforementioned project, and

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

WHEREAS, it is proposed that the County loan to Premo Limousine Service of WNY, 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 (one) through 84 (eighty-four) shall be principal and interest,
- Upon the County’s receipt of acceptable documentation verifying the creation of at least five (5) full-time equivalent positions (FTE), Premo Limousine Service of WNY, LLC, is eligible for loan principal forgiveness of up to \$25,000.00 (calculated at \$5,000.00 per one (1) FTE),

- Premo Limousine Service of WNY, 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 Premo Limousine Service of WNY, LLC, for a term commencing upon signing of the loan documents and terminating seven (7) years thereafter, according to the above-described terms.

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

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

Adopted May 13, 2015 by voice vote.

ACT NO. 264-2015 by Mr. VanRensselaer, Mr. Boser and Mrs. Labuhn

**AUTHORIZING COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM INCOME
TO BE TRANSFERRED TO THE
CATTARAUGUS COUNTY ECONOMIC SUSTAINABILITY AND GROWTH CORPORATION
AND ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
(Department of Economic Development, Planning & Tourism)**

Pursuant to Sections 153, 363 and 366 of the County Law.

WHEREAS, the County of Cattaraugus maintains certain assets in the form of Community Development Block Grant (hereinafter "CDBG") program income funds that were derived from a grant received from the New York State Housing Trust Fund Corporation for the purpose of providing financial assistance to Ford Brothers Wholesale Meats, Inc. (Grant #199ED475-03), and

WHEREAS, such CDBG funds are subject to certain rules and regulations promulgated by the United States Department of Housing and Urban Development (hereinafter "HUD") and the New York State Office of Community Renewal (hereinafter "OCR") regarding their use, and

WHEREAS, such CDBG assets may be used to implement economic development activities within or benefiting the County, and

WHEREAS, the County is desirous of using such CDBG assets for the purpose of funding economic development activities that will provide economic benefits to the County and its residents, and

WHEREAS, the Cattaraugus County Economic Sustainability and Growth Corporation (hereinafter the "CCESGC") has proposed that the County provide a grant of the CDBG assets to the CCESGC to make loans to facilitate CDBG-eligible economic development activities that will leverage the creation of employment opportunities for County residents, and

WHEREAS, the granting of the CDBG assets to the CCESGC will allow loan repayments to become defederalized and no longer subject to Federal requirements regarding their use, and

WHEREAS, CCESGC has the capacity to make such loans and to accomplish the associated program delivery and administrative requirements of the CDBG program in a manner consistent with the rules and regulations promulgated by HUD and the OCR, 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 enter into an agreement with the CCESGC that:

- grants the CDBG assets to the CCESGC for the purpose of making a loan or loans to facilitate CDBG-eligible economic development activities that will leverage the creation of employment opportunities for County residents, such loan or loans to be implemented and administered in a manner consistent with the rules and regulations of the CDBG program,
- allows the CCESGC to use the CDBG assets to pay for reasonable program delivery and grant administration costs (as such terms are defined by HUD) incurred in implementing such CDBG activities in amounts not to exceed any applicable limits prescribed by the rules, regulations, and policies of the CDBG program; and
- acknowledges and agrees that any income derived by the CCESGC from its use of the CDBG assets shall remain the property of the CCESGC and that no restrictions shall be made upon its use,

and be it further

RESOLVED, that the agreement shall be subject to the County Attorney's approval as to form and content, and be it further

RESOLVED, that the County Administrator is hereby directed to *appropriate \$173,395.71 from the MDLF Loan Reserve Account A.831.0000 and*¹ make the following budgetary changes:

Decrease Estimated Revenue Account:

A.642.6422.6425.2701.02	Loan Repayments	\$173,343.00
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Increase Appropriation Account:

A.642.6422.6425.40805	Ford Brothers Loan Program	\$ 52.71.
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Approved by 9 members of the Finance Committee and 7 members of the Development and Agriculture Committee.

¹MR. VANRENSSELAER moved, seconded by Mr. Teachman to amend as follows: In the third Whereas, after to, add the following: "appropriate \$173,395.71 from the MDLF Loan Reserve Account A.831.0000 and". Carried.

Adopted, as amended, May 13, 2015 by voice vote.

ACT NO. 265-2015 by Mr. Marsh, Mr. Teachman and Mr. Padlo

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT EXTENSION WITH
NEW YORK STATE BOARD OF ELECTIONS FOR
HELP AMERICA VOTE ACT (HAVA) FUNDS REIMBURSEMENT
(Voter Education/Poll Worker Training Program)**

Pursuant to 42 USCS 15421, Sections 10 and 16 of the Laws of 2005 and
Section 450 of the County Law.

WHEREAS, Act 109-2007, as amended by Acts 631-2007, 89-2009, 234-2011 and 138-2014, authorized a contract with the New York State Board of Elections Help America Vote Act (HAVA) in order to receive HAVA reimbursement for the Voter Education/Poll Worker Training Program, the term of which has expired, and

WHEREAS, the term of the aforementioned contract should be extended to March 31, 2016, and

WHEREAS, a contract extension is necessary with the New York State Board of Elections in order to extend the term of the aforementioned contract, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract extension, on behalf of Cattaraugus County, with the New York State Board of Elections, 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 and 7 members of the County Operations Committee.

Adopted May 13, 2015 by voice vote.

ACT NO. 266-2015 by Mr. Snyder, Jr., Mr. Teachman, Mr. Koch, Mrs. Labuhn and Mr. Padlo

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACTS WITH
VARIOUS GOVERNMENTAL ENTITIES FOR
USE OF ELECTRONIC VOTING MACHINES FOR CERTAIN ELECTIONS**

Pursuant to Section 450 of the County Law.

WHEREAS, various governmental entities in Cattaraugus County are desirous of using the County's electronic voting machines for certain elections throughout the year, and

WHEREAS, the County Board of Elections has agreed to allow various governmental entities to use its electronic voting machines for certain elections for an amount based on the actual expenses incurred by the Board of Elections at each election, and

WHEREAS, the County Board of Elections shall charge back to the governmental entity 100% of the actual expenses incurred by the Board of Elections at each election, and

WHEREAS, the governmental entities using the County's electronic voting machines must hire certified inspectors, who have been approved by the County Board of Elections, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute contracts, on behalf of Cattaraugus County, with various governmental entities, for the use of the electronic voting machines, for a term commencing May 13, 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 7 members of the County Operations Committee.

Adopted May 13, 2015 by voice vote.

ACT NO. 267-2015 by Mr. Klancer and Mrs. Stockman

**SUPPORTING S.4784-A AND A.7145 REGARDING ABANDONMENT OF
J. N. ADAM DEVELOPMENTAL CENTER**

Pursuant to Section 153 of the County Law.

WHEREAS, the J.N. Adam Developmental Center, located in Perrysburg, has been vacant for several years, and

WHEREAS, the New York State Senate and Assembly have introduced bills declaring the J.N. Adam Development Center to be abandoned State property, and further directs the Commissioner of General Services to study and report to the Governor and the Legislature on the best uses and alternative uses of such property, and

WHEREAS, it is in the best interests of Cattaraugus County to support S.4784-A and A.7145 regarding such abandonment, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature hereby expresses its support for S.4784-A and A.7145 regarding such abandonment, and be it further

RESOLVED, that the Clerk of the Legislature is hereby directed to forward a certified copy of this resolution to Senator Catharine Young and Assemblyman Joseph Giglio.

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

Adopted May 13, 2015 by voice vote.

ACT NO. 268-2015 by Ms. Edstrom and Mrs. Stockman

**ADJUSTING VARIOUS APPROPRIATION ACCOUNTS
(Health Department)**

Pursuant to Sections 363 and 366 of the County Law.

WHEREAS, the Health Department is desirous of changing two (2) part-time positions of Home Health Aide, Part-Time Employee Unit, to two (2) full-time positions of Home Health Aide, General Bargaining Unit, and

WHEREAS, various appropriation accounts must be adjusted in order to cover the cost of the full-time Home Health Aide positions, now, therefore, be it

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

Decrease Appropriation Accounts:

A.401.4017.4036.12000	Part-Time Wages	\$19,309.00
A.401.4017.4036.41634	Home Health Aides	\$37,178.00

Increase Appropriation Accounts:

A.401.4017.4036.11000	Full-Time Wages	\$39,687.00
A.401.4017.4036.81000	FICA	\$ 1,559.00
A.401.4017.4036.82000	Retirement	\$ 2,161.00
A.401.4017.4036.83000	Health Insurance	\$12,969.00
A.401.4017.4026.84000	Dental Insurance	\$ 111.00.

Approved by 9 members of the Finance Committee, 5 members of the Labor Relations Committee and 7 members of the Human Services Committee.

Adopted May 13, 2015 by voice vote.

ACT NO. 269-2015 by Public Works Committee:

Mr. Weller, Mr. Koch, Ms. Edstrom, Mr. Klancer, Mr. Snyder, Jr.,
Mrs. Stockman, Mr. Teachman, Mr. Lamberson and Mr. Sprague
who ask immediate consideration

WAIVING FEES AT CERTAIN TRANSFER STATIONS

Pursuant to Section 17 of Local Law Number 2-1990 (Intro Number 1-1990).

WHEREAS, Act 193-2015 celebrated Earth Day by pledging to support green economy initiatives in Cattaraugus County and to encourage others to undertake similar actions, and

WHEREAS, Act 193-2015 further waived the transfer station fees for approved organizations for a certain time frame, and

WHEREAS, the Town of Hinsdale is conducting a town-wide cleanup and has requested that the tipping fees be waived on May 9th and May 16th at the Salamanca Transfer Station for the disposal of cleanup materials, and

WHEREAS, an Eagle Scout project is being conducted in the Town of Ashford and it is proposed that the tipping fees be waived during the month of August for such project at the Salamanca Transfer Station for the disposal of materials related to the Eagle Scout project, now, therefore, be it

RESOLVED, that the tipping fees are hereby waived at the Salamanca Transfer Station for the disposal of the aforementioned cleanup materials on May 9, 2015 and May 16, 2015, and be it further

RESOLVED, that the tipping fees are hereby waived at the Salamanca Transfer Station for the disposal of materials related to the aforementioned Eagle Scout project during the month of August, 2015.

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

Adopted May 13, 2015 by voice vote.

ACT NO. 270-2015 by Mr. Edwards, Mr. Felton, Mr. Klancer, Mr. Murphy,
Mrs. Stockman, Ms. Vickman and Mr. Weller
who ask immediate consideration

**SALE OF TAX TITLE PROPERTY TO FORMER OWNERS
(Towns of Ashford, Carrollton, Dayton, Freedom and New Albion)**

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 Ashford, Carrollton, Dayton, Freedom and New Albion, 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 ASHFORD

PARCEL	TAX MAP NO.	FORMER OWNER(S)	ADDRESS	COUNTY INVOLVEMENT
120	11.004-2-20.2	Ali E. Moustapha Kathleen A. Moustapha	125 Bascomb Dr. Iva, SC 29655	\$2,666.15

TOWN OF CARROLLTON

PARCEL	TAX MAP NO.	FORMER OWNER(S)	ADDRESS	COUNTY INVOLVEMENT
126	101.003-1-18.1/1	Lamar Advertising of Penn, LLC	1565 W. 12 th St. Erie, PA 16501	\$5,030.28

TOWN OF DAYTON

PARCEL	TAX MAP NO.	FORMER OWNER(S)	ADDRESS	COUNTY INVOLVEMENT
161	16.004-1-35	Jeanine Crowe	9728 Route 62 Gowanda, NY 14070	\$8,937.73

TOWN OF FREEDOM

PARCEL	TAX MAP NO.	FORMER OWNER(S)	ADDRESS	COUNTY INVOLVEMENT
230	22.002-1-22	Tammi R. Rea	10229 Pigeon Hill Rd. Delevan, NY 14042	\$12,755.81

TOWN OF NEW ALBION

PARCEL	TAX MAP NO.	FORMER OWNER(S)	ADDRESS	COUNTY INVOLVEMENT
333	44.003-2-24	Scott Weston Barbara Weston	147 Timber Ave. Angola, NY 14006	\$4,054.65

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

Adopted May 13, 2015 by voice vote.

ACT NO. 271-2015 by Public Works Committee:

Mr. Weller, Mr. Koch, Ms. Edstrom, Mr. Klancer, Mr. Snyder, Jr.,
Mrs. Stockman, Mr. Teachman, Mr. Lamberson and Mr. Sprague
who ask immediate consideration

APPROVING ADOPT-A-COUNTY-HIGHWAY PROGRAM IN CATTARAUGUS COUNTY

Pursuant to Section 277 of the General Municipal Law.

WHEREAS, the Commissioner of Public Works has agreed to implement a program whereby a portion of a County road, street or highway could be adopted by a civic group, Boy Scout, Girl Scout or similar organization to maintain and clear in an orderly fashion, and

WHEREAS, such a program would help the County stretch its limited resources during fiscally difficult times in the area of road and highway maintenance, thereby improving the aesthetics of the County's roadways while cleaning up the environment, now, therefore, be it

RESOLVED, that, pursuant to Section 215 of the County Law, the Commissioner of Public Works is hereby authorized, empowered and directed to enter into such agreements as shall be necessary and proper to implement an Adopt-A-County-Highway Program for county roads or highways with civic groups, Boy Scouts, Girl Scouts or similar organizations whereby DPW will supply such groups with necessary equipment and materials to clean up and designate all portions of County roads and highways in their local community, as the case may be; obtain waivers of liability from such groups; and pick up debris collected by such groups on a periodic basis at designated sites for ultimate disposal by the County, and be it further

RESOLVED, that such agreement shall contain a provision ensuring that implementation of the above-described program does not result in the displacement or layoff of any currently employed County personnel.

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

Adopted May 13, 2015 by voice vote.

MR. HALE moved, seconded by Mr. Keller to adjourn until May 27, 2015 at 3:00 p.m. Carried.

Meeting adjourned at 3:32 p.m.

Ann M. Giglio
Journal Clerk