

February 8, 2017

The meeting was called to order by Chairman Paula J. Stockman.

The invocation was given by Rev. leFeber.

The Attendance Roll Call disclosed one Legislator absent – Giardini.

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CHAIRMAN STOCKMAN noted that the minutes of the January 25, 2017 session stand approved as presented.

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COMMUNICATIONS:

New York State Department of State: Acknowledging receipt of Local Law No. 1-2017 (Intro No. 9-2016) and the filing of the same on January 19, 2017.

Greene County Legislature: Resolution No. 22-17 entitled “Resolution Supporting Ride-Sharing Legislation in the State of New York”.

Family of William E. Sprague: Letter of appreciation for the floral arrangement, support and friendship in sympathy of their loss. Letter of thanks for donation to the proposed park project for the Yorkshire/Delevan community.

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APPOINTMENTS:

CATTARAUGUS-ALLEGANY WORKFORCE DEVELOPMENT BOARD

Three-year terms to expire December 31, 2019

Carrie Childs
 Child’s Blueberries
 3207 Cooper Hill Road
 Humphrey, New York 14741

Keith Kranick
 JCC/Olean Campus
 P.O. Box 5901
 Olean, New York 14760

Lesley Christman
 ACCORD Corporation
 84 Schuyler Street
 Belmont, New York 14813

Brad Monroe
 Dresser-Rand
 Paul Clark Drive, P.O. Box 560
 Olean, New York 14760

Karen Comstock
 Dresser-Rand
 37 Coats Street
 Wellsville, New York 14895

Celeste Schoonover
 Swain Ski Resort
 2276 County Road 24, P.O. Box 44
 Swain, New York 14884

Joe Hart
Lufkin-GE
2475 Tarantine Boulevard
Wellsville, New York 14895

ROUTE 219 CORRIDOR DEVELOPMENT COMMITTEE

Term to expire December 31, 2019

David M. Koch
124 Academy Street
Salamanca, New York 14779,
to fill the position formerly held by Donna Vickman.

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PRIVILEGE OF THE FLOOR:

CHAIRMAN STOCKMAN granted Privilege of the Floor to Suzann Tighe-Cushman, Executive Director of Cornell Cooperative Extension Association of Cattaraugus County. Mrs. Cushman provided an overview of Extension programs and activities, introduced staff members, distributed the 2016 Annual Report, recognized Easton Pence and Amelia Maul for their outstanding achievements, and announced that they will host the New York State Convention will be held in October at Holiday Valley.

CHAIRMAN STOCKMAN recognized the following young people as outstanding representatives of the Cattaraugus County 4-H Program for the year 2016-2017:

Easton Pence, as the child featured on the 2016-2017 4-H Grows Here Marketing Campaign Banner, and

Amelia Maul, as the 4-H Member to have her outstanding photography piece featured on the 2016 Cornell Cooperative Extension Annual Report.

These individuals were honored for their achievements by Cornell Cooperative Extension Association of Cattaraugus County at its annual meeting on December 12, 2016.

CHAIRMAN STOCKMAN granted Privilege of the Floor to Darin Hill, President, Cattaraugus County Farm Bureau who outlined Farm Bureau activities and legislative goals for 2017. Mr. Hill recognized several members of their board of directors and Farm Bureau members in attendance.

CHAIRMAN STOCKMAN called a short recess to enjoy refreshments provided by the Farm Bureau of locally produced foods.

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ACT NO. 64-2017 by Mr. Giardini and Mr. Helmich

**BID ACCEPTANCE FOR BRIDGE STRUCTURAL STEEL
(Department of Public Works)**

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

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

RESOLVED, that the Commissioner of Public Works is authorized to contract for bridge structural steel with the following bidders recommended by the Public Works Committee for the term March 1, 2017 through February 28, 2018, and be it further

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

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

◆ **BRIDGE STRUCTURAL STEEL**

Chemung Supply Corp.

P.O. Box 527

Elmira, New York 14902

<u>Index No.</u>	<u>Description</u>	<u>Prices are Per Pound</u>	
		<u>A36</u>	<u>A572 Grade 50</u>
SS-A1	<u>Structural Angles, Channels up to and including 8"</u>		
	0-4000 lbs	\$.86	\$.86
	4001 lbs and greater	\$.92	\$.92
SS-A2	<u>Structural Angles, Channels over 8" up to and including 15"</u>		
	0-4000 lbs	\$.86	\$.86
	4001 lbs and greater	\$.92	\$.92
SS-B1	<u>Ship and Car Channel (MC section), 6" to 8"</u>		
	0-4000 lbs		\$1.04
	4001 lbs and greater		\$.97
SS-B2	<u>Ship and Car Channel (MC section), over 8" to 18"</u>		
	0-4000 lbs		\$1.04
	4001 lbs and greater		\$.94
SS-C2	<u>I-Beams Std. – 10" to 36"</u>		
SS-C2a	up to 60' long		\$1.08
SS-C2b	60' and greater		\$1.14
SS-D1	<u>Wide Flange- up to & including 12"</u>		
SS-D1a	up to 60' long		\$.81
SS-D1b	60' and greater		\$.94
SS-D2	<u>Wide Flange – 14" to 36"</u>		
SS-D2a	up to 60' long		\$.96
SS-D2b	60' and greater		\$1.05
SS-D2c	up to 60' long (precambered)		\$1.11
SS-D2d	60' and greater (precambered)		\$1.15
SS-E	H-Piles – all sizes up to and including 14"		\$1.03
SS-F	Flat Steel Plates, 6' wide x 20' long x 5/16"		\$.89

SS-H1	<u>Steel Sheet Piling – up to 60' length</u>	<u>A572 Grade 50</u>	<u>A690 Grade 50</u>
SS-H1a	AZ Shapes & Accessories	\$1.02	\$1.02
SS-H1b	PZ Shapes & Accessories	\$.98	\$.98
SS-I	Concrete Re-Enforcing Bar – Grade 60, sizes No. 3 - No. 8, 20 foot lengths	<u>A615 Grade 60</u>	
		\$.48	

State Line Supply Corp.
1333 East Main Street
Bradford, Pennsylvania 16701

<u>Index No.</u>	<u>Description</u>	<u>Prices are Per Pound</u>	
		<u>A36</u>	<u>A572 Grade 50</u>
SS-B1	<u>Ship and Car Channel (MC section), 6" to 8"</u> 0-4000 lbs 4001 lbs and greater	\$1.07 \$1.01	
SS-B2	<u>Ship and Car Channel (MC section), over 8" to 18"</u> 0-4000 lbs 4001 lbs and greater	\$1.07 \$1.01	
SS-C1	<u>I-Beams Std. – up to & including 8"</u>		
SS-C1a	up to 60' long	\$.75	\$.75
SS-D1	<u>Wide Flange- up to & including 12"</u>		
SS-D1a	up to 60' long	\$.99	
SS-D2	<u>Wide Flange – 14" to 36"</u>		
SS-D2a	up to 60' long	\$1.46	
SS-F	Flat Steel Plates, 6' wide x 20' long x 5/16"	\$.58	
SS-G	Flat Steel Plates, 4' wide x 8' long, all thicknesses from 1/4" to 1"	\$.58	\$.65

No State Bid.

Four sets of specifications were sent out.

Two bids were received.

Approved by 5 members of the Finance Committee and 7 members of the Public Works Committee.

Adopted February 8, 2017 by voice vote.

ACT NO. 65-2017 by Mr. Giardini and Mr. Helmich

**BID ACCEPTANCE FOR PRECAST CONCRETE BOX CULVERT
FOR ELLICOTTVILLE CULVERT NO. 46
(Department of Public Works)**

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

WHEREAS, the Clerk of the Legislature was authorized to advertise for sealed bids for a precast concrete box culvert for Ellicottville Culvert No. 46, according to specifications provided by the Public Works Committee, and

WHEREAS, the lowest responsible bid received meeting specifications for the aforementioned precast concrete box culvert was the bid of Capital Concrete Products, Inc., 5690 Camp Road, Hamburg, New York 14075, for an amount of \$42,914.67, to be paid as invoiced and as determined by the Department of Public Works, and

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

RESOLVED, that the bid of Capital Concrete Products, Inc., be, and the same hereby is, accepted, for a term commencing upon Notice of Award with delivery to be made within forty-five (45) days after approval of the shop drawings, and be it further

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

No State Bid.

Five sets of specifications were sent out.

Four bids were received.

Approved by 5 members of the Finance Committee and 7 members of the Public Works Committee.

Adopted February 8, 2017 by voice vote.

ACT NO. 66-2017 by Mr. Giardini and Mr. Helmich

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

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

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

RESOLVED, that the Commissioner of Public Works is authorized to contract for crushed stone, rock rip rap, concrete catch basins, portland cement concrete, geotextile fabric and processed gravel, with the following bidders recommended by the Public Works Committee for the term May 1, 2017 through April 30, 2018, and be it further

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

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

◆ **CRUSHED STONE**

*New Enterprise Stone & Lime Co., Inc.
500 Como Park Boulevard
Buffalo, New York 14227*

<u>Per Ton</u>	F.O.B. <u>Co. Trucks</u>	<u>Delivered Northeast</u>	<u>Delivered Northwest</u>	<u>Delivered Southeast</u>	<u>Delivered Southwest</u>
No. 1A	\$20.40				
No. 1 ST					
No. 1	\$16.75	\$22.50		\$25.25	\$25.25
No. 2	\$15.75	\$21.40		\$24.15	\$24.15
Minus 1 Crusher Run	\$13.00	\$18.75	\$20.90	\$21.50	\$21.50
Minus 2 Crusher Run	\$11.95	\$17.70	\$19.85	\$20.45	\$20.45
Gabion Stone	\$13.30	\$19.05	\$21.20	\$21.80	\$21.80

***Origin of Stone: Wehrle Drive Quarry, 8615 Wehrle Drive, Williamsville, NY*

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

<u>Per Ton</u>	F.O.B. <u>Co. Trucks</u>	<u>Delivered Northeast</u>	<u>Delivered Northwest</u>	<u>Delivered Southeast</u>	<u>Delivered Southwest</u>
No. 1A	\$16.50	\$24.90	\$26.20	\$27.50	\$28.35
No. 1 ST	\$15.50	\$23.90	\$25.20	\$26.50	\$27.35
No. 1	\$14.50		\$24.20		
No. 2	\$13.50		\$23.20		
Minus 1 Crusher Run	\$11.25				
Minus 2 Crusher Run	\$10.25				
Gabion Stone	\$12.50				

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

*Lafarge North America
75 Pineview Drive, Suite 100
Amherst, New York 14228*

<u>Per Ton</u>	F.O.B. <u>Co. Trucks</u>	<u>Delivered Northeast</u>	<u>Delivered Northwest</u>	<u>Delivered Southeast</u>	<u>Delivered Southwest</u>
No. 1A	\$14.85				
No. 1 ST					
No. 1	\$14.30				
No. 2	\$13.50				
Minus 1 Crusher Run	\$10.00				
Minus 2 Crusher Run	\$ 9.55				
Gabion Stone	\$11.65				

***Origin of Stone: Lockport Quarry, 400 Hinman Road, Lockport, NY*

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

Six sets of specifications were sent out. Three bids were received.

◆ **ROCK RIP RAP**

*New Enterprise Stone & Lime Co., Inc.
500 Como Park Boulevard
Buffalo, New York 14227*

<u>FINE</u>	<u>Per Ton</u>	<u>Delivery</u>	<u>Total</u>
Southwest Section	\$14.55	\$8.50	\$23.05

<u>LIGHT</u>	<u>Per Ton</u>	<u>Delivery</u>	<u>Total</u>
Northeast Section	\$14.55	\$5.75	\$20.30
Southeast Section	\$14.55	\$8.50	\$23.05
Northwest Section	\$14.55	\$7.90	\$22.45
Southwest Section	\$14.55	\$8.50	\$23.05

<u>MEDIUM</u>	<u>Per Ton</u>	<u>Delivery</u>	<u>Total</u>
Southeast Section	\$19.35	\$10.00	\$29.35
Southwest Section	\$19.35	\$10.25	\$29.60

<u>HEAVY</u>	<u>Per Ton</u>	<u>Delivery</u>	<u>Total</u>
Southeast Section	\$19.35	\$10.00	\$29.35
Southwest Section	\$19.35	\$10.25	\$29.60

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

<u>FINE</u>	<u>Per Ton</u>	<u>Delivery</u>	<u>Total</u>
Northeast Section	\$11.75	\$8.40	\$20.15
Southeast Section	\$11.75	\$11.00	\$22.75
Northwest Section	\$11.75	\$10.50	\$22.25

<u>MEDIUM</u>	<u>Per Ton</u>	<u>Delivery</u>	<u>Total</u>
Northeast Section	\$16.50	\$10.00	\$26.50
Northwest Section	\$16.50	\$11.40	\$27.90

<u>HEAVY</u>	<u>Per Ton</u>	<u>Delivery</u>	<u>Total</u>
Northeast Section	\$17.00	\$10.20	\$27.20
Northwest Section	\$17.00	\$11.90	\$28.90

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

Six sets of specifications were sent out. Three bids were received.

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

*Capital Concrete Products, Inc.
5690 Camp Road
Hamburg, New York 14075*

Frames & Grates - Basin Sizes

		<u>Rate</u>
CCB 2424	24" sq. x 24"	\$390.00
CCB 2436	24" sq. x 36"	\$410.00
CCB 2436A	24" sq. x 36"	\$422.00

CCB 2436W	24" sq. x 36" (8" wall)	\$550.00
CCB 2454A	(single knockout) 24" sq. x 54"	\$534.00
CCB 2454W	24" sq. x 54" (8" wall)	\$823.00
CCB 3036	30" sq. x 36"	\$550.00
CCB 3054	30" sq. x 54"	\$655.00
CCB 3636	36" sq. x 36"	\$1,201.00

Risers - 24 inches square (Height)

CBR 24-6	6 inches	\$123.00
CBR 24-9	9 inches	\$140.00
CBR 24-12	12 inches	\$146.00
CBR 24-24	24 inches	\$230.00

Risers - 30 inches square (Height)

CBR 30-6	6 inches	\$140.00
CBR 24-9	9 inches	\$155.00
CBR 30-12	12 inches	\$189.00
CBR 30-24	24 inches	\$269.00

Risers - 36 inches square (Height)

CBR 36-6	6 inches	\$260.00
CBR 24-9	9 inches	\$298.00
CBR 36-12	12 inches	\$350.00
CBR 36-24	24 inches	\$460.00

Extra Grates

CBG 24	24" x 24"	\$214.00
CBG 30	30" x 30"	\$344.00
CBG 36	36" x 36"	\$483.00

*Kistner Concrete Products, Inc.**P.O. Box 218**East Pembroke, New York 14056-0218*Frames & Grates - Basin Sizes

CCB 2466	24" sq. x 66"	\$675.00
CCB 2472	24" sq. x 72"	\$730.00

Risers - 24 inches square (Height)

CBR 24-6	6 inches	\$184.00
CBR 24-12	12 inches	\$336.00
CBR 24-24	24 inches	\$441.00

Extra Grates

CBG 24	24" x 24"	\$264.00
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*Bihl Landscape, Inc.**211 Westminster Road**West Seneca, New York 14224*Frames & Grates - Basin Sizes

CCB 2454	24" sq. x 54"	\$477.00
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Risers - 24 inches square (Height)

CBR 24-6	6 inches	\$145.00
CBR 24-12	12 inches	\$170.00
CBR 24-24	24 inches	\$250.00

Extra Grates

CBG 24	24" x 24"	\$199.00
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Binghamton Precast & Supply Corp.
 18 Phelps Street
 Binghamton, New York 13901

Frames & Grates - Basin Sizes

		<u>Rate</u>
CCB 3654	36" sq. x 54"	\$1,249.00
CCB 3654L	36" sq. x 54"	\$1,249.00
	(Large Knockout) 36" x 42" knockouts	
CCB 3672	36" sq. x 72"	\$1,579.00

Risers - 36 inches square (Height)

CBR 36-6	6 inches	\$448.00
CBR 36-9	9 inches	\$454.00
CBR 36-12	12 inches	\$461.00
CBR 36-24	24 inches	\$488.00

Extra Grates

CBG 36	36" x 36"	\$444.00
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No State Bid. Eight sets of specifications were sent out. Five bids were received.

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

Wayne Concrete
 262 Route 44
 Shinglehouse, Pennsylvania 16748

<u>Index No.</u>	<u>Description</u>	<u>Rate</u>
<u>A = NYSDOT Class "A", General Purpose Structural</u>		
A-SE	Southeast Section	132.50
<u>D = NYSDOT Class "D", Thin Structured Application</u>		
D-SE	Southeast Section	137.00
<u>E = NYSDOT Class "E", Structural Slabs and Structural Approach Slabs</u>		
E-SE	Southeast Section	\$136.50
<u>F = NYSDOT Class "F", High Early Strength for Pavement or Structural Slabs</u>		
F-SE	Southeast Section	\$140.00
<u>H = NYSDOT Class "H", Pumping Applications</u>		
H-SE	Southeast Section	\$135.00
<u>ALLOWABLE EXTRA COST - Short load, PER LOAD</u>		
S-1	1 cubic yard or less	\$ 110.00
S-2	More than 1 CY, <=/= 2 CY	\$ 110.00
S-3	More than 2 CY, <=/= 3 CY	\$ 95.00
S-4	More than 3 CY, <=/= 4 CY	\$ 95.00
S-5	More than 4 CY, <=/= 5 CY	\$ 80.00
TC-1	Truck Conveyor (per truck load)	\$145.00
<u>ALLOWABLE EXTRA COST – Heated Concrete, PER YARD</u>		
HC-1	When Requested	\$ 9.50

ALLOWABLE EXTRA COST – Unloading, PER MINUTE

XC-1	Unloading in excess of 5 minutes per cubic yard	\$ 1.58
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ALLOWABLE EXTRA COST – Water-Reducing Admixture

SP-1	When Requested (High Range)(ASTM) Type F	\$ 7.25
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Jamestown Macadam, Inc.

P.O. Box 518

Celoron, New York 14720

<u>Index No.</u>	<u>Description</u>	<u>Rate</u>
<u>A = NYSDOT Class "A", General Purpose Structural</u>		
A-SW	Southwest Section	\$131.00

D = NYSDOT Class "D", Thin Structured Application

D-SW	Southwest Section	\$136.00
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E = NYSDOT Class "E", Structural Slabs and Structural Approach Slabs

E-SW	Southwest Section	\$133.00
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F = NYSDOT Class "F", High Early Strength for Pavement or Structural Slabs

F-SW	Southwest Section	\$139.00
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H = NYSDOT Class "H", Pumping Applications

H-SW	Southwest Section	\$135.00
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HP = NYSDOT Class "HP", High Performance Concrete for Superstructure Slabs and Structural Approach Slabs

HP-SW	Southwest Section	\$179.00
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ALLOWABLE EXTRA COST - Short load, PER LOAD

S-1	1 cubic yard or less	\$ 50.00
S-2	More than 1 CY, </= 2 CY	\$ 50.00
S-3	More than 2 CY, </= 3 CY	\$ 50.00
S-4	More than 3 CY, </= 4 CY	\$ 50.00
S-5	More than 4 CY, </= 5 CY	\$ 50.00
TC-1	Truck Conveyor (per truck load)	\$200.00

ALLOWABLE EXTRA COST – Heated Concrete, PER YARD

HC-1	When Requested	\$11.50
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ALLOWABLE EXTRA COST – Unloading, PER MINUTE

XC-1	Unloading in excess of 5 minutes per cubic yard	\$ 1.50
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ALLOWABLE EXTRA COST – Water-Reducing Admixture

SP-1	When Requested (High Range)(ASTM) Type F	\$ 7.75
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Hanson Aggregates New York, LLC

6895 Ellicott Street

Pavilion, New York 14525

<u>Index No.</u>	<u>Description</u>	<u>Rate</u>
<u>A = NYSDOT Class "A", General Purpose Structural</u>		
A-NE	Northeast Section	\$137.00
A-NW	Northwest Section	\$137.00

D = NYSDOT Class "D", Thin Structured Application

D-NE	Northeast Section	\$143.00
D-NW	Northwest Section	\$143.00

E = NYSDOT Class "E", Structural Slabs and Structural Approach Slabs

E-NE	Northeast Section	\$137.50
E-NW	Northwest Section	\$137.50

F = NYSDOT Class "F", High Early Strength for Pavement or Structural Slabs

F-NE	Northeast Section	\$142.50
F-NW	Northwest Section	\$142.50

H = NYSDOT Class "H", Pumping Applications

H-NE	Northeast Section	\$139.50
H-NW	Northwest Section	\$139.50

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

HP-SE	Southeast Section	\$186.00
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ALLOWABLE EXTRA COST - Short load, PER LOAD

S-1	1 cubic yard or less	\$ 50.00
S-2	More than 1 CY, <=/= 2 CY	\$ 50.00
S-3	More than 2 CY, <=/= 3 CY	\$ 50.00
S-4	More than 3 CY, <=/= 4 CY	\$ 50.00
S-5	More than 4 CY, <=/= 5 CY	\$ 50.00
TC-1	Truck Conveyor (per truck load)	Per Hour \$200.00

ALLOWABLE EXTRA COST – Heated Concrete, PER YARD

HC-1	When Requested	\$ 11.50
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ALLOWABLE EXTRA COST – Unloading, PER MINUTE

XC-1	Unloading in excess of 5 minutes per cubic yard	\$ 1.50
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ALLOWABLE EXTRA COST – Water-Reducing Admixture

SP-1	When Requested (High Range)(ASTM) Type F	\$ 7.25
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State Bid. These prices will be compared with the prices on State Contract and all items will be purchased from the source most beneficial to the County. Six sets of specifications were sent out. Three bids were received.

◆ **GEOTEXTILE FABRIC**

Chemung Supply Corp.

P.O. Box 527

Elmira, New York 14902

WOVEN FABRIC: TerraTex GS/TNS W200 or Equal

Length of Roll – in feet	<u>Cost/Square Yard</u> 432 feet
Square Yards per Roll	600/sq yd
Delivered: Cost per Square Yard	\$0.400
Cost Per Sq. Yd. Picked up at your warehouse	\$0.390
Manufacturer & ID Name	Hanes Geo, TerraTex GS

*Expanded Supply Products**3330 Route 9**Cold Spring, New York 10516*NON-WOVEN FABRIC: DuPont SF40 or EqualCost/Square Yard

Length of Roll – in feet

360 feet

Square Yards per Roll

500/sq yd

Delivered: Cost per Square Yard

\$0.500

Cost Per Sq. Yd. Picked up at your warehouse

\$0.490

Manufacturer & ID Name

Carthage, FX40

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

◆ **PROCESSED GRAVEL** - see next page for listings

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

29 sets of specifications were sent out. 20 bids were received.

Approved by 5 members of the Finance Committee and 7 members of the Public Works Committee.

Adopted February 8, 2017 by voice vote.

PROCESSED GRAVEL **PRICE SUMMARY SHEET**

5/1/2017 - 4/30/2018

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

Material:	Vendor->	COUNTRY SIDE SAND & GRAVEL CRUSHED / SCREEN	DAN GERNATT GRAVEL PRODUCTS CRUSHED / SCREEN	GERNATT ASPH. PRODUCTS CRUSHED / SCREEN	GERNATT ASPH. PRODUCTS CRUSHED / SCREEN	GERNATT ASPH. PRODUCTS CRUSHED / SCREEN	GERNATT ASPH. PRODUCTS CRUSHED / SCREEN
NO. 1A		15.70	15.60	15.60	11.00	8.70	15.60
NO. PA 1B		NB	NB	NB	NB	NB	NB
NO. 1ST		14.40	NB	NB	NB	NB	NB
NO. 1		15.15	15.05	14.55	12.35	10.05	15.05
NO. 1 & 2 MIXED		15.40	15.05	14.55	NB	NB	NB
NO. 2		15.40	15.05	14.55	13.20	10.85	15.05
NO. PA 2A		13.35 10.60 #	13.70	11.90	NB	10.45*	13.70*
NO. 3		NB	3A 15.90	14.30	13.40	10.55	15.90
NO. 4		NB	NB	NB	NB	NB	NB
NO. 5		NB	NB	NB	NB	NB	NB
OVERSIZED (LGR. THAN NO. 5)		14.75 # (2"-8")	15.45 (2"-6")	12.80 (2"-8")	11.45 #	10.80 (2"-4")	12.60 (2"-8")
RUN OF BANK GRAVEL: (# - A1 Deposit)		7.75 #	9.40, 8.20 #	9.20, 7.85 #		7.55*	9.40, 8.05 #
SAND SUITABLE FOR CONCRETE		10.70	10.70	10.70		NB	10.70
SAND SUITABLE FOR ICE & SNOW CONTROL		7.50	NB	7.65		5.95	8.90*
MINUS 1" CRUSHER RUN HARDHEADS		\$15.45; \$12.70 #	\$17.30	14.25, 12.90 #		12.30*	14.85
SUB-BASE MATERIALS		\$11.55; \$9.25 #	\$12.40	10.75, 9.40 #		8.60*	9.30#
BITUMINOUS STABILIZED COURSE		NB	NB	49.75		NB	NB
ADDITIONAL ITEMS: (see below)		XX1	XX2	XX3		XX4	XX5
DELIVERY CHARGES #							
0 - 5 MILES (per net ton mile)		3.00	3.00	3.00		3.00	3.00
6 - 15 MILES		.16	.16	.16		.16	.16
16 - 50 MILES		.16	.16	.16		.16	.16
PLANT LOCATION:		8458 ROUTE 62 SOUTH DAYTON	TAYLOR HOLLOW COLLINS, NY	13650 BENZ DRIVE SPRINGVILLE	11860 RT. 16 CHAFFEE	11216 RT. 98 FREEDOM, NY	191 BROADWAY ROAD GOWANDA, NY

- AT DEPOSIT * - NYSDOT APPROVED

XX1 - MINUS 2" CRUSHER RUN HARDHEADS 14.70 / TON; 11.95 #
 XX2 - MINUS 2" CRUSHER RUN HARDHEADS 16.50 / TON
 XX3 - MINUS 2" CRUSHER RUN HARDHEADS 13.50 / TON; 12.15 #
 XX4 - MINUS 2" CRUSHER RUN HARDHEADS 11.55 / TON

XX5 - MINUS 2" CRUSHER RUN HARDHEADS 14.05 / TON

PROCESSED GRAVEL

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

Material:	Vendor->	GERNATT ASPH PRODUCTS CRUSHED / SCREEN	SCHWAB AGGREGATES LLC CRUSHED / SCREEN	NEW ENTERPRISE STONE & LIME CO. INC. CRUSHED / SCREEN	LITTLE VALLEY SAND & GRAVEL CRUSHED / SCREEN	JAMESTOWN MACADAM CRUSHED / SCREEN	E.F. LIPPERT & CO., INC. I.A. CONSTRUCTION CRUSHED / SCREEN
NO. 1A		14.35	NB	14.65	11.70	14.75	9.00
NO. PA 1B		13.80	NB	13.80	11.70	14.25	12.00
NO. 1ST		NB	NB	13.00	11.70	14.75	7.00
NO. 1		14.25	NB	14.50	11.50	14.00	NB
NO. 1 & 2 MIXED		13.75	NB	13.50	11.70	14.00	12.00
NO. 2		13.75	NB	12.25	12.30	14.00	12.00
NO. PA 2A		11.00	NB	9.50	10.50	NB	7.00*
NO. 3		NB	NB	NB	11.50	15.00	12.00
NO. 4		NB	NB	NB	11.50	NB	NB
NO. 5		NB	NB	NB	NB	NB	NB
OVERSIZED (LGR. THAN NO. 5)		11.65 # (2" - 8")	8.30 (2" - 5") Not Washed	NB	11.50	12.00	NB
RUN OF BANK GRAVEL		7.80 #	5.75	7.85	5.00	7.50	5.95
SAND SUITABLE FOR CONCRETE		10.70	9.35*	10.30	6.50	9.75	6.00*
SAND SUITABLE FOR ICE & SNOW CONTROL		5.95	9.35	7.50	5.90	5.25	4.00*
MINUS 1" CRUSHER RUN HARDHEADS		12.90 #	10.35 limited quantity	NB	NB	NB	NB
SUB-BASE MATERIALS		9.15 #	7.25 Uncrushed 2" Gravel	9.10	7.90	8.00	6.50*
BITUMINOUS STABILIZED COURSE		NB	NB	NB	NB	NB	NB
ADDITIONAL ITEMS: (see below)		XY1	XY2				
DELIVERY CHARGES #		SEE DELIVERY					
0 - 5 MILES (per net ton mile)		3.00	Delivery available @ \$85/HR	2.15	3.00	3.00	N/B
6 - 15 MILES		.16	Tandem Rate	.15	.16	.18	N/B
16 - 50 MILES		.16		.12	.16	.18	N/B
PLANT LOCATION:		6589 MCDONALD RD GREAT VALLEY	10152 Pigeon Hill Rd. DELEVAN	8643 Olean Rd. FRANKLINVILLE	New Albion Rd. LITTLE VALLEY	RANDOLPH	S. NINE MILE RD. ALLEGANY

- AT DEPOSIT * - NYSDOT APPROVED

XY1 - MINUS 2" CRUSHER RUN HARDHEADS 12.15 #/ TON
 XY2 - MINUS 2" CRUSHER RUN HARDHEADS 10.00 / TON

PROCESSED GRAVEL

WASHED per ION F.O.B. Co. Ttk.

Material:	Vendor->	PORTVILLE SAND & GRAVEL L.A. CONSTRUCTION CRUSHED / SCREEN	LINGERMANN EXCAVATING CRUSHED / SCREEN	GIARDINI BROS. CONST. CO. CRUSHED / SCREEN	PERKINS, LLC. CRUSHED / SCREEN	LAFARGE NORTH AMERICA INC. CRUSHED / SCREEN	D & H EXCAVATING INC. CRUSHED / SCREEN
NO. 1A		NB	11.75	NB	13.00	12.75	11.50
NO. PA 1B		11.00	11.25	NB	13.00	NB	NB
NO. 1 ST		NB	10.75	NB	12.50	NB	NB
NO. 1		NB	10.75	14.25	12.50	8.50	8.75
NO. 1 & 2 MIXED		12.00	10.75	NB	12.50	9.55	9.00
NO. 2		12.00	10.75	14.25	12.50	8.50	9.00
NO. PA 2A		7.00*	9.50	14.25	10.00	NB	NB
NO. 3		12.00	10.50	14.25	11.50	NB	NB
NO. 4		NB	NB	14.25	11.50	NB	NB
NO. 5		NB	NB	NB	11.50	NB	NB
OVERSIZED (LGR. THAN NO. 5)		12.00	9.00	12.00	9.50	9.55	7.75
RUN OF BANK GRAVEL		6.95	5.00 (Machias) 5.00 (Cuba Pit)	6.75	7.50*	6.30	4.95
SAND SUITABLE FOR CONCRETE		NB	9.00	NB	8.00	10.60	9.50
SAND SUITABLE FOR ICE & SNOW CONTROL		6.00	5.50	6.50	4.00	6.35	5.50
MINUS 1" CRUSHER RUN HARDHEADS		NB	9.50	NB	10.00	NB	8.00
SUB-BASE MATERIALS		6.50*	5.00(Machias)	7.25	7.50*	8.50	5.45
BITUMINOUS STABILIZED COURSE		NB	NB	NB	NB	NB	NB
ADDITIONAL ITEMS: (see below)			XYZ#1				XYZ#2, XYZ#3 and XYZ#4
DELIVERY CHARGES ##							
0 - 5 MILES (per net ton mile)		5.00	2.00	5.00	3.00	3.50	2.40
6 - 15 MILES		.50	1.50	2.50	.35	.18	.15
16 - 50 MILES		.50	4.00	2.50	.25	.16	.14
PLANT LOCATION:		BARBERTOWN RD. PORTVILLE	BROWN ROAD, MACHIAS Spring Valley Rd, Cuba	GARGOVLE RD ALLEGANY, NY	4343 S. WHALEN RD GREAT VALLEY, NY	10432 Delevan-Eliot Rd. DELEVAN, NY	10811 Route 16 DELEVAN, NY

- AT DEPOSIT * - NYSDOT APPROVED

XYZ#1 - 1-1/4" Minus Crushed Bankrun - \$7.25 (Machias & Cuba Pits)
 XYZ#2 - CRUSHED #3, #4, #5 - \$8.50 / TON
 XYZ#3 - MINUS 2" CRUSHER RUN HARDHEADS - \$8.00 / TON

XYZ#4 - SCREENED TOPSOIL - \$15.00 / TON

PROCESSED GRAVEL:

GRAVEL PITS BIDDING ONLY A FEW ITEMS:

LITTLE VALLEY SAND & GRAVEL

RICKERT PIT - RTE. 242
 RUN OF BANK \$7.00 /CU. YD
 SUB-BASE MATER. \$9.00 /CU. YD.

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

0-5 MILES PER NET TON MILE \$3.00
 6-15 MILES PER NET TON MILE .16
 16-30 MILES PER NET TON MILE .16

McEWAN TRUCKING & GRAVEL PRODUCTS, INC.

12370 Sharp St. Springville, NY

OVERSIZED STONE 3" - 6" \$9.50 /TON
 RUN OF BANK GRAVEL \$6.25 /TON
 SUB-BASE MATERIALS \$6.90 /TON
 SCREENED TOPSOIL \$24.00 /TON

D & HEXCAVATING, INC.

(THERE ARE THREE (3) LOCATIONS)

MARTIN ROAD

OVERSIZED STONE \$7.75 / TON
 RUN OF BANK \$4.95 / TON
 MINUS 1" CRUSHER RUN HARDHEADS \$8.00 / TON
 MINUS 2" CRUSHER RUN HARDHEADS \$8.00 / TON
 CRUSHED #3, #4, #5 WASHED \$8.50 / TON
 SCREENED TOPSOIL \$15.00 / TON
 SUB-BASE MATERIAL \$5.45* / TON

MCKINSTRY RD

OVERSIZED STONE \$7.75 / TON
 RUN OF BANK \$4.95 / TON
 MINUS 1" CRUSHER RUN HARDHEADS \$8.00 / TON
 MINUS 2" CRUSHER RUN HARDHEADS \$8.00 / TON
 CRUSHED #3, #4, #5 WASHED \$8.50 / TON
 SCREENED TOPSOIL \$15.00 / TON
 SUB-BASE MATERIAL \$5.45* / TON

HIRAM ROAD

OVERSIZED STONE \$7.75 / TON
 RUN OF BANK \$4.95 / TON
 MINUS 1" CRUSHER RUN HARDHEADS \$8.00 / TON
 MINUS 2" CRUSHER RUN HARDHEADS \$8.00 / TON
 CRUSHED #3, #4, #5 WASHED \$8.50 / TON
 SCREENED TOPSOIL \$15.00 / TON
 SUB-BASE MATERIAL \$5.45* / TON

0-5 MILES PER NET TON MILE \$2.40
 6-15 MILES PER NET TON MILE .15
 16-30 MILES PER NET TON MILE .14

WATERBORO GRAVEL

12841 Rt. 394, Randolph, NY

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

RICK PERKINS CONTRACTING

(PIT LOCATION - LAIDLAW ROAD, FRANKLINVILLE/FARMERSVILLE

OVERSIZED STONE (larger than No. 5) \$7.50 / TON (\$11.25 / CU YD)
 RUN OF BANK \$5.00 / TON (\$7.50 / CU YD)
 MINUS 1" CRUSHER RUN HARDHEADS NB
 SUB-BASE MATERIALS \$5.00 / TON (\$7.50 / CU YD)

0-5 MILES PER NET TON MILE \$3.25
 6-15 MILES PER NET TON MILE .15
 16-30 MILES PER NET TON MILE .14

BIG DOG GRAVEL PRODUCTS

(PIT LOCATION - 3157 NORTH ROUTE 62 - CONEWANGO, NY

OVERSIZED STONE \$7.00 / CU YD
 RUN OF BANK GRAVEL \$3.85 / CU YD
 SUB-BASE MATERIALS \$4.75 / CU YD

RICHARD L. PECK CONSTRUCTION INC.

(PIT LOCATION - BIRCH RUN ROAD - ALLEGANY, NY)

OVERSIZED STONE \$15.00 / CU YD
 RUN OF BANK GRAVEL \$9.00 / CU YD
 SUB-BASE MATERIALS \$11.00 / CU YD

0-5 MILES PER NET TON MILE \$3.05
 6-15 MILES PER NET TON MILE \$5.00
 16-30 MILES PER NET TON MILE \$9.50

WAYNE GRAVEL PRODUCTS, INC.

(PIT LOCATION - CERES TWP., MCKEAN CO., PA)

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

PAPA UNWASHED CRUSHED GRAVEL \$7.50 / TON
 PAPA MODIFIED (2" Crushed Oversize Gravel) \$11.25 / TON
 PAPA UNWASHED SCREENED GRAVEL (2RC) \$6.35 / TON
 NO. 3 UNWASHED CRUSHED GRAVEL \$10.75 / TON
 NO. 3 UNWASHED SCREENED GRAVEL \$9.50 / TON
 3"-6" UNWASHED CRUSHED GRAVEL \$10.00 / TON
 3"-5" UNWASHED SCREENED GRAVEL \$8.60 / TON
 6" + UNWASHED SCREENED GRAVEL \$11.25 / TON

0-5 MILES PER NET TON MILE \$3.00
 6-15 MILES PER NET TON MILE .19
 16-30 MILES PER NET TON MILE .19

MACHIAS SAND & GRAVEL, INC.

(PIT LOCATION - RTE 242, MACHIAS, NY

RUN OF BANK \$8.10 /CU. YD. \$6.50 /TON
 SUB-BASE MATERIAL \$6.75 /CU. YD. \$4.50 /TON

PERKINS LLC.

4343 S. WHALEN RD. GREAT VALLEY, NY

NYS DOT ITEM#304 2" CRUSHED STONE \$11.00 / CU YD
 1" CRUSHED SUBBASE \$12.50 / CU YD
 UNSCREENED TOPSOIL \$17.00 / CU YD
 SCREENED TOPSOIL \$25.00 / CU YD
 1 1/2" CRUSHED BLACKTOP MILLINGS \$17.00 / CU YD.
 2" CRUSHED CONCRETE \$13.50 / CU. YD.

ACT NO. 67-2017 by Ms. Vickman and Ms. Hastings

**LOCAL LAW NUMBER 1 - 2017
COUNTY OF CATTARAUGUS, NEW YORK**

Pursuant to Section 10 of the Municipal Home Rule Law.

**A LOCAL LAW ESTABLISHING FEES FOR CATTARAUGUS COUNTY
HEALTH DEPARTMENT SERVICES AND REPEALING LOCAL LAW
NUMBER 3-2011 (INTRO NUMBER 3-2011), AS AMENDED**

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 revise the fee schedule currently in effect for certain services provided by the Cattaraugus County Health Department.

SECTION 2. Fee Schedule. Effective May 1, 2017, the following fees shall be charged by the Cattaraugus County Health Department.

<i>Program Area</i>	<i>Service</i>	<i>Fee</i>
A. Food Protection	Food Service Establishments (P)	
	High Risk Food	
	▪ (0-50 seats)	\$145.00
	▪ (51-100 seats)	\$185.00
	▪ (101 + seats)/Catering	\$230.00
	Moderate Risk Food	\$120.00
	Low Risk Food	\$ 95.00
	Temporary Food (P)	
	▪ Prior to Event	\$ 60.00
	▪ Day of Event	\$ 80.00
		Frozen Desserts (P)
B. Camps/Recreation	Bathing Facilities (P)	
	▪ Swimming Pool/Spa	\$120.00
	▪ Each Additional Pool/Spa	\$ 45.00
	▪ Beach (Mandatory Sampling Required)	\$ 95.00
	Temporary Residence (P)	
	Hotel/Motel	
	▪ Base Fee & Fire Safety	
	▪ (0-20 rooms)	\$ 95.00
	▪ (21-50 rooms)	\$120.00
	▪ (51-100 rooms)	\$145.00
	▪ (101 + rooms)	\$195.00
	Campgrounds (P)	
	▪ Base Fee	
▪ (0-50 sites)	\$ 95.00	
▪ (51-100 sites)	\$120.00	
▪ (101 – 200 sites)	\$145.00	
▪ (201 + sites)	\$195.00	

	Children's Camps (P)	
	Basic Facility & Safety Plans	\$220.00
	<i>(fee for profit only; non-profits are exempt per 10 NYCRR)</i>	
	Mass Gathering (P)	
	Attendance/Ticket Sales	
	▪ (5,000-10,000)	\$2,000.00
	▪ (10,000+)	\$3,000.00
C. Community Sanitation	Mobile Home Parks (P)	
	▪ Base Fee	\$ 70.00
	▪ Unit Fee (per site)	\$ 5.00
	Day Care Center (I)	\$ 95.00
	<i>(as regulated per NYSDOH Tech.Ref. Item# CSFP 159)</i>	
	Labor Camp (P)	
	▪ Base Fee	\$170.00
	▪ With Food Service (add)	\$ 95.00
	Real Property Transfer/Mortgage Refinancing (I)	
	▪ Water Supply	\$ 95.00
	▪ Sewage System	\$195.00
	▪ Water and Sewage Systems	\$290.00
	▪ Privy Only	\$ 95.00
	▪ Residential Well Water Quality Test (U.S. HUD Mortgage Requirements)	\$170.00
	Small Sewage Disposal System (P)	
	▪ New System	\$195.00
	▪ Full or Partial Replacement	\$145.00
	▪ Septic Tank Only Replacement	\$ 95.00
	▪ Privy	\$ 95.00
	▪ Sewage Disposal System Construction Renewal Fee (After 1 year)	\$ 55.00
D. Onsite Public Water/Sewage	For all Regulated Facilities which have onsite water and/or sewage disposal systems, add the following:	
	▪ Community Public Water Supply (I)	\$120.00
	▪ Non-Community Public Water Supply (I)	\$ 70.00
	▪ Onsite Sewage Disposal (I)	\$ 50.00
E. Communicable Disease Prevention	Body Art Establishment (P)	\$120.00
	▪ Individual Artist Certificate	\$75.00
F. Environmental Reviews/Investigations	SEQRA-Positive Declaration –EIS Required	\$ 1,020.00
	SEQRA-Negative Declaration-Full EAF	\$ 220.00
	SEQRA-Negative Declaration-Short EAF	\$ 120.00
G. Plan Review/Approval	Onsite Sewage Treatment System	
	▪ (Less than 1,000 gpd)	\$ 70.00
	▪ (Greater than 1,000 gpd)	\$ 120.00

Mobile Home Park (site Plan)		\$ 120.00
Campground (Site Plan)		\$ 120.00
Realty Subdivision (Per Lot)		\$ 25.00
Public Bathing Facility		
▪ Pool/Spa (Per Filter System)		\$ 170.00
▪ Beach		\$ 70.00
Public Water Supply		
▪ Treatment		\$ 170.00
▪ Distribution		\$ 170.00
▪ Storage		\$ 120.00
▪ Source		\$ 120.00
Cross Connection Control (Per Device)		\$ 70.00
Sanitary Sewer Extension		\$ 170.00
Food Service Establishment		
▪ New Construction		\$ 120.00
▪ Renovation		\$ 70.00
Mass Gathering (Site Plan)		\$1,000.00
H. Clean Indoor Air Act	▪ Waiver Application (BOH voted to no longer issue waivers)	\$ 170.00
I. Permit Reissuance	▪ Extension of Conditioned Temporary Permit	\$ 25.00

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. Repeal Local Law Number 3-2011, as amended. Local Law Number 3-2011 (Intro Number 3-2011), as amended, is hereby repealed.

SECTION 5. Effective Date. This Local Law shall take effect immediately.

Approved by 5 members of the Finance Committee and 7 members of the Human Services Committee.

No further action taken at this time.

ACT NO. 68-2017 by Ms. Vickman and Ms. Hastings

AUTHORIZING PUBLIC HEARING ON LOCAL LAW NUMBER 1 - 2017

Pursuant to Section 10 of the Municipal Home Rule Law.

WHEREAS, there has been duly presented and introduced at a meeting of this Legislature held on February 8, 2017, a proposed Local Law entitled, "A Local Law Establishing Fees for Cattaraugus County Health Department Services and Repealing Local Law Number 3-2011 (Intro Number 3-2011), as amended", 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 22nd day of February, 2017, at 4:01 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 5 members of the Finance Committee and 7 members of the Human Services Committee.

Adopted February 8, 2017 by voice vote.

ACT NO. 69-2017 by Ms. Vickman and Ms. Hastings

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

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

WHEREAS, Act 406-2013, as amended by Act 440-2014, authorized a contract with Olean General Healthcare Systems, 234 Homer Street, Olean, New York 14760, for the provision of respiratory equipment and related services to the County Department of Nursing Homes, the term of which expires September 30, 2017, and

WHEREAS, the aforementioned contract should be amended to include a "cap of 13 months" for rental/purchase and maintenance of CPAP & BIPAP equipment for residents of The Pines Healthcare and Rehabilitation Centers, as follows:

<u>Item</u>	<u>Cost</u>	<u>Comments</u>
CPAP	\$ 2.35/day	Equipment "caps" after 13 months and becomes property of the facility *
BIPAP	\$ 3.00/day	Equipment "caps" after 13 months and becomes property of the facility *
RT Visit for facility-owned equipment	\$100.00	
Repairs on facility-owned equipment	Repair estimate will be given	

*Capped equipment becomes the property of the facility after 13 rental payments. During the rental period, repairs are included. After the rental period, repairs and clinician consults can be requested and will be billed to the facility, and

WHEREAS, Olean General Healthcare Systems has agreed to the aforementioned amendment, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute an amended contract, on behalf of Cattaugus County, with Olean General Healthcare Systems, for the provision of the above-described equipment and services, which amends the contract which commenced October 1, 2013 and terminates September 30, 2017, according to the above-described terms.

Approved by 5 members of the Finance Committee and 7 members of the Human Services Committee.

Adopted February 8, 2017 by voice vote.

* * * * *

MR. HALE moved, seconded by Mr. Boberg, to waive Rule 12, pursuant to Rule 33.1, regarding Act No. 70-2017 through Act No. 72-2017, inclusive. Carried.

* * * * *

ACT NO. 70-2017 by Mrs. Stockman
who asks immediate consideration

**AMENDING RULE 12.17 AND SECTION 5 OF THE APPENDIX
OF THE RULES OF ORDER OF THE COUNTY LEGISLATURE**

Pursuant to Rule 32 of the Rules of Order.

WHEREAS, Rule 12.17 should be amended as follows: After: "apply to the", add: "organizational".,
and

WHEREAS, Section 5 of the Appendix should be amended as follows: Under 5.2, add a new subsection numbered .5, as follows:

".5 Shall have the authority to hear all matters pursuant to Civil Service Law Section 75 involving misconduct or incompetence by County employees, except to the extent that collective bargaining agreements provide otherwise, and may, upon motion, appoint or designate a hearing officer, to act in its stead, to hear such matters and make recommendations to the County Legislature accordingly.",

now, therefore, be it

RESOLVED, that Rule 12.17 and Section 5 of the Appendix of the Rules of Order are hereby amended as stated above.

Adopted February 8, 2017 by voice vote.

ACT NO. 71-2017 by Mr. Klancer and Mr. Neal
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
NEW YORK STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES
FOR PUBLIC SAFETY ANSWERING POINTS OPERATIONS GRANT**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 368-2016 authorized the Chair to apply for funding through the New York State Division of Homeland Security and Emergency Services for the 2016-2017 Public Safety Answering Points Operations Grant Program (PSAP Operations Grant), and

WHEREAS, the Sheriff's Office has been awarded \$177,254.00 through the aforementioned grant program for the 2016-2017 program year, and

WHEREAS, a contract is needed in order to accept and receive the aforementioned grant, now, therefore, be it

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

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

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

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

Adopted February 8, 2017 by voice vote.

ACT NO. 72-2017 by Mr. Snyder, Jr. and Mr. Giardini
who ask immediate consideration

**RESOLUTION AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE TO
APPROVE THE PROPOSED ACTION BY COUNTY OF CATTARAUGUS
INDUSTRIAL DEVELOPMENT AGENCY IN CONNECTION WITH A CERTAIN
COMMERCIAL PROJECT FOR OLEAN MANOR, INC.**

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

WHEREAS, pursuant to Article 18-A of the General Municipal Law of the State of New York and Chapter 536 of the 1971 Laws of New York (collectively, the "Act"), the Legislature of Cattaraugus County (the "County Legislature") has heretofore appointed the members of County of Cattaraugus Industrial Development Agency (the "Agency") and has duly caused to be filed in the office of the Secretary of the State of New York the certificates required by Section 856 of the General Municipal Law of the State of New York, and

WHEREAS, pursuant to the Act, the Agency is authorized and empowered to promote, develop, encourage and assist in the acquiring, constructing, reconstructing, improving, maintaining, equipping and furnishing of industrial, manufacturing, warehousing, commercial, research and recreation facilities, among others, for the purpose of promoting, attracting and developing economically sound commerce and industry to advance the job opportunities, health, general prosperity and economic welfare of the people of the State of New York, to improve their prosperity and standard of living, and to prevent unemployment and economic deterioration, and

WHEREAS, to accomplish its stated purposes, the Agency is authorized and empowered under the Act to acquire, construct and install one or more "projects" (as defined in the Act), or to cause said projects to be acquired, constructed and installed, and to convey said projects or to lease said projects with the obligation to purchase, and

WHEREAS, in November, 2016, Olean Manor, Inc., a New York business corporation (the "Company"), submitted an application (the "Application") to the Agency, a copy of which Application is on file at the office of the Agency, which Application requested that the Agency consider undertaking a project (the "Project") for the benefit of the Company, said Project consisting of the following: (A) (1) the acquisition of an interest in an approximately six (6) acre portion of an approximately 51.60 acre parcel of land located on N. Seventh Street in the Town of Allegany, Cattaraugus County, New York (being a portion of Tax Map # 94.037-1-24) (the "Land"), (2) the construction on the Land of approximately 10-12 buildings containing in the aggregate approximately 112,000 square feet of space (collectively, the "Facility"), and (3) the acquisition and installation therein and thereon of certain machinery and equipment (collectively, the "Equipment"), all of the foregoing to constitute an adult assisted living facility (the Land, the Facility and the Equipment being collectively referred to as the "Project Facility"); (B) the granting of certain "financial assistance" (within the meaning of Section 854(14) of the Act) with respect to the foregoing, including potential exemptions from certain sales and use taxes, real property taxes, real property transfer taxes and mortgage recording taxes (collectively, the "Financial Assistance"); and (C) the lease (with an obligation to purchase) or sale of the Project Facility to the Company or such other person as may be designated by the Company and agreed upon by the Agency, and

WHEREAS, pursuant to Section 862(2)(a) of the Act, no financial assistance of the Agency shall be provided in respect of any project where facilities or property that are primarily used in making retail sales of goods or services to customers who personally visit such facilities constitute more than one-third of the total project cost, unless certain exceptions apply, one of which is that the Project is located in a highly distressed area, and

WHEREAS, pursuant to Section 862(2)(c) of the Act, the Agency may not provide financial assistance to the Project unless the Agency shall, after satisfaction of the public hearing requirements of Section 859 of the Act, make a finding that undertaking the Project will serve the public purposes of the Act by preserving permanent, private sector jobs in the State or increasing the overall number of permanent, private sector jobs in the State, and

WHEREAS, by resolution adopted by the members of the Agency on December 6, 2016 (the "Public Hearing Resolution"), the Agency authorized a public hearing to be held pursuant to Section 859-a of the Act with respect to the Project, and

WHEREAS, pursuant to the authorization contained in the Public Hearing Resolution, the Executive Director of the Agency (A) caused notice of public hearing of the Agency (the "Public Hearing") pursuant to Section 859-a of the Act, to hear all persons interested in the Project and the Financial Assistance being contemplated by the Agency with respect to the Project, to be mailed on December 8, 2016 to the chief executive officers of the county and of each city, town, village and school district in which the Project is or is to be located, (B) caused notice of the Public Hearing to be posted (1) on December 12, 2016 on a bulletin board located at the Allegany Village Hall located at 106 East Main

Street in the Town/Village of Allegany, Cattaraugus County, New York, (2) on December 8, 2016 on a bulletin board located at County of Cattaraugus Industrial Development Agency Offices located at 9 East Washington Street in the Town of Ellicottville, Cattaraugus County, New York, and (3) on the Agency's website on December 8, 2016, (C) caused notice of the Public Hearing to be published on December 10, 2016 in the Olean Times Herald, a newspaper of general circulation available to the residents of the Town of Allegany, Cattaraugus County, New York, (D) conducted the Public Hearing on December 28, 2016 at 10:00 o'clock a.m., local time at the Allegany Village Hall located at 106 East Main Street in the Town/Village of Allegany, Cattaraugus County, New York, and (E) prepared a report of the Public Hearing (the "Hearing Report") fairly summarizing the views presented at such Public Hearing and caused copies of said Hearing Report to be made available to the members of the Agency, and

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law, Chapter 43-B of the Consolidated Laws of New York, as amended (the "SEQR Act") and the regulations (the "Regulations") adopted pursuant thereto by the Department of Environmental Conservation of the State of New York (collectively with the SEQR Act, "SEQRA"), by resolution adopted by the members of the Agency on December 6, 2016 (the "Preliminary SEQR Resolution"), the Agency (A) determined (1) that the Project involves more than one "involved agency", and (2) to investigate the advisability of undertaking a coordinated review with respect to the Project and (B) authorized the Executive Director of the Agency to contact all other "involved agencies" for the purpose of ascertaining whether such "involved agencies" were interested in undertaking a coordinated review of the Project and, if so, designating a "lead agency" with respect to the Project (as such quoted terms are defined in SEQRA), and

WHEREAS, further pursuant to SEQRA, by resolution adopted by the members of the Agency on February 2, 2017 (the "Final SEQR Resolution"), Agency (A) determined that there are no other "involved agencies" with respect to the Project and therefore the Agency is the "lead agency" with respect to the Project, (B) acting as "lead agency", determined that the Project will result in no major impacts and therefore, will not have a significant effect on the environment and (C) determined that a negative declaration would be prepared with respect to the Project, and

WHEREAS, by further resolution adopted by the members of the Agency on February 2, 2017 (the "Commercial/Retail Finding Resolution"), the Agency (A) determined that the Project constituted a "commercial project" within the meaning of the Act, (B) found that although the Project Facility appears to constitute a project where facilities or properties that are primarily used in making the retail sales of goods or services to customers who personally visit such facilities may constitute more than one-third of the costs of the Project, the Agency is authorized to provide financial assistance in respect of the Project pursuant to Section 862(2)(a) of the Act because the Project Facility is located in census tract 9611, which is contiguous to census tract 9403, which is considered to be a distressed census tract and therefore is in a "highly distressed area", as that term is defined in Section 854(18) of the Act, (C) determined, following a review of the Hearing Report, that the Project would serve the public purposes of the Act by preserving permanent private sector jobs in the State of New York, and (D) determined that the Agency would proceed with the Project and the granting of the Financial Assistance; provided however, that no financial assistance would be provided to the Project by the Agency unless and until the County Legislature of Cattaraugus County, as chief executive officer of Cattaraugus County, New York, pursuant to Section 862(2)(c) of the Act, confirmed the proposed action of the Agency with respect to the Project, and

WHEREAS, for the sole purpose of allowing the Agency to proceed with the Project, this Legislature desires to empower the Chairman of this Legislature, as the chief executive officer of Cattaraugus County, to confirm the proposed action of the Agency with respect to the Project, pursuant to Section 862(2)(c) of the Act, and

WHEREAS, Section 870 of the General Municipal Law of the State of New York specifically provides that any obligation of the Agency shall not be a debt of Cattaraugus County, New York, nor shall Cattaraugus County, New York be liable thereon, now, therefore, be it

RESOLVED, that, for the sole purpose of allowing the Agency to proceed with the Project and the granting of the financial assistance described in the notice of the Public Hearing, the County Legislature hereby authorizes the Chairman of this County Legislature, as the chief executive officer of Cattaraugus County, New York, to either confirm or refuse to confirm the proposed action of the Agency with respect to the Project, pursuant to Section 862(2)(c) of the Act, and be it further

RESOLVED, that this resolution shall take effect immediately.

Adopted February 8, 2017 by voice vote.

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MRS. LABUHN moved, seconded by Mr. Neal to adjourn until February 22, 2017 at 4:00 p.m.
Carried.

Meeting adjourned at 5:07 p.m.

Ann M. Giglio
Journal Clerk