



February 22, 2017

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

The invocation was given by Rev. leFeber.

The Attendance Roll Call disclosed two Legislators absent – Klancer and Labuhn.

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CHAIRMAN STOCKMAN noted that the minutes of the February 8, 2017 session stand approved as presented.

\* \* \* \* \*

**COMMUNICATIONS:**

New York State Department of State: Acknowledging receipt of Local Law No. 2-2017 (Intro No. 12-2016) and the filing of the same on February 7, 2017.

Orleans County Legislature: Resolution No. 44-17 entitled “Requesting New York State Legislature to Enact Legislation for the Extension or Permanent Continuation of the Cold War Real Property Tax Exemption as Provided in RPTL Section 458-b”.

Tioga County Legislature: Resolution No. 43-17 entitled “Urging New York State to Fund Probation Departments and Other Impacted County Departments and Agencies the Full Costs Associated with Raising the Age of Criminal Responsibility to 18 Years of Age”; Resolution No. 53-17 entitled “Resolution Calling on Governor Andrew Cuomo and the State Legislature to Plan for Next Generation 911 in NYS and Create a NYS 911 Department that Supports County Public Safety Answering Points and Enhances Local Emergency Dispatch Services”; and Resolution No. 54-17 entitled “Resolution Calling on Governor Andrew Cuomo and the State Legislature to More Equitably and Efficiently Impose the 911 Surcharge on All Wireless Communication Devices and Use Revenues to Finance Life Saving County 911 Services”.

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**PUBLIC HEARING:**

CHAIRMAN STOCKMAN announced this is the time and place called for a public hearing on **Act No. 67-2017, Local Law Number 1-2017**, 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 that anyone wishing to speak for or against this local law may now do so.

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

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CHAIRMAN STOCKMAN called up **Act No. 67-2017, Local Law Number 1-2017**, 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 asked that it be read.

CHAIRMAN STOCKMAN requested a Roll Call vote on Act No. 67-2017, which disclosed as follows:

Ayes: Boberg, Breton, Giardini, Hale, Hastings, Helmich, Higgins, Koch, Neal, Padlo, Snyder, Sr., Snyder, Jr., Stockman, VanRensselaer, Vickman - 15.

Nays: none.

Act No. 67-2017, Local Law Number 1-2017, having received a majority vote of the Legislature, was declared Adopted.

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**ACT NO. 73-2017** by Mr. Giardini and Mr. Helmich

**BID ACCEPTANCE FOR CORRUGATED BEAM GUIDE RAILING,  
BOX BEAM AND CABLE GUIDE RAILING, BRIDGE AND CULVERT POST,  
BRIDGE RAILING AND TRANSITION SECTIONS  
(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 corrugated beam guide railing, box beam and cable guide railing, bridge and culvert post, bridge railing and transition sections with various vendors, as 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 and to require suitable bond to guarantee delivery.

*EXPANDED SUPPLY PRODUCTS, INC.  
3330 Route 9  
Cold Spring, New York 10516*

**CORRUGATED BEAM GUIDE RAILING & ACCESSORY HARDWARE**

<u>Index No.</u>	<u>Description:</u>	<u>Quantity</u>	<u>Amount</u>
GR-01	Galvanized W-Beam rail; 13 feet 6 1/2 inches in length by 12 1/4 inches in height by 3 1/4 inches in width; 8	each	\$ 67.39

	standard splice bolt slots on each end; std. post bolt slots at 3 feet 1 1/2 inch O.C.; .105 inches thick		
GR-02	Galvanized W-Beam rail; as above except standard post bolt slots 6 feet 3 inch O.C.	each	\$ 66.85
GR-03	Galvanized W-Beam Rail; Shop bent radius (R); as above with standard post bolt slots 6 feet 3 inch O.C.; state maximum		
	(a) 10 feet to 19 feet radius	each	\$103.49
	(b) 20 feet to 39 feet radius	each	\$ 98.89
GR-08	Galvanized Terminal Connector Parapet	each	\$ 29.31
GR-09	5/8 inch x 1 inch Galvanized splice bolts with 5/8 inch by 7/8 inch oval shoulder including oversize nut (1¼ inch across flats) as per NYSDOT dwg. M606-6	per 100	\$ 70.65
GR-14	Turn down post mounting brackets. Set consists of one each of type "A", "B", and "C" brackets as per NYSDOT dwg. M606-9R2	per set	\$105.20
GR-15	W6 x 9 heavy post, 6 foot 0 inches long with soil plate and 6, 3/4" holes as per NYSDOT dwg. M606-8R3	each	\$ 61.41
GR-15A	W6 x 9 heavy post, 7 foot 4 inches long, with soil plate and 6, 3/4" holes as per NYSDOT dwg. M606-8R3	each	\$ 74.46
GR-16	W6 x 9 standard heavy post, 6 foot 0 inches long, without soil plate as per NYSDOT dwg. M606-8R3	each	\$ 39.95
GR-17P	Plastic 6 inch x 8 inch x 14 ½ inch offset block	each	\$ 4.71
GR-18	5/16 inch diameter by 1½ inch hex head Galvanized Bolts with nuts, Detail "M" square washer, and Flat washers for mounting guide rail to weak posts as per NYSDOT dwg. M606-6	per 100	\$ 73.00
GR-18A	5/16 in. diameter by 2 3/8 in. Hex Bolt with Two "M" washers, two nuts & one flat washer as per NYSDOT dwg. M606-51	per 100	\$155.00
GR-19	S3 x 5.7 Universal Weak post, 5 foot 3 inches long, with soil plate as per NYSDOT dwg. M606-6	each	\$ 39.40
GR-19A	S3 x 5.7 Universal Weak post, 7 foot 0 inches long with soil plate as per NYSDOT dwg. M606-6	each	\$ 51.09
GR-19B	S3 x 5.7 Universal Weak post, 5 foot 5 inches long, with soil plate as per NYSDOT dwg. M606-50	each	\$ 39.68
GR-20	Concrete anchor with galvanized nuts and washers per NYSDOT dwg. M606-6	each	\$427.15
GR-22	1/2 inch by 1½ inch Hex Bolt with 2 nuts for W-Beam support on S3 x 5.7 post	per 100	\$ 86.96
GR-23	W6 x 15 Barricade Post, 8 foot 0 inches long	each	\$149.90
GR-24	¾" diameter x 1 foot 6 inches long, Galvanized Anchor Bolts, with a minimum of 4" threading, with two nuts and one flat washer as per NYSDOT dwg. M630-1	each	\$ 7.57

**BOX BEAM & CABLE GUIDE RAIL AND ASSOCIATED HARDWARE**

<u>Index No.</u>	<u>Description:</u>	<u>Unit</u>	<u>Amount</u>
<b><u>CABLE GUIDE RAILING:</u></b> DRAWINGS 606-1R2 & 606-2R2			
CG-80	3/4 " Round Wire Cable, three (3) strands of seven (7) wires each, AASHTO, M-30, TYPE I, Class A;	/foot	\$ .92
CG-81	Concrete Anchors with breakaway angle, hardware and two (2) top mounted independent rebar lift points; as per NYSDOT dwg. 606-1R2	each	\$652.17
CG-81A	Two piece Concrete Anchor with hardware as per NYSDOT dwg. M606-2R1	each	\$1,706.00

CG-82	Spring and Turnbuckle Cable End Assembly, with compensating device; NYSDOT dwg. M606-2R1 Detail "B"	each	\$173.90
CG-83	Steel Turnbuckle Cable End Assembly; NYSDOT dwg. M606-2R1 Detail "A"	each	\$100.00
CG-83a	Cable End Assembly to Anchor, as per NYSDOT dwg. M606-2R1	each	\$ 37.00
CG-84	S3 x 5.7 Universal Weak Post with soil plate, 5'5" length	Each	\$ 39.67
CG-85	End Post Cap with bolt; as per NYSDOT dwg. M606-IR2	Each	\$ 32.20
CG-85a	Anchor Post Assembly - Complete as per NYSDOT dwg. M606-2R1	each	\$224.97
CG-86	Driveway End Post Cap with bolt; as per NYSDOT dwg. 606-2R2	each	\$ 32.06
CG-87	Ground Bearing Angles assembly; as per NYSDOT dwg. 606-1R2	each	\$ 35.87
CG-88	Hook Bolt with shoulder & nut or 2 nuts;	each	\$ .70
CG-89	Reflective Delineator with mounting hardware, dwg. M606.1R1;	each	\$ 6.79
CG-90	Cable Splice with wedges, dwg. M606.1R1;	each	\$ 69.57
CG-91	Spare Wedges for all splices and cable fittings, dwg. M606.1R1;	each	\$ 2.44
CG-92	Cable clamp for 3/4" cable	Each	\$ 5.16

**BOX BEAM GUIDE RAILING:** DRAWING 606-3R4, M606-3, M606-4

BB-100	Box Beam Guide Rail, 6 inch by 6 inch by 3/16 inch straight, lengths of 18', 24', 30' or 36 feet;	each	18' - \$241.30 24' - \$309.78 30' - \$409.78 36' - \$465.22
BB-101	Box Beam Guide Rail, 6 inch by 6 inch by 3/16 inch shop curve, 205' radius, lengths 18 ft. or 24 feet;	each	18' - \$256.52 24' - \$320.65
BB-102	Box Beam Guide Rail, 6 inch by 6 inch by 3/16 inch shop curve, radius 20 ft. To 200 ft., lengths of 12', 18', 24', 30 and 36 feet;	/foot	\$ 20.11
BB-103	Box Beam Guide Rail, 6 inch by 6 inch by 3/16 inch shop curve, radius under 20 feet; lengths of 12', 18', 24' and 30 feet;	/foot	\$ 60.97
BB-104	Box Beam Type I end section, approximately 7 1/2 feet long;	each	\$186.00
BB-105	S3 x 5.7, 3'11" in length, Anchor Post for Type I end, with special end shelf angle, two 1/2" x 1 1/2" hex bolts w/nut & flat washer and one 3/4" x 8" hex bolt w/nut & flat washer;	each	\$ 65.22
BB-105a	5" x 3 1/2" x 3/8" x 4 1/2" long 2" x 5/8" slot driveway shelf angle	each	\$ 7.45
BB-106	Box Beam Type II end section, approximately 9 feet long;	each	\$217.39
BB-107	Two S3 x 5.7, 2'9" long, Anchor posts for Type II end, with 3/8" x 9 1/2" hex bolt w/nut & 2 flat washers;	each	\$ 60.87
BB-107a	3/8" x 9 1/5" Hex Bolt w/nut & 2 flat washers	each	\$ 4.34
BB-108	Straight splice plate pair with eight 3/4" x 1 1/2" A325 hex bolts and F844 Type A flat washers;	/pair	\$ 62.10
BB-108a	3/4" x 1 1/2" Hex Bolt (splice plate bolts)	/pair	\$ 1.15
BB-109	Angled Splice Plate pair with eight 3/4" x 1 1/2" A325 hex bolts and F844 Type A flat washers; (specify 2, 4, or 6 degree angle);	/pair	\$ 65.54
BB-110	Standard shelf angle:	each	\$ 5.97
BB-111	Hex Bolt 3/8" x 7 1/2" w/nut & 2 flat washers	each	\$ .96
BB-112	Hex Bolt 1/2" x 1 1/2" w/nut & flat washer;	each	\$ .75

BB-113	S3 x 5.7 Universal Weak Post 5' 5" length;	each	\$ 39.67
BB-294	Complete BEAT roadside terminal system	each	\$3,700.00

**BRIDGE & CULVERT; POSTS, RAILINGS & TRANSITIONS**

<u>Index No.</u>	<u>DESCRIPTION:</u>	<u>Unit</u>	<u>Amount</u>
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All dimensions are in millimeters (mm) unless otherwise noted.

**Reference: BD-RS1/R3 THROUGH RS8/R3 –**

RS-120	Galvanized 127 x 76 x 6.4 Top Railing of Four Rail System, with both ends turned down to Third Rail (BD-RS4/R3)	/foot	\$ 38.04
RS-121	Galvanized 127 x 76 x 6.4 Bottom Railing of Four Rail System, with 1.5 m., 15 deg. flared section both ends	/foot	\$ 43.48
RS-122	Galvanized 152 x 152 x 4.8 Center Railing of Four Rail System	/30 ft	\$423.91
RS-123	Galvanized 152 x 152 x 4.8 Top Transition Rail with square end, 6.90 m. long	each	\$418.48
RS-124	Galvanized 152 x 152 x 4.8 Bottom Transition Rail with beveled end for turn back splice, 7.09 m. long.	each	\$423.91
RS-125	Galvan. 152 x 152 x 4.8 Turn Back Rail with end cap, 2.7 m. long.	each	\$173.91
RS-126	Galvanized Turn Back Splice Tube, with 5.33 deg. drop angle.	each	\$190.22
RS-127	203 x 152 x 6.4 Galvanized Block Out Tube, 150 mm. long.	each	\$ 18.21
RS-128	Galvanized Bridge Post for Four Rail curbless System, 1.06 m. in height.	each	\$264.49
RS-128A	Galvanized Bridge Post for Three Rail curbless system, 830 mm in height	each	\$235.73
RS-128B	Galvanized Bridge Post for Two Rail curb type system, 680 mm in height	Each	\$215.00
RS-129	Galvanized 350 x 10 x 250 Anchor Plate	each	\$ 35.33
RS-130	Galvanized 127 x 127 x 7.9 Expansion Splice Tube, 900 mm long.	each	\$135.87
RS-131	Galvanized 127 x 127 x 7.9 Fixes Splice Tube, 685 mm long	each	\$108.15
RS-132	Galvanized 108 x 54 x 900 Expansion Splice Bar	each	\$161.41
RS-133	Galvanized 108 x 54 x 685 Fixed Splice Bar	each	\$120.11
RS-134	Galvanized L127 x 127x 15.9 Railing Angle, 154 mm. long.	each	\$ 17.66

Following dimensions are in INCHES (in) unless otherwise noted.

**Reference: BD-RL3E THRU RL5E**

RS-150	Galvanized 6 x 6 x 3/16 Bridge Railing	/foot	\$ 14.13
RS-151	Galvan. W6 x 25 Bridge Post for Curbless application, 34" height.	each	\$180.53
RS-152	Galvanized 9" x 1/2" x 12" Anchor Plate with four tach weld nuts for 1" galvanized NC thread.	each	\$ 70.10
RS-153	Galvanized 8" x 6" x 1/4" Block Out Tube, 6" length.	each	\$ 18.21
RS-154	Galvanized 5 x 5 x 5/16" x 2' 10-1/2" tube with one 4 x 3/8" x 1' 8" fill plate and one 4 x 3/8" x 2' 9-1/2" fill plate "Splice Tube A".	each	\$117.39
RS-155	Galvanized 5 x 5 x 5/16" x 2' 10-1/2" tube with TWO 4 x 3/8" x 2' 9-1/2" fill plates "Splice Tube B".	each	\$120.11
RS-156	Galvanized 6 x 6 x 3/16" Top Transition Rail; 23' 0" long	each	\$381.52
RS-157	Galvanized 6 x 6 x 3/16" Bottom Transition Rail with beveled end for turn back splice tube, 23' 7 1/2" long.	each	\$385.87

RS-158	W6 x 9 Universal Heavy Transition Post, Galvanized, 7' 4" long	each	\$ 78.35
RS-159	S3 x 5.7 Universal Weak Transition Post, Galvanized, 7' 0" long with soil plate.	each	\$ 71.00
RS-160	M20 3/4" x 8" Carriage Bolt w/nut, flat washer and lock washer	each	\$ 3.73
RS-161	3/4" x 8" Hex Bolt w/nut, 2 flat washers and lock washer	each	\$ 6.21
RS-162	3/4" Flat Washer	each	\$ .23
RS-163	M24 Anchor Stud with 4 Washers and 4 Hex nuts, 12" long	each	\$ 16.32
RS-164	M24 Anchor Stud with 4 Washers and 4 Hex nuts, 14" long	each	\$ 19.46
RS-165	M24 Anchor Stud with 4 Washers and 4 Hex nuts, 18" long	Each	\$ 22.39
RS-166	M24 Anchor Stud price per inch over and above 18" long	each	\$ .76
RS-167	3/4" Lock Washer	each	\$ .23
RS-168	3/4" Hex Nut	each	\$ .69

CHEMUNG SUPPLY CORP.  
P.O. Box 527  
Elmira, New York 14902

**CORRUGATED BEAM GUIDE RAILING & ACCESSORY HARDWARE**

<u>Index No.</u>	<u>Description:</u>	<u>Quantity</u>	<u>Amount</u>
GR-04	Galvanized W-Beam rail; as above with standard post bolt slots 6 feet 3 inch O.C.; with 10 (1 inch dia.) at 3 inch O.C. on one end for mounting to standard concrete anchor	each	\$ 84.73
GR-06	Galvanized Rounded End Section (Single Sided)		\$ 28.62
GR-06A	Galvanized Rounded End Section (Double Sided)		\$ 51.52
GR-07	Galvanized Flared End Section	each	\$ 26.33
GR-12	Back up plate as per NYSDOT dwg. M606-50	each	\$ 4.86
GR-13	5/8 inch dia. By 2 inch Galvanized Button head bolts with nuts & flat washers for mounting "W-beam" to heavy post block outs	/100	\$ 85.87
GR-17	W6 x 8.5 or W6 x 9 by 14 inch offset beam (block-out) as per NYSDOT dwg. 606-8R1	each	\$ 12.48

**BOX BEAM GUIDE RAILING:** DRAWING 606-3R4, M606-3, M606-4

BB-105b	3/4" x 8" Hex Bolt s/nut & 2 flat washers	each	\$ 3.65
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EBERL IRON WORKS, INC.  
128 Sycamore Street  
Buffalo, New York 14204

**CORRUGATED BEAM GUIDE RAILING & ACCESSORY HARDWARE**

<u>Index No.</u>	<u>Description:</u>	<u>Quantity</u>	<u>Amount</u>
GR-03	Galvanized W-Beam Rail; Shop bent radius (R); as above with standard post bolt slots 6 feet 3 inch O.C.; state maximum (c) 40 feet to 200 feet radius	each	\$ 95.40
GR-05	Galvanized W-Beam rail; as above shop bent, twisted and bored for mounting to concrete anchor within one section for typical driveway installations	each	\$120.00

GR-10	5/8 inch dia. by 1 ½ inch Galvanized hex head bolts with nuts and flat washers for mounting block-outs to heavy posts as per NYSDOT dwg. 606-8R1	each	\$115.00
GR-10W	5/8 inch dia. by 10 inch Galvanized hex head bolt with nut and flat washer for mounting the railing and wooden offset beam to heavy post as per NYSDOT dwg. M606-8R3	Each	\$ 2.15
GR-11	Rectangular flat plate washers as per NYSDOT dwg. 606-8R1	/100	\$ 85.00
GR-17W	Wooden 6 inch x 8 inch x 14 ½ inch offset block	each	\$ 8.46
GR-21	Ground bearing angle set consisting of two L4 x 3 x 1/4 angles, 8 inches long and two 3/4" x 4-1/2" hex bolts with nut and 2 flat washers as per NYSDOT dwg. M606-6	per set	\$ 18.46
GR-23B	W6 x 15 Barricade Post, 9 foot 4 inches long as per NYSDOT dwg. M630-1	Each	\$223.08

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.

Eleven sets of specifications of each item were sent out.

Three bids for each item were received.

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

Adopted February 22, 2017 by voice vote.

**ACT NO. 74-2017** by Mr. Giardini and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT  
WITH WENDEL WD, ARCHITECTURE, ENGINEERING, SURVEYING &  
LANDSCAPE ARCHITECTURE, P.C. FOR ENGINEERING SERVICES FOR  
THE PINES HEALTHCARE AND REHABILITATION CENTER-MACHIAS CAMPUS  
(Roof Repairs, Sidewalk Replacement and Plumbing Improvements)**

Pursuant to Sections 215 and 450 of the County Law.

WHEREAS, repairs and/or improvements are necessary at The Pines Healthcare and Rehabilitation Center-Machias Campus, to include repairs to the roof, the replacement of the front entrance sidewalk and plumbing improvements, and

WHEREAS, Wendel WD, Architecture, Engineering, Surveying & Landscape Architecture, P.C., Centerpointe Corporate Park, 375 Essjay Road, Suite 200, Williamsville, New York 14221, can provide the architecture and engineering services necessary for the repairs to the roof, the replacement of the front entrance sidewalk and plumbing improvements, for an amount not to exceed \$19,000.00, to be paid as invoiced and approved by the Department of Public Works, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Wendel WD, Architecture, Engineering, Surveying & Landscape Architecture, P.C., for the provision of the above-described services, for a term

commencing February 22, 2017 and terminating December 31, 2017, according to the above-described terms.

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

Adopted February 22, 2017 by voice vote.

**ACT NO. 75-2017** by Mr. VanRensselaer, Mrs. Labuhn and Mr. Padlo

**ESTABLISHING THIRD QUARTER OF 2016 ECONOMIC DEVELOPMENT SPENDING PLAN  
FOR CASINO REVENUE FUND AND ADJUSTING VARIOUS  
APPROPRIATION AND REVENUE ACCOUNTS  
(Department of Economic Development, Planning & Tourism)**

Pursuant to Section 99-h of the State Finance Law and  
Sections 362, 363 and 366 of the County Law.

WHEREAS, Section 99-h of the New York State Finance Law establishes a tribal-state compact revenue account, which consists of all revenues resulting from tribal-state compacts executed pursuant to Article 2 of the New York State Executive Law, and

WHEREAS, Act 202-2014 authorized a contract with the City of Salamanca for the formula distribution for the minimum of 25% of the negotiated percentage of the net drop from electronic gaming devices the state receives pursuant to the compact, and

WHEREAS, a spending plan for the distribution of these funds to Cattaraugus County has been approved by the Cattaraugus County Legislature, and

WHEREAS, this fund utilizes a budgetary basis, whereby the original authorization will not lapse, and

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

RESOLVED, that the Third Quarter of 2016 Economic Development Spending Plan for casino revenue fund is hereby established, and be it further

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

Increase Estimated Revenue Account:		
ED.642.6989.0000.2725.3	Tribal Compact Moneys Economic Development	\$61,743.00
Increase Appropriation Account:		
ED.642.6989.0000.48526	Broadband Development	\$61,743.00.

Approved by 5 members of the Finance Committee and 5 members of the Development and Agriculture Committee.

Adopted February 22, 2017 by voice vote.

**ACT NO. 76-2017** by Mr. Klancer and Mr. Neal

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACTS WITH  
VARIOUS AGENCIES FOR EMERGENCY MEDICAL DIRECTOR SERVICES**

Pursuant to Article 30-A of the Public Health Law.

WHEREAS, the New York State Department of Health (NYSDOH) recommends that every emergency medical services (EMS) agency providing pre-hospital emergency medical care have a physician medical director, and

WHEREAS, various EMS agencies desire to have the County provide the services of a qualified physician to act as their medical director, and

WHEREAS, the County Office of Emergency Services has the ability to provide the services of a qualified physician to act as a medical director for EMS agencies, and

WHEREAS, each EMS agency agrees to pay the County an annual fee based on the average number of patient care reports generated through each EMS agency, 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 EMS agencies, for the provision of EMS medical director services, for a program term commencing January 1, 2017, with individual contracts to be effective on different dates, and all contracts terminating December 31, 2018, according to the above-described terms.

Approved by 5 members of the Finance Committee and 6 members of the County Operations/Public Safety Committee.

Adopted February 22, 2017 by voice vote.

**ACT NO. 77-2017** by Ms. Vickman and Ms. Hastings

**AUTHORIZING THE PURCHASE OF COMPUTER EQUIPMENT THROUGH  
ePLUS GROUP, INC. FOR DEPARTMENT OF NURSING HOMES**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 373-2012 authorized the County to lease HP Compaq 8200 Elite Convertible Minitowers with 20" LCD monitors and Microsoft Office Pro Plus 2010 and Symantec EXP Endpoint Protection 12.1 licenses, for a total lease amount of \$56,631.90, for the Department of Nursing Homes, the term of which is expiring, and

WHEREAS, it is in the best interests of the County to purchase the aforementioned equipment and software at the end of the lease, and

WHEREAS, ePlus Group, Inc., 13595 Dulles Technology Drive, Herndon, Virginia 20171, shall allow the County to purchase the aforementioned computer equipment and software, on April 1, 2017, for a one-time purchase amount of \$9,625.00, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute documents to transfer title to computer equipment and software, on behalf of Cattaraugus County, from ePlus Group, Inc., according to the above-described terms.

Approved by 5 members of the Finance Committee, 5 members of the Human Services Committee and 6 members of the County Operations/Public Safety Committee.

Adopted February 22, 2017 by voice vote.

**ACT NO. 78-2017** by Ms. Vickman and Ms. Hastings

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
TOTAL SENIOR CARE, INC., FOR SOCIAL ADULT DAY CARE SERVICES  
THROUGH DAYBREAK PROGRAM**

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

WHEREAS, the Department of Aging is in need of social adult day care services for the Daybreak Program, and

WHEREAS, Total Senior Care, Inc., 519 North Union Street, Olean, New York 14760, shall provide for social adult day care services through the Daybreak Program for an amount of \$42,120.00, to be paid monthly, as invoiced and approved by the Department of Aging, and

WHEREAS, this program is 27% federal (CFDA #93.052), 57% state and 16% county funded, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Total Senior Care, Inc., for the provision of social adult day care services, for a term commencing March 1, 2017 and terminating March 31, 2018, according to the above-described terms.

Approved by 4 members of the Finance Committee and 5 members of the Human Services Committee.

Adopted February 22, 2017 by voice vote. Mr. Padlo abstained from vote.

**ACT NO. 79-2017** by Ms. Vickman and Ms. Hastings

**APPROVING CONTRACT BETWEEN  
CATTARAUGUS COUNTY COMMUNITY SERVICES BOARD  
AND CATTARAUGUS REHABILITATION CENTER, INC.  
FOR PROS PROGRAM VOCATIONAL SERVICES**

Pursuant to Sections 41.07 and 75.13 of the Mental Hygiene Law  
and Section 450 of the County Law.

WHEREAS, the Department of Community Services is in need of full-time staff who meet the qualifications of an Employment Specialist to provide vocational services for its clients in the PROS program, and

WHEREAS, the contracted staff will provide individual and group services to assist individuals in managing their symptoms in the competitive workplace and to assist those with an employment-related goal to obtain competitive employment, and

WHEREAS, the Cattaraugus Rehabilitation Center, Inc., 1439 Buffalo Street, Olean, New York 14760, can provide the aforementioned full-time staff, for an amount not to exceed \$50,600.00, to be paid as invoiced, and

WHEREAS, the cost of these services are covered through a combination of clients' insurances and NYS Office of Mental Health funding, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, between the Cattaraugus County Community Services Board with the Cattaraugus Rehabilitation Center, Inc., to signify the County's approval, for the provision of the above-described vocational services, for a term commencing January 1, 2017 and terminating December 31, 2017, according to the above-described terms.

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

Adopted February 22, 2017 by voice vote.

**ACT NO. 80-2017** by Ms. Vickman and Ms. Hastings

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
KENNETH W. DAHLGREN, JR. FOR HEALTH DEPARTMENT  
CLEAN INDOOR AIR ACT COMPLIANCE CHECKS**

Pursuant to Article 13-F of the Public Health Law,  
Section 1399-hh(3) of the Public Health Law and  
Section 450 of the County Law.

WHEREAS, Act 177-2016 authorized a contract with Kenneth W. Dahlgren, Jr., 291 Wiltsie Road, Frewsburg, New York 14738, for the provision of Clean Indoor Air Act compliance checks on bars and restaurants within Cattaraugus County, the term of which expires March 31, 2017, and

WHEREAS, the County Health Department is desirous of continuing the aforementioned services for bars only, unless a complaint is received on a facility that is not a bar, and

WHEREAS, Kenneth W. Dahlgren, Jr., has agreed to perform the aforementioned compliance checks on bars, at sites to be determined by the Cattaraugus County Board of Health, for an amount of \$50.00 per site, not to exceed \$6,250.00, to be paid as invoiced and approved by the Health Department, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Kenneth W. Dahlgren, Jr., for the provision of the above-described services, for a term commencing April 1, 2017 and terminating March 31, 2018, according to the above-described terms, and be it further

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

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

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

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

Adopted February 22, 2017 by voice vote.

**ACT NO. 81-2017** by Ms. Vickman and Ms. Hastings

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
RURAL REVITALIZATION CORPORATION D/B/A  
NEIGHBORWORKS® HOME RESOURCES FOR ADMINISTRATION OF  
COUNTY-WIDE WELL AND SEPTIC SYSTEM REPLACEMENT PROGRAM**

Pursuant to 24 CFR Section 570.482(e) and  
Section 450 of the County Law.

WHEREAS, Act 35-2017 authorized the Chairman to apply for funding through the NYS Division of Homes and Community Renewal Housing Trust Fund Corporation for the County-Wide Well and Septic System Replacement Community Development Block Grant (CDBG), and

WHEREAS, the County Health Department was awarded federal funding in the amount of \$350,000.00 through the CDBG Program for the replacement of unsafe and unsanitary wells and septic systems on a county-wide basis for the period December 15, 2016 through December 15, 2018, and

WHEREAS, the County Department of Health is desirous of contracting for the administration of the aforementioned grant program, and

WHEREAS, Rural Revitalization Corporation d/b/a Neighborworks® Home Resources, shall provide for the administration, technical assistance and implementation of the County-Wide Well and Septic System Replacement Project and management of the replacement, installation and/or repair of 25 septic systems and 14 water wells in homes owned and occupied by low and moderate income households, to include 69 units for approximately 30 new service laterals, for an amount not to exceed \$330,000.00, including, but not limited to, the following technical assistance:

- Completion of Environmental Review
- Arrange for archeological review
- Development of program manual
- (SEQR) State Environmental Quality Review
- (NEPA) National Environmental Policy Act
- (RROF) Request for Release of Funds
- Assistance with preparation of sub-recipient agreement,

and

WHEREAS, the aforementioned program is 100% federally funded (CFDA #14.228), 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 Rural Revitalization Corporation, d/b/a NeighborWorks® Home Resources, for the provision of the above-described services, for a term commencing December 15, 2016 and terminating December 15, 2018, according to the above-described terms, and be it further

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

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

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

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

Adopted February 22, 2017 by voice vote.

**ACT NO. 82-2017** by Ms. Vickman and Mr. Breton

**ABOLISHING ONE (1) FULL-TIME POSITION OF PUBLIC HEALTH SANITARIAN,  
CREATING ONE (1) FULL-TIME POSITION OF PUBLIC HEALTH SANITARIAN TRAINEE,  
AND ESTABLISHING COMPENSATION FOR THE SAME  
(Health Department)**

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

WHEREAS, the Health Department must employ qualified individuals to provide public health sanitarian services, and

WHEREAS, due to the retirement of the incumbent Public Health Sanitarian, a new hire must complete training and certification with the State Department of Public Health before serving as a Public Health Sanitarian, and

WHEREAS, creating a trainee position will meet quality assurance requirements as well as training requirements established by the State Health Department, and

WHEREAS, a New Position Duties Statement has been submitted to the Cattaraugus County Personnel Officer, who has approved the title as Public Health Sanitarian Trainee in accordance with Civil Service Law Section 22, now, therefore, be it

RESOLVED, that effective *March 30, 2017*<sup>1</sup>, there is hereby abolished one (1) full-time position of Public Health Sanitarian in the Health Department, Position No. 401-266-009, and be it further

RESOLVED, that effective *March 30, 2017*<sup>1</sup>, there is hereby created one (1) position of Public Health Sanitarian Trainee in the Health Department to be filled on a full-time basis, General Bargaining Unit Salary Schedule, Pay Grade 24 (\$24.60 per hour), Position No. 401-289-001.

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

<sup>1</sup>MS. VICKMAN moved, seconded by Mr. Hale, to amend as follows: In the First Resolved and the Second Resolved, delete: "immediately", and replace with: "March 30, 2017". Carried.

Adopted, as amended, February 22, 2017 by voice vote.

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MR. VANRENSSAELER moved, seconded by Ms. Hastings, to waive Rule 12, pursuant to Rule 33.1, regarding Act No. 83-2017 through Act No. 86-2017, inclusive. Carried.

\* \* \* \* \*

**ACT NO. 83-2017** by Mrs. Stockman  
who asks immediate consideration

**APPOINTMENT OF CORONER'S PHYSICIAN**

Pursuant to Section 400 (4-b) of the County Law and Act 138-81.

RESOLVED, that the following individual is appointed Coroner's Physician for Cattaraugus County for two years with a term to expire on December 31, 2018, at the salary which has heretofore, or may hereafter be established:

Brian Walters, M.D.  
38 Alpine Road  
Ellicottville, New York 14731

Adopted February 22, 2017 by voice vote.

**ACT NO. 84-2017** by Ms. Vickman and Mr. Breton  
who ask immediate consideration

**TRANSFER POSITION OF COUNTY PERSONNEL & SAFETY CLERK FROM THE  
DEPARTMENT OF PUBLIC WORKS TO THE DEPARTMENT OF HUMAN RESOURCES AND  
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS  
(Human Resources Department)**

Pursuant to Sections 205, 363, and 366 of the County Law and  
Section 70(2) of the Civil Service Law.

WHEREAS, the County Legislature is desirous of transferring the position of County Personnel & Safety Clerk within the Department of Public Works to the Department of Human Resources to better provide personnel and safety training to all employees within the County, and

WHEREAS, to accomplish this task it is necessary to transfer the position of County Personnel & Safety Clerk, Position Number 502-242-001, from the Department of Public Works to the Department of Human Resources, Position Number 143-242-001, and

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

RESOLVED, that effective February 13, 2017, the following position within the Department of Public Works, along with the incumbent thereof, is hereby transferred to the Department of Human Resources:

<u>No. of Positions</u>	<u>Title of Position</u>
1	Personnel & Safety Clerk

and be it further,

RESOLVED, that upon such transfer, such permanent incumbent shall continue to be employed with all the rights and benefits heretofore acquired through civil service in the classified service as provided in the Civil Service Law Section 70(2), and be it further

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

Decrease Appropriation Accounts:

A.149.1490.0000.11000	Full-time Wages	\$ 35,645.60
A.149.1490.0000.81000	FICA	\$ 2,747.13
A.149.1490.0000.82000	Retirement	\$ 4,669.94
A.149.1490.0000.83000	Health Insurance	\$ 16,787.58
A.149.1490.0000.84000	Dental Insurance	\$ 127.44
D.502.5110.0000.46106	Training	\$ 6,690.00
D.502.5020.0000.47002	Office Supplies	\$ 500.00
A.990.9901.0000.90502	Transfer to County Road Fund	\$ 7,190.00

Decrease Estimated Revenue Account:

D.990.9901.0000.5031	Transfer from General Fund	\$ 7,190.00
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Increase Appropriation Accounts:

A.144.1445.0000.11000	Full-time Wages	\$ 35,645.60
A.144.1445.0000.81000	FICA	\$ 2,747.13
A.144.1445.0000.82000	Retirement	\$ 4,669.94
A.144.1445.0000.83000	Health Insurance	\$ 16,787.58
A.144.1445.0000.84000	Dental Insurance	\$ 127.44
A.144.1445.0000.46106	Training	\$ 6,690.00
A.144.1445.0000.47002	Office Supplies	\$ 500.00

Adopted February 22, 2017 by voice vote.

**ACT NO. 85-2017** by Mr. Neal, Ms. Vickman and Ms. Hastings  
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT  
WITH LANGUAGE LINE SOLUTIONS  
FOR HEALTH DEPARTMENT INTERPRETER SERVICES AND  
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS  
(Health Department)**

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

WHEREAS, the Health Department is in need of a certified Spanish interpreter, and

WHEREAS, Language Line Solutions, 15115 SW Sequoia Parkway #100, Portland, Oregon 97224, can provide the necessary interpreter services for an amount not to exceed \$10,000.00, and

WHEREAS, various appropriation and revenue accounts must be adjusted in order 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 Language Line Solutions, for the provision of the above-described interpreter services, for a term commencing February 17, 2017 and terminating December 31, 2017, according to the above-described terms, and be it further

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

Decrease Appropriation Accounts:

A.401.4090.0000.11000	Environmental Health Full-Time Wages	\$ 5,894.00
A.401.4090.0000.82000	Environmental Health Retirement	\$ 4,065.00
A.401.4010.4011.48003	Board of Health Meeting Expenses	\$ 41.00
Increase Appropriation Account:		
A.401.4010.4011.41231	Interpreter Services	\$10,000.00.

Adopted February 22, 2017 by voice vote.

**ACT NO. 86-2017** by Mrs. Stockman  
who asks immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT EXTENSION WITH  
LUMSDEN & MCCORMICK, LLP FOR PROFESSIONAL SERVICES**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 454-2016 authorized a contract with Lumsden & McCormick, LLP, Cyclorama Building, 369 Franklin Street, Buffalo, New York 14202, to conduct a financial study of the County’s two nursing homes for an amount not to exceed \$20,000.00, plus out-of-pocket expenses not to exceed \$5,000.00, the term of which expired December 1, 2016, and

WHEREAS, a contract extension is necessary to July 31, 2017 in order to allow for completion of the aforementioned services, at no additional cost to the County, 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 Lumsden & McCormick, LLP, for the provision of the above-described professional services, to extend the term of the aforementioned contract to July 31, 2017, according to the above-described terms.

Adopted February 22, 2017 by voice vote.

\* \* \* \* \*

MR. NEAL moved, seconded by Mr. Giardini to adjourn until March 8, 2017 at 4:00 p.m. Carried.

Meeting adjourned at 5:07 p.m.

Ann M. Giglio  
Journal Clerk