

June 28, 2017

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

The invocation was given by Chairman Stockman.

The Attendance Roll Call disclosed one Legislator absent – Padlo.

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CHAIRMAN STOCKMAN noted that the minutes of the June 14, 2017 session stand approved as presented.

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COMMUNICATIONS:

NYS Senator Catharine M. Young: Acknowledging receipt of Act No. 185-2017 and a copy of Senate Bill 5913.

Columbia County Board of Supervisors: Resolution No. 165-2017, Resolution in support of the Property Tax Reduction Act, H.R. 1871 to eliminate the local share of Medicaid.

Niagara County Legislature: Resolution #IL-067-17, Resolution directing County Attorney's Office to prepare research into feasibility of individually filing or joining multi-plaintiff lawsuit against major drug manufacturers to recover current and future damages to the County taxpayers from abuse of Opioid pharmaceuticals, and Resolution #IL-069-17, Resolution calling on Governor Cuomo to immediately convene a Special Session of the New York State Assembly and, if necessary, the New York State Senate, and to keep said body in session until such time as it takes up and passes Home Rule Messages for all 53 Counties reliant upon sales tax extenders to fund the State-imposed Medicaid burden.

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PROCLAMATION:

CHAIRMAN STOCKMAN presented a proclamation to Timothy Oyer of Randolph in recognition of his achievements at the Special Olympics State Games held at Sienna College in Albany.

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ACT NO. 254-2017 by Mr. Klancer

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT
WITH TOWN OF ASHFORD
FOR PEACE OFFICER INSTRUCTION AND TRAINING SERVICES**

Pursuant to Section 450 of the County Law.

WHEREAS, the Town of Ashford, P.O. Box 306, 9377 Route 240, West Valley, New York 14171, is desirous of having its town constables become certified as peace officers, and

WHEREAS, the County Sheriff's Office can provide the instruction and training services necessary for the town constables to become certified as peace officers, and

WHEREAS, the Town shall reimburse the County Sheriff's Office, for provision of the aforementioned instruction and training services, an amount equal to the actual cost incurred by the Sheriff's Office for providing the aforementioned training services, minus \$500.00 from the first billing, 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 Town of Ashford, for the provision of the above-described instruction and training services, for a term commencing July 1, 2017, and terminating June 30, 2018, according to the above-described terms.

Held in the Finance Committee and in the County Operations/Public Safety Committee.

ACT NO. 255-2017 by Mr. Giardini and Mr. Helmich

**BID ACCEPTANCE FOR PRECAST CONCRETE BOX CULVERT
(Department of Public Works)**

Pursuant to Section 103 of the General Municipal Law and
Sections 215 and 450 of the County Law.

WHEREAS, the Clerk of the Legislature was authorized to advertise for sealed bids for the provision of a precast concrete box culvert for Dayton Culvert No. 11, according to specifications provided by the Public Works Committee, and

WHEREAS, the lowest responsible bid received meeting specifications was the bid of Lakelands Concrete Products, Inc., 7520 East Main Street, Lima, New York 14485, for the provision of a precast concrete box culvert for Dayton Culvert No. 11, for an amount of \$60,087.00, to be paid as invoiced, and

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

RESOLVED, that the bid of Lakelands Concrete Products, Inc., be, and the same hereby is, accepted, for a term commencing upon Notice of Award with shop drawings submitted within twenty (20) working days after the execution of the contract and delivery to be made within 45 consecutive days from approval of the shop drawings, and be it further

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

No State Bid.

Five sets of specifications were sent out.

Three bids were received.

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

Adopted June 28, 2017 by voice vote.

ACT NO. 256-2017 by Mr. Giardini and Mr. Helmich

**BID ACCEPTANCE FOR 2017 BRIDGE DECK SEALING PROGRAM
(Department of Public Works)**

Pursuant to Section 103 of the General Municipal Law and
Section 131-b of the Highway Law.

WHEREAS, the Clerk of the Legislature was authorized to advertise for sealed bids for the 2017 bridge deck sealing program, according to bid specifications and general information provided by the Public Works Committee, and

WHEREAS, the only bid received meeting specifications for the provision of the aforementioned bridge deck sealing program was the bid of Hunting Valley Construction, Inc., 825 Rein Road, Cheektowaga, New York 14225, in the amount of \$66,680.50, to be paid periodically on a percentage-of-completion basis, as invoiced and approved by the Department of Public Works, and

WHEREAS, the term of the contract for the aforementioned bridge deck sealing program shall commence upon Notice of Award and shall be completed by September 22, 2017, and

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

RESOLVED, that the bid of Hunting Valley Construction, Inc., be, and the same hereby is, accepted, and be it further

RESOLVED, that the vouchers accordingly certified by the Commissioner of the Department of Public Works be audited by the Auditor and paid by the County Treasurer.
No State Bid.

Three sets of specifications were sent out.

One bid was received that met specifications.

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

Adopted June 28, 2017 by voice vote.

ACT NO. 257-2017 by Mr. Giardini and Mr. Helmich

**BID ACCEPTANCE FOR REHABILITATION OF ASHFORD BRIDGE NO. 37
ON COUNTY ROAD NO. 12
(Department of Public Works)**

Pursuant to Section 103 of the General Municipal Law and
Section 131-b of the Highway Law.

WHEREAS, the Clerk of the Legislature was authorized to advertise for sealed bids for the rehabilitation of Ashford Bridge No. 37, located on County Road No. 12 over Cattaraugus Creek in the Town of Ashford, according to bid specifications and general information provided by the Public Works Committee, and

WHEREAS, the lowest bid received meeting specifications for the rehabilitation of Ashford Bridge No. 37 was the bid of Union Concrete and Construction Corp., P.O. Box 410, 105 Center

Road, West Seneca, New York 14224, in the amount of \$1,026,570.26, to be paid periodically on a percentage-of-completion basis, as invoiced and approved by the Department of Public Works, and

WHEREAS, the term of the contract for the aforementioned rehabilitation project shall commence upon Notice to Proceed and shall be completed on or before November 30, 2018, and

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

RESOLVED, that the bid of Union Concrete and Construction Corp., be, and the same hereby is, accepted, and be it further

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

No State Bid.

Nine sets of specifications were sent out.

Six bids were received that meet specifications.

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

Adopted June 28, 2017 by voice vote.

ACT NO. 258-2017 by Mr. Giardini and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE SUPPLEMENTAL CONTRACT NO. 2
WITH ERDMAN, ANTHONY AND ASSOCIATES, INC. FOR
ASHFORD BRIDGE NO. 37 (COUNTY ROAD NO. 12) ENGINEERING DESIGN SERVICES**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 106-2015, as amended by Act 409-2016, authorized a contract with Erdman, Anthony and Associates, Inc., 2165 Brighton Henrietta Town Line Road, Rochester, New York 14623-2755, for the provision of engineering design services for the Ashford Bridge No. 37 Rehabilitation Project, located on County Road No. 12 (Edies Road) over Cattaraugus Creek, in the Town of Ashford, the term of which expires December 31, 2017, and

WHEREAS, additional services are necessary to complete the design phase of the aforementioned project and add construction support tasks to the existing contract, and

WHEREAS, the term of the aforementioned contract should also be extended to December 31, 2018 to allow for completion of the construction phase, and

WHEREAS, Erdman, Anthony and Associates, Inc., can provide the additional engineering services for an amount of \$35,341.00, to be paid on a percent-of-completion basis, as invoiced and approved by the Department of Public Works, and

WHEREAS, a portion of the additional design services will be offset by design tasks that were not needed in the existing contract, resulting in a cost savings in an amount of \$5,354.00, and a total contract cost not to exceed \$278,720.00, and

WHEREAS, this project is 80% federally funded (CFDA# 20.205) and 20% state funded, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute Supplemental Contract No. 2, on behalf of Cattaraugus County, with Erdman, Anthony and

Associates, Inc., for the provision of the above-described services, which had an original commencement date of March 11, 2015 to terminate December 31, 2018, according to the above-described terms.

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

Adopted June 28, 2017 by voice vote.

ACT NO. 259-2017 by Mr. Giardini and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
GREENMAN-PEDERSEN, INC. FOR CONSTRUCTION INSPECTION SERVICES
FOR ASHFORD BRIDGE NO. 37 (COUNTY ROAD NO. 12) FEDERAL-AID PROJECT**

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

WHEREAS, construction inspection services are needed for the Ashford Bridge No. 37 Rehabilitation Project, located on County Road No. 12 (Edies Road) over Cattaraugus Creek, in the Town of Ashford, and

WHEREAS, Greenman-Pedersen, Inc. (GPI), 4950 Genesee Street, Suite 100, Buffalo, New York 14225, can provide the necessary construction inspection services for the aforementioned federal-aid rehabilitation project for an amount not to exceed \$187,000.00, to be paid on a percent-of-completion basis, as determined and approved by the Department of Public Works, and

WHEREAS, this program is 65.7% federally funded (CFDA #20.205), 16% state funded and 18.3% County funded, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Greenman-Pedersen, Inc. (GPI), for the provision of the above-described construction inspection services, for a term commencing June 12, 2017 and terminating December 31, 2018, according to the above-described terms.

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

Adopted June 28, 2017 by voice vote.

ACT NO. 260-2017 by Mr. Giardini and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
GREENMAN-PEDERSEN, INC. FOR CONSTRUCTION INSPECTION SERVICES
FOR 2017 BRIDGE DECK SEALING FEDERAL-AID PROGRAM**

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

WHEREAS, the County is in need of construction inspection services for the 2017 bridge deck sealing program, and

WHEREAS, Greenman-Pedersen, Inc. (GPI), 4950 Genesee Street, Suite 100, Buffalo, New York 14225, can provide the necessary construction inspection services for the aforementioned bridge deck sealing federal-aid program for an amount not to exceed \$17,000.00, to be paid on a percent-of-completion basis, as determined and approved by the Department of Public Works, and

WHEREAS, this program is 80% federally funded (CFDA #20.205) and 20% state funded, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Greenman-Pedersen, Inc. (GPI), for the provision of the above-described construction inspection services, for a term commencing June 9, 2017 and terminating December 31, 2017, according to the above-described terms.

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

Adopted June 28, 2017 by voice vote.

ACT NO. 261-2017 by Mr. Giardini and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH
WENDEL WD ARCHITECTURE, ENGINEERING, SURVEYING &
LANDSCAPE ARCHITECTURE, P.C. FOR ENGINEERING SERVICES
FOR ROOF REPLACEMENT PROJECT
(The Pines Healthcare and Rehabilitation Center-Olean Campus)**

Pursuant to Sections 215 and 450 of the County Law.

WHEREAS, Act 170-2013, as amended by Acts 310-2014, 622-2014 and 577-2015, authorized a contract with Wendel WD Architecture, Engineering, Surveying & Landscape Architecture, P.C., for the provision of engineering services for the replacement of the roof at The Pines Healthcare and Rehabilitation Center – Olean Campus, the term of which expired December 31, 2016, and

WHEREAS, Wendel WD incurred additional expenses in the amount of \$14,520.00 due to the numerous issues with the quality of construction of the roof and the additional time spent in addressing such issues, and

WHEREAS, the aforementioned contract should be amended to cover the aforementioned expenses incurred by Wendel WD, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute an amended contract, on behalf of Cattaraugus County, with Wendel WD Architecture, Engineering, Surveying & Landscape Architecture, P.C., for the provision of the above-described additional engineering services, and extending the term of the contract which commenced April 11, 2013 to terminate June 30, 2017, according to the above-described terms.

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

Adopted June 28, 2017 by voice vote.

ACT NO. 262-2017 by Ms. Vickman and Ms. Hastings

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACTS WITH
VARIOUS ENTITIES FOR RESIDENTIAL INSTITUTIONAL FOSTER CARE**

Pursuant to 18 NYCRR Part 405 and
Section 450 of the County Law.

WHEREAS, Act 297-2016 authorized contracts with various residential foster care institutions throughout New York State for the provision of residential-therapeutic foster care services in accordance with a New York State-approved fee schedule for the approved listing of residential institutions throughout New York State, the terms of which expire June 30, 2017, and

WHEREAS, the County Department of Social Services has the responsibility of placing children at risk into foster care, and

WHEREAS, the County Department of Social Services is desirous of renewing the aforementioned contracts with various residential foster care institutions in accordance with a New York State fee schedule for the approved listing of residential institutions throughout New York State, and

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

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute contracts, on behalf of Cattaraugus County, with various residential foster care institutions for the provision of the above-described services for a term commencing July 1, 2017 and terminating June 30, 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 7 members of the Finance Committee and 7 members of the Human Services Committee.

Adopted June 28, 2017 by voice vote.

ACT NO. 263-2017 by Ms. Vickman and Ms. Hastings

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACTS WITH
VARIOUS ENTITIES FOR DEPARTMENT OF SOCIAL SERVICES
PSYCHOLOGICAL EVALUATIONS AND ASSESSMENTS**

Pursuant to Section 251 of the Family Court Act and
Section 450 of the County Law.

WHEREAS, Act 298-2016 authorized contracts with various entities for psychological evaluation and assessment services, which consist of interviews with clients, consultation with other care providers and case managers, and preparation of reports, including recommendations for placement, treatment or custody/visitation, the terms of which expire June 30, 2017, and

WHEREAS, contracts are needed with various entities for the provision of the above-described services, with a maximum rate based on the current highest acceptable rate within the service area which are as follows:

<u>Position</u>	<u>Rate</u>
Doctor of Psychiatry	Not to Exceed \$185 per session
Doctor of Psychology	Not to Exceed \$175 per session
Licensed Mental Health Counselor	Not to Exceed \$125 per session
Family Counseling	Not to Exceed \$100 per session
Preparation & Court Testimony	Not to Exceed \$175 per hour
Testing	Not to Exceed \$180 per hour,

and

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

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute contracts, on behalf of Cattaraugus County, with various entities, for the provision of the aforementioned court-ordered psychological assessments and evaluations, for a term commencing July 1, 2017 and terminating June 30, 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 7 members of the Finance Committee and 7 members of the Human Services Committee.

Adopted June 28, 2017 by voice vote.

ACT NO. 264-2017 by Ms. Vickman and Ms. Hastings

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
CATTARAUGUS COMMUNITY ACTION, INC., FOR
YOUTH PLACEMENT PREVENTION PROGRAMMING (FAST) AND
TEENAGE SERVICE ACT (TASA) SERVICES**

Pursuant to 9 NYCRR Subpart 165-1, Section 501 of the Executive Law,
and Section 450 of the County Law.

WHEREAS, Act 299-2016 authorized a contract with Cattaraugus Community Action, Inc., 25 Jefferson Street, Salamanca, New York 14779, through its "Families and Schools Together (FAST) Program", for the provision of a placement prevention program to reduce the number of Cattaraugus County youth that are court-ordered to placement due to a history of PINS and/or juvenile delinquency behavior, the term of which expires June 30, 2017, and

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

WHEREAS, Cattaraugus Community Action, Inc., through its "Families and Schools Together (FAST) Program" and "Teenage Service Act (TASA) Program", will target specific school districts mutually agreed upon by both parties, except the Olean City School District, and has agreed to continue the aforementioned services, plus provide TASA services, for an amount not to exceed \$204,048.00, to be paid on a monthly basis for services provided during the preceding month, as invoiced, and

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

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Cattaraugus Community Action, Inc., for the provision of the above-described Youth Placement Prevention Programming, for a term commencing July 1, 2017 and terminating June 30, 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 7 members of the Finance Committee and 7 members of the Human Services Committee.

Adopted June 28, 2017 by voice vote.

ACT NO. 265-2017 by Mr. Breton, Ms. Vickman and Ms. Hastings

**AUTHORIZING THE DIRECTOR OF THE YOUTH BUREAU TO EXECUTE CONTRACTS
WITH VARIOUS ENTITIES FOR YOUTH SERVICES PROGRAMS
(Youth Bureau-Member Item Funding)**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 378-2016 authorized the Chairman to execute grant documents with the New York State Office of Children and Family Services, in order to receive up to \$200,000.00 in grant-in-aid funding, to offset costs related to youth services including, but not limited to, operational, capital project(s) and/or program administration costs to help provide services, opportunities and supports that are designed to improve youth and the community, and

WHEREAS, the Youth Bureau has received grant-in-aid funding in the amount of \$200,000.00, and is desirous of contracting with various entities for the provision of various youth services and development and delinquency prevention programs, and

WHEREAS, the Director of the Youth Bureau will accept applications from eligible entities, determine whether certain criteria has been met, and award "community/municipal stipends" not to exceed \$4,000.00 per entity and mini-grants to qualified organizations not to exceed \$500.00 per entity, and

WHEREAS, the aforementioned youth services programs are 100% state funded through member-item funding, now, therefore, be it

RESOLVED, that the Director of the Youth Bureau be, and hereby is, authorized and directed to execute mini grant contracts, on behalf of Cattaraugus County, and to award "community/municipal stipends" with various eligible entities, for the provision of various youth services programs, according to the above-described terms.

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

Adopted June 28, 2017 by voice vote.

ACT NO. 266-2017 by Ms. Vickman and Ms. Hastings

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH
NEW YORK STATE DEPARTMENT OF HEALTH FOR
RABIES PROGRAM REIMBURSEMENT - COLA
(Contract #C32437GG)**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 145-2017 authorized a contract with the New York State Department of Health for the rabies program reimbursement, the term of which expires March 31, 2018, and

WHEREAS, the Cattaraugus County Health Department has been awarded a cost-of-living adjustment (COLA) in the amount of \$2,868.00 for the period April 1, 2017 through March 31, 2018, and

WHEREAS, an amended contract is necessary with the New York State Department of Health in order to obtain reimbursement through the above-referenced program, 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 an amended contract, on behalf of Cattaraugus County, with the New York State Department of Health, in order to receive the aforementioned rabies reimbursement through the above-referenced program for the period for a term commencing April 1, 2017 and terminating March 31, 2018, according to the above-described terms, and be it further

RESOLVED, that the Chair of the Legislature be, and hereby is, further authorized and directed to execute contract amendments, upon notification of award, for the allocation of additional state aid funding or cost of living adjustments (COLAs) for this program.

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

Adopted June 28, 2017 by voice vote.

ACT NO. 267-2017 by Ms. Vickman and Ms. Hastings

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT AMENDMENT WITH
NEW YORK STATE DEPARTMENT OF HEALTH FOR
IMMUNIZATION CONSORTIUM REIMBURSEMENT - COLA**

Pursuant to 10 NYCRR Section 40-1.52 and
Section 450 of the County Law.

WHEREAS, Act 471-2013, as amended by Acts 318-2014, 482-2015 and 326-2016, authorized a contract with the New York State Department of Health for the administration of the Western Region Immunization Consortium, the term of which expires March 31, 2018, and

WHEREAS, the New York State Department of Health has authorized a cost-of-living adjustment (COLA) in the amount of \$3,309.00, for the period April 1, 2017 through March 31, 2018, and

WHEREAS, a contract amendment is necessary in order to obtain the aforementioned COLA funding, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute an amended contract, on behalf of Cattaraugus County, with the New York State Department of Health, in order to receive the aforementioned COLA for the immunization program for the period commencing April 1, 2017 and terminating March 31, 2018, according to the above-described terms, and be it further

RESOLVED, that the Chair of the Legislature be, and hereby is, further authorized and directed to execute contract amendments, upon notification of award, for the allocation of additional state aid funding or cost of living adjustments (COLAs) for this program.

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

Adopted June 28, 2017 by voice vote.

ACT NO. 268-2017 by Mr. Klancer and Mr. Neal

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
ESRI FOR SMALL MUNICIPAL AND COUNTY GOVERNMENT
ENTERPRISE LICENSE AGREEMENT PROGRAM**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 299-2014 authorized a contract with ESRI, 380 New York Street, Redlands, California 92373, for the provision of GIS software through the Small Municipal and County Governments Enterprise License Agreement (ELA) program, the term of which expires August 9, 2017, and

WHEREAS, the County Office of Real Property Tax Services is desirous of renewing the County's GIS software license agreement, and

WHEREAS, ESRI can provide GIS software through the Small Municipal and County Governments Enterprise License Agreement (ELA) program for an amount of \$50,000.00 per year for a three (3) year term, for a total not to exceed \$150,000.00, and

WHEREAS, the Small Municipal and County Governments Enterprise License Agreement (ELA) program includes the ESRI products and services listed below:

- ArcGIS desktop products –ArcInfo, ArcEditor, ArcView;
- ArcGIS desktop extensions – 3D Analyst, Spatial Analyst, Geostatistical Analyst, ArcScan, Publisher, Maplex, Network Analyst, Schematics and Job Tracking Extension;
- ArcGIS server-based products – ArcGIS Server (advanced, standard, basic/workgroup enterprise);
- ArcIMS;
- ArcGIS Server Extensions – 3D Analyst, network Analyst, Spatial Analyst;
- ArcGIS Engine Runtime Deployments;
- ArcGIS Engine Runtime extensions – 3D Analyst, Spatial Analyst, Geodatabase Update network Analyst, ArcGIS Schematics and Maplex;
- ESRI Developer Network – 1 annual subscription to the ESRI Developer Network;
- and
- Instructor-Led Training – 5% discount on all courses at ESRI facilities,

and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with ESRI, for the provision of the above-described services, for a term commencing August 10, 2017 and terminating August 9, 2020, according to the above-described terms.

Approved by 7 members of the Finance Committee and 7 members of the County Operations/Public Safety Committee.

Adopted June 28, 2017 by voice vote.

ACT NO. 269-2017 by Mr. Klancer and Mr. Neal

**LOCAL LAW NUMBER 3 - 2017
COUNTY OF CATTARAUGUS, NEW YORK**

Pursuant to Section 186-g of the New York State Tax Law.

**A LOCAL LAW IMPOSING WIRELESS COMMUNICATIONS
SURCHARGES IN CATTARAUGUS COUNTY AND
REPEALING LOCAL LAW NO. 24-2002 (INTRO NO. 29-2002)**

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

SECTION 1. Legislative Intent.

1.1 It is the intent of this Local Law to repeal Local Law No. 24-2002 (Intro No. 29-2002) which established a wireless communications service surcharge in Cattaraugus County.

1.2 It is further the intent of this Local Law to impose the wireless communications surcharges authorized by New York State Tax Law Section 186-g.

SECTION 2. Imposition of Wireless Communications Surcharges.

2.1 Pursuant to the authority of Tax Law §186-g, there are hereby imposed and there shall be paid surcharges within the territorial limits of Cattaraugus County on:

- (i) wireless communications service provided to a wireless communications customer with a place of primary use within such County, at the rate of thirty cents (\$.30) per month on each wireless communications device in service during any part of the month; and
- (ii) the retail sale of prepaid wireless communications service sold within such County, at the rate of thirty cents (\$.30) per retail sale, whether or not any tangible personal property is sold therewith.

2.2 Wireless communications service suppliers shall begin to add such surcharge to the billings of its customers and prepaid wireless communications sellers shall begin to collect such surcharge from its customers commencing December 1, 2017.

2.3 Each wireless communications service supplier and prepaid wireless communications seller is entitled to retain, as an administrative fee, an amount equal to three percent (3%) of its collections of the surcharges imposed by this Local Law, provided that the supplier or seller files any required return and remits the surcharges due to the New York State Commissioner of Taxation and Finance on or before its due date.

SECTION 3. Administration of Surcharges. The surcharges imposed by this Local Law shall be administered and collected by the New York State Commissioner of Taxation and Finance as provided in paragraph (8) of Tax Law §186-g, and in a like manner as the taxes imposed by Articles Twenty-Eight and Twenty-Nine of the Tax Law.

SECTION 4. Applicability of State law to surcharges imposed by this Local Law. All the provisions of Tax Law §186-g shall apply to the surcharges imposed by this Local Law with the same force and effect as if those provisions had been set forth in full in this Local Law, except to the extent that any of those provisions is either inconsistent with or not relevant to the surcharges imposed by this Local Law.

SECTION 5. Net Collections Received. Net collections received by this County from the surcharges imposed by this Local Law shall be expended only upon authorization of the Cattaraugus County Legislature of the County of Cattaraugus and only for payment of system costs, eligible wireless 911 service costs, or other costs associated with the administration, design, installation, construction, operation, or maintenance of public safety communications networks or a system to provide enhanced wireless 911 service serving such County, as provided in paragraph (9) of Tax Law §186-g, including, but not limited to, hardware, software, consultants, financing and other acquisition costs. The County shall separately account for and keep adequate books and records of the amount and object or purpose of all expenditures of all such monies. If, at the end of any fiscal year, the total amount of all such monies exceeds the amount necessary for payment of the above mentioned costs in such fiscal year, such excess shall be reserved and carried over for the payment of those costs in the following fiscal year.

SECTION 6. Repeal of Local Law Number 24-2002. Local Law No. 24-2002 (Intro No. 29-2002) is hereby repealed.

SECTION 7. Severability. If any clause, sentence, paragraph, section, subdivision or other part of this Local Law or its applications shall be adjudged by a Court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or otherwise invalidate the remainder of this Local Law which shall remain in full force and effect except as limited by such order or judgment.

SECTION 8. Effective Date. This Local Law shall take effect December 1, 2017.

Approved by 7 members of the Finance Committee and 7 members of the County Operations/
Public Safety Committee.

No further action taken at this time.

ACT NO. 270-2017 by Mr. Klancer and Mr. Neal

AUTHORIZING PUBLIC HEARING ON LOCAL LAW NUMBER 3 - 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 June 28, 2017, a proposed Local Law entitled, "A Local Law Imposing Wireless Communications Surcharges in Cattaraugus County and Repealing Local Law No. 24-2002 (Intro No. 29-2002)", and

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

RESOLVED, that a public hearing shall be held on the proposed local law by this County Legislature on the 26th day of July 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 (5) days' notice of such hearing shall be given by the Clerk by the due posting thereof upon the bulletin board of each County Court House within the County and by publishing such notice at least once in the official newspapers of the County.

Approved by 7 members of the Finance Committee and 7 members of the County Operations/
Public Safety Committee.

Adopted June 28, 2017 by voice vote.

ACT NO. 271-2017 by Mr. Helmich, Mr. Higgins, Mr. Koch and Mrs. Labuhn

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT
WITH CATTARAUGUS COUNTY LAND BANK CORPORATION
FOR ADMINISTRATION OF LOANS AND
ADJUSTING VARIOUS ESTIMATED REVENUE ACCOUNTS
(Land Bank Services)**

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

WHEREAS, Act 679-2014 established the Cattaraugus County Land Bank Corporation for the purpose of acquiring, redeveloping and improving tax delinquent, vacant or abandoned properties, thereby providing a mechanism for municipalities to acquire blighted properties and convert them to productive uses, and

WHEREAS, the Cattaraugus County Land Bank Corporation shall utilize LISC grant funds, made available by the County, to facilitate eligible economic development activities that will provide economic benefits to the County and its residents, and

WHEREAS, various County Departments provide services to the Land Bank and are entitled to administration fees, as follows:

Economic Development, Planning and Tourism	\$99,686.00
Office of Real Property Tax Services	\$15,105.00
Office of County Treasurer	\$ 7,685.00
County Attorney's Office	\$ 3,710.00,

and

WHEREAS, various estimated revenue accounts should be adjusted in order to accommodate the aforementioned administration fees, 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 Cattaraugus County Land Bank Corporation, for a term commencing April 1, 2017 and terminating March 30, 2019, according to the above-described terms, and be it further

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

Increase Estimated Revenue Accounts:

A.132.1325.0000.1230.03	Treasurer Fees – Land Bank Services	\$ 5,000.00
A.135.1355.0000.1289.03	Other General Depart. Income – Land Bank Services	\$10,000.00
A.642.6420.0000.1289.03	Other General Depart. Income – Land Bank Services	\$23,398.00
A.642.8020.0000.1289.03	Other General Depart. Income – Land Bank Services	\$25,700.00.

Approved by 7 members of the Finance Committee, 7 members of the County Operations/
Public Safety Committee and 7 members of the Development & Agriculture Committee.

Adopted June 28, 2017 by voice vote.

ACT NO. 272-2017 by Mr. VanRensselaer and Mr. Padlo

**AUTHORIZING THE CHAIR TO EXECUTE GRANT DOCUMENTS WITH
LOCAL INITIATIVES SUPPORT CORPORATION (LISC) AND
ENTERPRISE COMMUNITY PARTNERS, INC. FOR
LAND BANK COMMUNITY REVITALIZATION INITIATIVE AND
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
(Cattaraugus County Land Bank Corporation)**

Pursuant to Section 99-h of the State Finance Law and
Sections 363, 366 and 450 of the County Law.

WHEREAS, the Cattaraugus County Land Bank Corporation has applied for funding through the Local Initiatives Support Corporation (LISC) and Enterprise Community Partners, Inc., and

WHEREAS, the Cattaraugus County Legislature, through Act 578-2016, supported the aforementioned grant application submitted by the Cattaraugus County Land Bank Corporation to apply for Land Bank Community Revitalization Initiative funding, and

WHEREAS, the Cattaraugus County Land Bank Corporation has been awarded funding in the amount of \$764,625.00 for Land Bank Community Revitalization Initiative, and

WHEREAS, the County must accept and receive the aforementioned grant funds on behalf of the Cattaraugus County Land Bank Corporation, and

WHEREAS, this initiative is 100% private-philanthropic funded, and

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

RESOLVED, that the Cattaraugus County Legislature be, and hereby is, authorized and directed to execute grant documents, on behalf of the Cattaraugus County Land Bank Corporation, with the Local Initiatives Support Corporation (LISC) and Enterprise Community Partners, Inc., in order to accept and receive the above-described funding, and be it further

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

Increase Estimated Revenue Account:

A.642.6420.6412.2189.01	LISC Land Bank Community Revitalization Grant	\$764,625.00
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Increase Appropriation Account:

A.642.6420.6412.41603	Contracted Services	\$764,625.00.
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Approved by 7 members of the Finance Committee and 7 members of the Development & Agriculture Committee.

Adopted June 28, 2017 by voice vote.

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MR. NEAL moved, seconded by Mr. VanRensselaer, to waive Rule 12, pursuant to Rule 33.1, regarding Act No. 273-2017 through Act No. 286-2017, inclusive. Carried.

* * * * *

ACT NO. 273-2017 by Public Works Committee:
Mr. Giardini, Mr. Helmich, Mr. Boberg, Mr. Breton,
Mr. Klancer, Mr. Snyder, Jr. and Mr. Koch
who ask immediate consideration

**BID ACCEPTANCE FOR MILL AND PAVE OF COUNTY ROAD NO. 92
(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 mill and pave of County Road No. 92, according to specifications provided by the Public Works Committee, and

WHEREAS, the lowest bid received meeting specifications was the bid of Destro & Brothers Concrete Co., Inc., 411 Ludington Street, Buffalo, New York 14206, in the amount of \$125,210.80, to be paid periodically on a percent-of-completion basis, as invoiced and approved by the Department of Public Works, and

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

RESOLVED, that the bid of Destro & Brothers Concrete Co., Inc., be, and the same hereby is, accepted, for a term commencing upon notice to proceed, with completion on or before August 31, 2017, with a contract termination date of December 31, 2017, and be it further

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

No State Bid.

Eight sets of specifications were sent out.

Five bids were received meeting specifications.

Adopted June 28, 2017 by voice vote.

ACT NO. 274-2017 by Mr. Giardini and Mr. Helmich
who ask immediate consideration

**BID ACCEPTANCE FOR PRECAST CONCRETE DECK PANELS FOR
LEON BRIDGE NO. 35
(Department of Public Works)**

Pursuant to Section 103 of the General Municipal Law and
Sections 215 and 450 of the County Law.

WHEREAS, the Clerk of the Legislature was authorized to advertise for sealed bids for the provision of precast concrete deck panels for Leon Bridge No. 35, located on Smith Road at the intersection with Frog Valley Road in the Town of Leon, according to specifications provided by the Public Works Committee, and

WHEREAS, the lowest responsible bid received meeting specifications was the bid of Binghamton Precast & Supply Corp., 18 Phelps Street, Binghamton, New York 13901, for the provision of

precast concrete deck panels for Leon Bridge No. 35, for an amount of \$61,600.00, to be paid on a percent-of-completion basis, as invoiced and approved by the Department of Public Works, and

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

RESOLVED, that the bid of Binghamton Precast & Supply Corp., be, and the same hereby is, accepted, for a term commencing upon Notice of Award with shop drawings submitted within fourteen (14) working days after the execution of the contract for approval and delivery to be made within 40 consecutive days from approval of the shop drawings, and be it further

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

No State Bid.

Five sets of specifications were sent out.

Three bids were received.

Adopted June 28, 2017 by voice vote.

ACT NO. 275-2017 by Mr. Giardini and Mr. Helmich
who ask immediate consideration

**BID ACCEPTANCE FOR DEMOLITION AND REPLACEMENT OF LEON BRIDGE NO. 35
(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 demolition and replacement of Leon Bridge No. 35, located on Smith Road at the intersection with Frog Valley Road in the Town of Leon, according to specifications provided by the Public Works Committee, and

WHEREAS, the lowest bid received meeting specifications was the bid of Union Concrete & Construction Corp., P.O. Box 410, 105 Center Road, West Seneca, New York 14224, in the amount of \$364,364.00, to be paid periodically on a percent-of-completion basis, as invoiced and approved by the Department of Public Works, and

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

RESOLVED, that the bid of Union Concrete & Construction Corp., Inc., be, and the same hereby is, accepted, for a term commencing upon notice to proceed, with completion on or before September 15, 2017, with a contract termination date of December 31, 2017, and be it further

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

No State Bid.

Nine sets of specifications were sent out.

Six bids were received meeting specifications.

Adopted June 28, 2017 by voice vote.

ACT NO. 276-2017 by Mr. Giardini and Mr. Helmich
who ask immediate consideration

**BID ACCEPTANCE FOR 2017 BRIDGE PAINTING PROGRAM
(Department of Public Works)**

Pursuant to Section 103 of the General Municipal Law and
Section 131-b of the Highway Law.

WHEREAS, the Clerk of the Legislature was authorized to advertise for sealed bids for the painting of various County bridges, according to bid specifications and general information provided by the Public Works Committee, and

WHEREAS, the lowest bid received meeting specifications for the Base Bid plus Alternates 1 and 2, was the bid of Amstar of Western New York, Inc., 825 Rein Road, Cheektowaga, New York 14225, for an amount of \$410,300.00, which include: Conewango Bridge No. 33, Freedom Bridge No. 9, Leon Bridge No. 2, Franklinville Bridge No. 8 and East Otto Bridge No. 23, and

WHEREAS, the aforementioned bridge painting services are subject to approval by NYSDOT and shall commence upon notice to proceed and be completed by November 17, 2017, and

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

RESOLVED, that the bid of Amstar of Western New York, Inc., be, and the same hereby is, accepted, and be it further

RESOLVED, that the vouchers accordingly certified by the Commissioner of the Department of Public Works be audited by the Auditor and paid by the County Treasurer.
No State Bid.

Five sets of specifications were sent out.

Three bids were received.

Adopted June 28, 2017 by voice vote.

ACT NO. 277-2017 by Mr. Giardini and Mr. Helmich
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT
WITH GREENMAN-PEDERSEN, INC. FOR
CONSTRUCTION INSPECTION SERVICES FOR 2017 BRIDGE PAINTING PROGRAM**

Pursuant to Section 450 of the County Law.

WHEREAS, the Department of Public Works is in need of construction inspection services for the 2017 Bridge Painting program, and

WHEREAS, Greenman-Pedersen, Inc., 4950 Genesee Street, Suite 100, Buffalo, New York 14225, can provide the aforementioned construction inspection services for an amount not to exceed \$81,000.00, to be paid as invoiced and approved by the Commissioner of the Department of Public Works, and

WHEREAS, this project is 80% federal (CFDA #20.205) and 20% County funded, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Greenman-Pedersen, Inc., for the provision of the above-described services, for a term commencing July 1, 2017 and terminating December 31, 2017, according to the above-described terms.

Adopted June 28, 2017 by voice vote.

ACT NO. 278-2017 by Mr. Giardini and Mr. Helmich
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT
WITH LABELLA ASSOCIATES, D.P.C. FOR FAMILY COURT
RENOVATION PROJECT STUDY**

Pursuant to Sections 215 and 450 of the County Law.

WHEREAS, the Office of Court Administration has requested renovations to the Family Court located in the Olean County Facility in Olean and will reimburse Cattaraugus County for costs relating to the renovation project in an amount not to exceed \$9,500.00, and

WHEREAS, a space study and conceptual design are needed to upgrade/reconfigure (2) existing court rooms, attorney library, hearing room, break room and secure waiting area with reception, and

WHEREAS, LaBella Associates, D.P.C., can provide the services necessary to complete a space study and conceptual design of the Family Court area located in the Olean County Facility in Olean for an amount of \$18,500.00, 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 Labella Associates, D.P.C., for the provision of the above-described services, for a term commencing June 27, 2017 and terminating December 31, 2017, according to the above-described terms.

Adopted June 28, 2017 by voice vote.

ACT NO. 279-2017 by Ms. Vickman and Ms. Hastings
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
ANNEEN BARRERA FOR SPANISH INTERPRETER SERVICES**

Pursuant to 14 NYCRR Section 527.4 (a), (b) and (c) and
Section 450 of the County Law.

WHEREAS, the County is desirous of obtaining Spanish interpreter services to be available for all County departments, and

WHEREAS, Anneen Barrera, 2 P.O. Box 7, Ellicottville, New York 14731, can provide Spanish interpreter services at a rate not to exceed \$36.00 per hour, plus mileage at the federal reimbursement rate in effect at the time services are rendered, and

WHEREAS, this service may be paid for through various funding streams ranging from 50% federal funds (CFDA #93.558), 25% state funds and 25% county funds, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Anneen Barrera, for the provision of the above-described Spanish interpreter services, for a term commencing July 1, 2017 and terminating June 30, 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.

Adopted June 28, 2017 by voice vote.

ACT NO. 280-2017 by Mr. Boberg, Mrs. Stockman, Ms. Vickman,
Mr. Giardini, Mr. Koch and Mrs. Labuhn
and Mr. Helmich¹
who ask immediate consideration

**ADJUSTING VARIOUS APPROPRIATION ACCOUNTS
(Delevan Motor Vehicle Facility)**

Pursuant to Sections 363 and 366 of the County Law.

WHEREAS, the County Clerk's Office is moving the Delevan Motor Vehicle Office into a new facility, and

WHEREAS, the facility must be renovated to accommodate the needs of the motor vehicle office, and

WHEREAS, the County Department of Public Works will be completing the renovations for the County Clerk, and

WHEREAS, various appropriation accounts must be adjusted in order to cover the cost of the aforementioned renovations, now, therefore, be it

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

Increase Appropriation Accounts:

A.141.1411.1413.11000	Full-Time Wages	\$ 4,199.40
A.141.1411.1413.20005	Office Furnishings	\$15,000.00
A.141.1411.1413.44203	Office Rental	\$ 9,800.00
A.141.1411.1413.44401	Building Repair/Maintenance	\$ 5,767.79
A.141.1411.1413.81000	FICA	\$ 321.25
A.141.1411.1413.82000	Retirement	\$ 944.62
A.141.1411.1413.83000	Health Insurance	\$ 11.66
A.141.1411.1413.84000	Dental Insurance	\$ 671.90

Decrease Appropriation Accounts:

A.141.1410.0000.41402	Microfilm/Indexing Services Contracted	\$ 2,000.00
A.901.1990.0000.40601	Contingent Fund	\$34,716.62.

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

Adopted June 28, 2017 by voice vote.

ACT NO. 281-2017 by Mr. Klancer and Mr. Neal
who ask immediate consideration

**INCREASING COMPENSATION FOR JAIL CHAPLAIN
(Sheriff's Office)**

Pursuant to Section 205 of the County Law.

WHEREAS, the Sheriff's Office has two chaplains: one for the deputies and one for the jail, and

WHEREAS, the salary for the Jail Chaplain should be increased to match the salary for the Department Chaplain, and

WHEREAS, sufficient funds are included in the budget of the Sheriff's Office to provide for the increase in compensation for the Jail Chaplain, now, therefore, be it

RESOLVED, that effective immediately, the position of Jail Chaplain is hereby compensated at a bi-weekly salary of \$63.04, Position No. 311-037-002.

Adopted June 28, 2017 by voice vote.

ACT NO. 282-2017 by Ms. Vickman and Ms. Hastings
who ask immediate consideration

**ABOLISH ONE (1) FULL-TIME ACCOUNTANT POSITION AND CREATE
ONE (1) FULL-TIME POSITION OF DIRECTOR OF ADMINISTRATIVE AND FISCAL SERVICES
AND ESTABLISHING COMPENSATION FOR THE SAME
(Department of Social Services)**

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

WHEREAS, the Department of Social Services is restructuring program administration to create fluid facilitation of financial and supportive programs, and

WHEREAS, the restructuring will abolish one (1) full-time position of Accountant, and

WHEREAS, the New Position Duties Statement has been submitted to the Cattaraugus County Personnel Officer, who has approved and certified the title of Director of Administrative and Fiscal Services in accordance with Civil Service Law Section 22, and

WHEREAS, sufficient funds are included in the budget of the Department of Social Services to provide for this position, now, therefore, be it

RESOLVED, that effective immediately, there is hereby abolished one (1) full-time position of Accountant in the Department of Social Services, Position Number 601-003-001, and be it further

RESOLVED, that effective immediately, there is hereby created one (1) position of Director of Administrative and Fiscal Services in the Department of Social Services to be filled on a full-

time basis, Management/Confidential Officers and Employees, to be compensated at a bi-weekly salary of \$2,480.77, Position No. 601-123-001.

Adopted June 28, 2017 by voice vote.

ACT NO. 283-2017 by Ms. Vickman and Ms. Hastings
who ask immediate consideration

**ABOLISH ONE (1) PART-TIME POSITION OF FOOD SERVICE HELPER AND CREATE
ONE (1) FULL-TIME POSITION OF AGING SERVICES CLERK
AND ESTABLISHING COMPENSATION FOR THE SAME
(Department of Aging)**

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

WHEREAS, the Department of Aging is in need of an Aging Services Clerk, and
WHEREAS, there will be abolished one part-time position of Food Service Helper, and
WHEREAS, the New Position Duties Statement has been submitted to the Cattaraugus
County Personnel Officer, who has approved and certified the title of Aging Services Clerk in accordance
with Civil Service Law Section 22, and

WHEREAS, sufficient funds are included in the budget of the Department of Aging to
provide for this position, now, therefore, be it

RESOLVED, that effective immediately, there is hereby abolished one (1) part-time
position of Food Service Helper in the Department of Aging, Position Number 677-145-131, and be it
further

RESOLVED, that effective June 27, 2017, there is hereby created one (1) position of
Aging Services Clerk in the Department of Aging to be filled on a full-time basis, General Bargaining Unit
Salary Schedule, Pay Grade 14 (\$17.46 per hour), Position No. 677-011-002.

Adopted June 28, 2017 by voice vote.

ACT NO. 284-2017 by Mr. Klancer and Mr. Neal
who ask immediate consideration

**CREATE ONE (1) FULL-TIME POSITION OF SENIOR ACCOUNTANT
AND ESTABLISHING COMPENSATION FOR THE SAME
(Sheriff's Office)**

Pursuant to Sections 204, 205, 363 and 366 of the County Law and
Section 22 of the Civil Service Law.

WHEREAS, the Sheriff's Office is in need of a senior accountant to assist the department
in its budgetary oversight and functions, and

WHEREAS, the New Position Duties Statement has been submitted to the Cattaraugus
County Personnel Officer, who has approved and certified the title of Senior Accountant in accordance
with Civil Service Law Section 22, and

WHEREAS, sufficient funds are included in the budget of the Sheriff's Office to cover the cost of the aforementioned position, now, therefore, be it

RESOLVED, that effective August 20, 2017, there is hereby created one (1) position of Senior Accountant in the Sheriff's Office to be filled on a full-time basis, Management/Confidential Officers and Employees Salary Schedule, Pay Grade 26 (\$26.56 per hour), Position No. 311-314-001.

Adopted June 28, 2017 by voice vote.

ACT NO. 285-2017 by Ms. Vickman, Mr. VanRensselaer, Mr. Koch and Mrs. Labuhn
who ask immediate consideration

AMENDING CATTARAUGUS COUNTY POLICY ON FILLING EMPLOYEE POSITION VACANCIES

Pursuant to Section 153 of the County Law.

WHEREAS, Act 68-2003 established the Cattaraugus County Policy on Filling Employee Position Vacancies, and

WHEREAS, such policy was amended by Act 65-2015 to abolish the Vacancy Special Committee, and

WHEREAS, it is necessary that the policy be further amended to provide that the Legislature may, by the affirmative vote of a majority of the Legislature, fill vacancies and create new positions of employment, subject to the requirements of the Civil Service Law, and upgrade existing positions of employment notwithstanding without reference to legislative committees, now, therefore, be it

RESOLVED, that the Cattaraugus County Policy on Filling Employee Position Vacancies is hereby amended, effective immediately, by adding a new paragraph 9 thereto, as follows:

"9. Direct Legislative Action.

9.1 Notwithstanding the foregoing, the Legislature may, by the affirmative vote of a majority of the Legislature, fill vacancies and create new positions of employment, subject to the requirements of the Civil Service Law, and upgrade existing positions of employment without reference to legislative committees."

Adopted June 28, 2017 by voice vote.

ACT NO. 286-2017 by Mr. VanRensselaer
and Mr. Koch¹
who ask immediate consideration

**ABOLISH ONE (1) PART-TIME PLANNER POSITION AND ONE (1) PART-TIME TYPIST POSITION,
CONVERT ONE (1) PART-TIME DEVELOPMENT SPECIALIST POSITION AND
ONE (1) PART-TIME KEYBOARD SPECIALIST POSITION TO ONE (1) FULL-TIME
DEVELOPMENT SPECIALIST POSITION AND ONE (1) FULL-TIME KEYBOARD
SPECIALIST POSITION AND ESTABLISHING COMPENSATION FOR THE SAME
(Department of Economic Development, Planning and Tourism)**

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

WHEREAS, the Department of Economic Development, Planning and Tourism is restructuring the department and its positions in order to more efficiently serve the needs of the department, and

WHEREAS, this restructuring will (a) abolish one (1) part-time position of Planner and one (1) part-time position of Typist; (b) convert one (1) part-time position of Development Specialist to one (1) full-time position of Development Specialist; and (c) convert one (1) part-time position of Keyboard Specialist to one (1) full-time position of Keyboard Specialist, and

WHEREAS, sufficient funds are included in the budget of the Department of Economic Development, Planning and Tourism to provide for this restructuring, now, therefore, be it

RESOLVED, that effective immediately, there is hereby abolished one (1) part-time position of Planner in the Department of Economic Development, Planning and Tourism, Position Number 642-248-002, and be it further

RESOLVED, that effective immediately, there is hereby abolished one (1) part-time position of Typist in the Department of Economic Development, Planning and Tourism, Position Number 642-366-001, and be it further

RESOLVED, that effective immediately, there is hereby established one (1) position of Development Specialist in the Department of Economic Development, Planning and Tourism to be filled on a full-time basis, General Bargaining Unit Salary Schedule, Pay Grade 23 (\$23.74 per hour), Position No. 642-100-003, and be it further

RESOLVED, that effective immediately, there is hereby established one (1) position of Keyboard Specialist in the Department of Economic Development, Planning and Tourism to be filled on a full-time basis, General Bargaining Unit Salary Schedule, Pay Grade 11 (\$15.96 per hour), Position No. 642-185-003.

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

Adopted June 28, 2017 by voice vote.

MOTION TO ADJOURN IN MEMORY OF CHARLES G. KRAUSE

WHEREAS, Charles G. Krause, 84, of Great Valley, passed away on June 25, 2017 at the Olean General Hospital in Olean, New York, and

WHEREAS, Mr. Krause served as a County Legislator for eight years having been first elected to that position in November 1999, and

WHEREAS, Mr. Krause served as a member of the Great Valley Town Board and then as Town Supervisor for 18 years, and

WHEREAS, Mr. Krause also served on the boards of the Seneca Trail Resource Conservation and Development Council, the Southern Tier Regional and Developmental Board (where he received the Warren C. Cobb Award), and the Cattaraugus County Rural Design and Commercial/Industrial Board (where he received the Randall Arendt Award), and

WHEREAS, prior to that, he was vice-president of VA Krause Construction and operated the aggregate plant for several years, and

WHEREAS, Mr. Krause was a Route 219 Association of Western New York Director for the Cattaraugus County Soil and Water Conservation District and served on the Southern Tier Western Development Foundation, and

WHEREAS, Mr. Krause also served as President of the Green Cemetery Association for 35 years, and

WHEREAS, he was a member of the former Salamanca Masonic Lodge No. 239 F&AM and currently the Great Valley Masonic Lodge No. 1178 F&AM, the Salamanca Kiwanis Club, and a past member of the Cattaraugus County Shriners Club, Kart Corp, where he drove lead car, Jamestown Consistory, for the Buffalo Branch of the Shriners Club, and

WHEREAS, Mr. Krause is survived by his wife of 59 years, Hildagarde; a brother, Loren Krause of Great Valley; a sister, Mary Frank of Little Valley; and several nieces and nephews, and

WHEREAS, the loss of his presence will be sadly felt by his many friends and colleagues in Cattaraugus County, now, therefore, Legislators Koch and Labuhn hereby

MOVE, that the Cattaraugus County Legislature hereby adjourns, and stands adjourned, in memory of Charles G. Krause and this Motion be seconded by the rest of the Legislature, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature hereby adjourns, and stands adjourned, until its next meeting, unless specially convened, in memory of Charles G. Krause, and be it further

RESOLVED, that the Clerk of the Legislature be, and hereby is, directed to forward a certified copy of this Motion to his wife.

* * * * *

MR. HELMICH moved, seconded by Mr. Giardini, to adjourn until July 26, 2017 at 4:00 p.m. Carried.

Meeting adjourned at 4:30 p.m.

Ann M. Giglio
Journal Clerk