

September 8, 2021

The meeting was called to order by Chairman VanRensselaer.

The invocation was given by Rev. leFeber.

The Attendance Roll Call disclosed one Legislator absent – Klancer.

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There being no amendments or objections thereto, Chairman VanRensselaer noted that the minutes of the August 25, 2021 session stand approved as presented.

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APPOINTMENTS:

EMERGENCY MEDICAL SERVICES ADVISORY COUNCIL

Terms to expire December 31, 2023

Tina Higley, RN, *ER Manager, replacing Sandra Watkins*
Dr. Philip Senger, *Olean General Hospital Administrator designee*

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PROCLAMATION:

CHAIRMAN VANRENSELAER proclaimed the week of September 5-11, 2021 as “**National Suicide Prevention Week**” in Cattaraugus County.

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PUBLIC HEARING:

CHAIRMAN VANRENSELAER announced this is the time and place called for a public hearing on Local Law Number 8-2021, A Local Law Amending Local Law Number 2-1990, As Previously Amended, Entitled “A Local Law Regarding the Storage, Collection, Recycling and Disposal of Solid Waste in Cattaraugus County”, and that anyone wishing to speak for or against this may now do so.

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

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PRIVILEGE OF THE FLOOR:

CHAIRMAN VANRENSELAER granted Privilege of the Floor to Megan Boberg, District Manager, Cattaraugus County Soil and Water Conservation District, who gave a presentation on the functions and responsibilities of the District and the various programs implemented to improve and protect Cattaraugus County’s natural resources.

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CHAIRMAN VANRENSELAER called up **Act No. 309-2021**, A Local Law Amending Local Law Number 2-1990, As Previously Amended, Entitled "A Local Law Regarding the Storage, Collection, Recycling and Disposal of Solid Waste in Cattaraugus County", and asked that it be read.

MRS. ANDREANO moved, seconded by Mr. Higgins, to refer Act No. 309-2021 to the Public Works Committee. Carried.

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ACT NO. 337-2021 by Mr. Helmich and Mr. Koch

**BID ACCEPTANCE FOR CUTTING EDGES AND
SHOES FOR GRADERS, PLOWS AND WINGS
(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 cutting edges and shoes for graders, plows and wings for the Department of Public Works, according to specifications provided by the Public Works Committee, and

WHEREAS, the bids meeting specifications for the aforementioned items are as follows:

CHEMUNG SUPPLY CORP.

P.O. Box 527

Elmira, New York 14902

<u>Carbon Grader - double bevel curved item, Price/Foot</u>			<u>Per Foot Rate</u>
<u>Index #</u>	<u>Size</u>	<u>Quantity</u>	
A-8L	5/8" x 8"	Less than 10 Sets	\$13.40
A-8G	5/8" x 8"	10 Sets or Greater	\$13.10
<u>Carbon Plow and Wing Blades, Item - Price/Foot</u>			
B-6L	3/4" x 6"	Less than 50 Blades	\$17.07
B-6G	3/4" x 6"	50 Blades or Greater	\$16.69
<u>Cover Blade for Wings 5/8"</u>			
C-8G	5/8" x 8"	50 Blades or Greater	\$18.25
<u>Cover Blade for Wings 3/4"</u>			
D-8L	3/4" x 8"	Less than 50 Blades	\$18.91
D-8G	3/4" x 8"	50 Blades or Greater	\$18.49
<u>Evolution Blade System – Evolution Edges</u>			
E5-3	Cost per 3' Blade Section		\$677.41
E5-4	Cost per 4' Blade Section		\$889.15
<u>Armored Carbide Plowblade System - Sabre</u>			
E6-3S	Cost per 3' Blade Section		\$287.18
E6-3HD	Cost per 3' Blade Section – Heavy Duty		\$366.22
E6-4S	Cost per 4' Blade Section		\$382.91
E6-4HD	Cost per 4' Blade Section – Heavy Duty		\$488.29
<u>Evolution Edges – Tungsten Carbide Tipped Snow Plow Blades</u>			
F2-3	Cost per 3' Blade Section		\$153.21
F2-4	Cost per 4' Blade Section		\$204.29

Sectional Carbide Tipped Blade with Carbide Trapezoid Insert

F3-3	Cost per 3' Blade Section	\$153.21
F3-4	Cost per 4' Blade Section	\$204.29

Tungsten Carbide Blades for Plows and Graders

G-2	Cost per set	\$561.88
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Rubber Blades

H1-RL	Cost per Blade / Less than 50 Blades	\$297.55
H1-RG	Cost per Blade / 50 Blades & Greater	\$274.69

Extruded Rubber Blades

H2-RL	Cost per Blade / less than 50 Blades	\$279.55
H2-RG	Cost per Blade / 50 Blades & Greater	\$274.69

Nose Piece 8" Top Punch

V-NG	Cost per Blade / 50 Blades & Greater	\$36.69
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Nose Piece for Viking Plow – Older Model Plows (Viking Model #10803091 or equal)

W-NL	Cost per Blade / less than 50 Blades	\$37.44
W-NG	Cost per Blade / 50 Blades & Greater	\$35.44

Nose Piece – used for Newer Model Plows *Two separate pieces (not welded together)(Viking Model \$10805373 or equal)

X-NL	Cost per Blade / less than 50 Blades	\$37.44
X-NG	Cost per Blade / 50 Blades or Greater	\$35.44

RUSERT EQUIPMENT, LLC

P.O. Box 11317

Orchard Park, New York 14127

Flexible Plow Blade System – Polar Flex

<u>Index #</u>	<u>Description</u>	<u>Rate</u>
E2-3	Cost per 3' Blade Section	\$696.00
E2-4	Cost per 4' Blade Section	\$928.00
XWS-115FM-F	Nose Piece	\$340.00
XWS-12F	Cost per 12" Replacement Segment	\$140.00

Sectional Carbide Tipped Snow Plow Blade C/W Wear Plate – Valley Blades, Ltd.

Additional Blades	34636-WBSBH-WP	Cost per 3' Blade Section-Heavy Duty	\$354.00
Additional Blades	34648-WBSBH-WP	Cost per 4' Blade Section-Heavy Duty	\$472.00

Cast Alloy Plow Shoe (2 ¼" x 8" x 14", Min wgt 36 lbs, hole size 13/16", Recessed for Square Head Bolt)

K-AL	Cast Alloy Abrasive	Cost Per Shoe / Less Than 50 Shoes	\$113.00
K-AG	Cast Alloy Abrasive	Cost Per Shoe / 50 Shoes or Greater	\$110.00

Cast Alloy Plow Shoe (12" OC, 10 degree, Min weight 37 lbs, hole size 3/4", 8" Center Punched)

L-AL	Cast Alloy Abrasive	Cost Per Shoe / Less Than 50 Shoes	\$134.00
L-AG	Cast Alloy Abrasive	Cost Per Shoe / 50 Shoes or Greater	\$130.00

NORTHERN SUPPLY, INC.

P.O. Box 69

Bloomfield, New York 14469

Carbide Combination Plow Blades – Kuper SX

<u>Index #</u>	<u>Description</u>	<u>Rate</u>
E3-3	Cost per 3' Blade Section	\$660.00
E3-4	Cost per 4' Blade Section	\$880.00

Kuper XT Carbide Blade

XT-36	Cost per 3' Blade Section	\$285.00
XT-48	Cost per 4' Blade Section	\$380.00

Kennemetal Carbide Blades

F1-3	Cost per 3' Blade Section	\$200.00
F1-4	Cost per 4' Blade Section	\$267.00

Blended Extruded Rubber Blades

H3-RL	Cost per Blade / Less than 50 Blades	\$308.00
H3-RG	Cost per Blade / 50 blades & Greater	\$298.00

Steel Wing Shoes (Model MSCO MSO60)

M-SL	Steel – Cost per shoe / Less than 50 shoes	\$ 55.00
M-SG	Steel – Cost per shoe / 50 shoes or greater	\$ 50.00

NiHard Wing Shoe (8" Center Punched, ¾" x 12" O/C, 75 degree, Min weight 37 lbs)

N-NL	NiHard – cost per shoe	Less than 50 Shoes	\$65.00
N-NG	NiHard – cost per shoe	50 Shoes or Greater	\$60.00

NiHard, Snow Plow Frame Shoe

O-NL	NiHard – cost per shoe	Less than 50 Shoes	\$70.00
O-NG	NiHard – cost per shoe	50 Shoes or Greater	\$65.00

NiHard Moldboard Shoe (65 degree)

P-NL	NiHard – cost per shoe	Less than 50 Shoes	\$75.00
P-NG	NiHard – cost per shoe	50 Shoes or Greater	\$70.00

AR500 Moldboard Shoe (60 degrees)

Q-NL	AR500 – cost per shoe	Less than 50 Shoes	\$70.00
Q-NG	AR500 – cost per shoe	50 Shoes or Greater	\$65.00

NiHard Mushroom Shoe (Ni-Hard Casting, 12' outside diameter x 2 ¾" high - two hex-head bolt holes)

R-NL	NiHard – cost per shoe	Less than 50 Shoes	\$78.00
R-NG	NiHard – cost per shoe	50 Shoes or Greater	\$74.00

VIKING CIVES

2917 Judge Road
Oakfield, New York 14125

Cover Blade for Wings 5/8"

<u>Index #</u>	<u>Size</u>	<u>Quantity</u>	<u>Rate</u>
C-8L	5/8" x 8"	Cost per foot / less than 50 blades	\$16.76

Nose Piece (8" Top Punch)

V-NL	Cost per blade / less than 50 blades	\$ 38.40
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now, therefore, be it

RESOLVED, that the aforementioned bids be, and hereby are, accepted, for a term commencing October 1, 2021 and terminating September 30, 2022, with the option of one (1) one-year extensions under the same rates, terms and conditions, upon mutual agreement between the parties, 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.

The cutting edges and shoes that the County uses are not offered on State Bid; however, there are shoes on State Bid that the County may purchase.

Ten sets of specifications were sent out.

Five bids were received meeting specifications.

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

Adopted September 8, 2021 by voice vote.

ACT NO. 338-2021 by Mr. Helmich and Mr. Koch

**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 Farmersville Culvert No. 6, located on County Road No. 21 (Laidlaw-Elton Road), in the Town of Farmersville, 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 Farmersville Culvert No. 6, for an amount of \$79,385.00, to be paid as invoiced, and

WHEREAS, sufficient funds are included in the budget to cover the cost of the aforementioned culvert, 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 ten (10) working days after the execution of the contract and delivery to be made by May 3, 2022, 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 which met specifications.

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

Adopted September 8, 2021 by voice vote.

ACT NO. 339-2021 by Mr. Helmich and Mr. Koch

**BID ACCEPTANCE FOR HOT DIP GALVANIZATION OF STEEL
(Department of Public Works)**

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

WHEREAS, the Clerk of the Legislature was authorized to advertise for sealed bids for hot dip galvanization of steel, according to specifications and general information provided by the Public Works Committee, and

WHEREAS, the only bid received meeting specifications for hot dip galvanization of steel was the bid of Frontier Hot Dip Galvanizing, Inc., 1740 Elmwood Avenue, P.O. Box 199, Buffalo, New York 14207-0199, in an amount as follows:

<u>Job Size</u>	<u>2020-2021 Amount</u>	<u>2021-2022 Amount</u>
Single Dip up to 27 feet in length:		
Less than 1,000 lbs	\$0.55/lb	\$0.55/lb
1,000 – 2,000 lbs	\$0.50/lb	\$0.50/lb
2,000 – 5,000 lbs	\$0.44/lb	\$0.45/lb
5,000 – 10,000 lbs	\$0.40/lb	\$0.40/lb
10,000 lbs & greater	\$0.29/lb	\$0.29/lb
Double Dip up to 40 feet in length:		
Less than 1,000 lbs	\$0.825/lb	\$0.825/lb
1,000 – 2,000 lbs	\$0.75/lb	\$0.75/lb
2,000 – 5,000 lbs	\$0.675/lb	\$0.675/lb
5,000 – 10,000 lbs	\$0.60/lb	\$0.60/lb
10,000 lbs & greater	\$0.35/lb	\$0.35/lb
<u>Additional Charges:</u>		
1. Surcharge for double dip - For materials which are longer than tank length and which must be dipped first one end and then the other (double dip), any additional charges are included in the above pricing.	Included in above pricing	Included in above pricing
2. Handrails	\$ 0.75/lb	\$ 0.75/lb
3. Tanks	\$ 1.00/lb	\$ 1.00/lb
4. Additional Venting/Holes	\$50.00/hr	\$50.00/hr

now, therefore, be it

RESOLVED, that the bid of Frontier Hot Dip Galvanizing, Inc., be, and the same hereby is, accepted, for a term commencing November 1, 2021 and terminating October 31, 2022, 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.

One bid was received.

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

Adopted September 8, 2021 by voice vote.

ACT NO. 340-2021 by Mr. Helmich and Mr. Koch

**BID ACCEPTANCE FOR SALT AND SAND PREMIX
(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 salt and sand premix for the 2021-2022 season requirements, according to specifications provided by the Public Works Committee, and

WHEREAS, the only bid received meeting specifications for salt and sand premix was the bid of Gernatt Asphalt Products, Inc., 13870 Taylor Hollow Road, Collins, New York 14034 (Benz Drive Plant, Springville, New York) as follows:

Ratio of Sand to Salt <u>Per Ton</u>	2020-2021 Price Per Ton Premixed Material <u>F.O.B. Plant</u>	2021-2022 Price Per Ton Premixed Material <u>F.O.B. Plant</u>
4-1	\$21.50	\$20.60
5-1	\$19.80	\$19.00
6-1	\$18.60	\$18.00
7-1	\$17.80	\$17.20
8-1	\$17.10	\$16.50
9-1	\$16.50	\$16.00
10-1	\$16.00	\$15.60

now, therefore, be it

RESOLVED, that the bid of Gernatt Asphalt Products, Inc., be, and the same hereby is, accepted, for a term commencing September 1, 2021 and terminating April 30, 2022, 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.

Only one bid was received.

Approved by 6 members of the Finance Committee and 7 members of the Public Works Committee.

Adopted September 8, 2021 by voice vote. Mr. Burr abstained from vote.

ACT NO. 341-2021 by Mr. Helmich and Mr. Koch

**BID ACCEPTANCE FOR PRECAST CONCRETE DECK PANELS
(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 Mansfield Bridge No. 50, located on Hinman Hollow Road, .22 miles east of County Road No. 13 (Maples Road), in the Town of Mansfield, 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 Mansfield Bridge No. 50, for an amount of \$59,700.00, to be paid as invoiced, and

WHEREAS, sufficient funds are included in the budget to cover the cost of the aforementioned culvert, 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) consecutive calendar days after the execution of the contract and delivery to be made by July 18, 2022, 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.

Four sets of specifications were sent out.

Three bids were received which met specifications.

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

Adopted September 8, 2021 by voice vote.

ACT NO. 342-2021 by Mr. Helmich and Mr. Koch

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT EXTENSION WITH
WENDEL WD ARCHITECTURE, ENGINEERING, SURVEYING & LANDSCAPE
ARCHITECTURE, P.C. FOR THE PINES HEALTHCARE AND REHABILITATION
CENTER-MACHIAS CAMPUS 2019 IMPROVEMENTS PROJECT
(Improvement to Sanitary & Storm Sewers and Replacement of Fire Alarm System)**

Pursuant to Sections 215 and 450 of the County Law.

WHEREAS, Act 212-2019, as amended by Acts 471-2019 and 317-2020, authorized a contract with Wendel WD Architecture, Engineering, Surveying & Landscape Architecture, P.C., 375 Essjay Road, Suite 200, Williamsville, New York 14221, for the provision of improvements to the sanitary & storm sewers and the existing fire alarm system at The Pines Healthcare and Rehabilitation Center-Machias Campus, the term of which expired April 30, 2021, and

WHEREAS, a contract extension is necessary in order to complete the aforementioned improvement projects 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 Wendel WD Architecture, Engineering, Surveying & Landscape Architecture, P.C., for the provision of the above-described services, to extend the term of the contract which commenced May 1, 2019 to terminate June 30, 2022, according to the above-described terms.

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

Adopted September 8, 2021 by voice vote.

ACT NO. 343-2021 by Mr. Boberg and Mr. Klancer

**AUTHORIZING THE CHAIR TO EXECUTE GRANT DOCUMENTS WITH
NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES
FOR NATIVE AMERICAN FOCUSED ALTERNATIVE TO INCARCERATION SERVICES
(Project #AT17-1009-E02)**

Pursuant to Section 450 of the County Law.

WHEREAS, Acts 303-2017 authorized a contract with the New York State Division of Criminal Justice Services for the Native American Focused Alternative to Incarceration Program funding in the amount of \$127,245.00 per year for five (5) years, ending December 31, 2022, and

WHEREAS, Act 81-2021 authorized a contract with the New York State Division of Criminal Justice Services for the 2021 program year, and

WHEREAS, the Probation Department has been notified that it has been awarded funding in the amount of \$127,245.00 for the 2022 program year (Contract No. C523998), and

WHEREAS, a contract is necessary in order to accept and receive the aforementioned additional funding, 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 grant documents, on behalf of Cattaraugus County, with the New York State Division of Criminal Justice Services, in order to accept and receive the aforementioned funding, for a term commencing January 1, 2022 and terminating December 31, 2022, 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 County Operations/
Public Safety Committee.

Adopted September 8, 2021 by voice vote.

ACT NO. 344-2021 by Mrs. Hunt, Mr. Snyder and Mr. Koch

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
CITY OF SALAMANCA FOR
COVID-19 CLEANING AND DISINFECTING SERVICES AND
TRANSFER OF FUNDS
(Contingent Fund – City of Salamanca)**

Pursuant to Sections 363, 365 and 450 of the County Law.

WHEREAS, in order for the City of Salamanca to safely operate the 2021 Falling Leaves Festival amidst the COVID-19 Pandemic, additional hand washing stations, stand-alone sanitizer stations, a cleaner for port-a-johns, sanitizer, and informational signage are needed, and

WHEREAS, the Falling Leaves Festival provides free rides and a variety of entertainment for all ages, including children, many of whom are not eligible to receive the COVID-19 vaccine yet, and

WHEREAS, additional hand washing stations, stand-alone sanitizer stations, a cleaner for port-a-johns and sanitizer are required in order to try to protect the children who will attend the Falling Leaves Festival and minimize the spread of COVID-19, and

WHEREAS, the City anticipates that the cost associated with the additional COVID cleaning and disinfecting to be approximately \$5,000.00 and has requested assistance from the County, and

WHEREAS, it is in the County's best interest to assist the City with the cost of additional cleaning and sanitizing, and

WHEREAS, a transfer of funds is necessary in order to cover the cost of the aforementioned COVID-19 assistance, 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 City of Salamanca, for the provision of funding to assist with the cost of cleaning and disinfecting for the 2021 Falling Leaves Festival, for a term commencing October 1, 2021 and terminating October 3, 2021, 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 Account:

A.901.1990.0000.40601	Contingent Fund	\$5,000.00
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Increase Appropriation Account:

A.298.1910.0000.42067	City of Salamanca	\$5,000.00.
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Held in the Finance Committee and in Development and Agriculture Committee.

ACT NO. 345-2021 by Mr. Higgins and Mr. Marsh

**AUTHORIZING APPLICATION FOR TOURISM PROMOTION AND
DESIGNATING GRANT ADMINISTRATOR**

Pursuant to Section 164 of the Economic Development Law.

WHEREAS, Act 271-2020 authorized an application for tourism promotion and designated the grant administrator, and

WHEREAS, the New York State Tourist Promotion Act provides that the Commissioner of Economic Development may, upon application, match the funds expended by tourist promotion agencies and provide other assistance to local organizations for the promotion of tourist travel, resorts, and vacation businesses of the State of New York, and

WHEREAS, before an application for matching funds for the promotion of tourism can be submitted, it is required that the Cattaraugus County Legislature designate a tourist promotion agency to make such application and to receive grants for the purposes specified in the law, and

WHEREAS, Cattaraugus County should contribute a local share of \$70,000.00 in Fiscal Year 2022 to leverage additional funds from the New York State I Love New York Matching Funds Program, now, therefore, be it

RESOLVED, that the Cattaraugus County Department of Economic Development, Planning and Tourism, is hereby authorized and directed to submit all the required applications and other documents, on behalf of Cattaraugus County, necessary for the purpose of receiving these funds, and be it further

RESOLVED, that the Cattaraugus County Department of Economic Development, Planning and Tourism, is hereby authorized and directed to receive grants from the State of New York for, and on behalf of, Cattaraugus County for the purposes herein specified, and be it further

RESOLVED, that the Cattaraugus County Department of Economic Development, Planning and Tourism is hereby designated as the administrator of these funds, and be it further

RESOLVED, that the Cattaraugus County Department of Economic Development, Planning and Tourism is authorized to apply for state matching funds up to \$500,000.00 for the program year October 1, 2021 through September 30, 2022, and be it further

RESOLVED, that if the application for such funding is approved, then the Cattaraugus County Department of Economic Development, Planning and Tourism shall submit the grant agreement to the Legislature for approval and appropriation prior to the commencement of any work, and be it further

RESOLVED, that the Clerk of the Legislature is hereby directed to forward a certified copy of this resolution to the Commissioner of Economic Development of the State of New York and the Marketing Manager, Matching Funds, New York State Department of Economic Development, 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 Development and Agriculture Committee.

Adopted September 8, 2021 by voice vote.

ACT NO. 346-2021 by Mr. Higgins and Mr. Marsh

**AUTHORIZING THE CHAIR TO EXECUTE GRANT APPLICATION AND
CONTRACT WITH DEFENSE LOGISTICS AGENCY FOR
PROCUREMENT TECHNICAL ASSISTANCE PROGRAM**

Pursuant to 10 USCS Section 2411, et seq., and
Section 450 of the County Law.

WHEREAS, Act 272-2020 authorized the Chair to execute a grant application and contract with the Defense Logistics Agency, 8725 John J. Kingman Road, Ft. Belvoir, Virginia 22060-6221, in order to secure funding for the continuation of the Procurement Technical Assistance Program and such funding was received, and

WHEREAS, Cattaraugus County is again eligible for funding through the Defense Logistics Agency in order to maintain the Procurement Technical Assistance Program, and

WHEREAS, it is estimated that the project cost will not exceed \$183,240.00, of which Cattaraugus County's cash contribution and in-kind contribution will not exceed \$62,819.00, and

WHEREAS, Cattaraugus County will be responsible for the share of any third-party agency which fails to contribute its portion to the program, and

WHEREAS, this program is 75% federally funded (CFDA #12.002) and 25% County funded, plus in-kind contributions and sufficient funds are included in the budget to cover the County's 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 grant application and contract, on behalf of Cattaraugus County, with the Defense Logistics Agency in order to secure funding for the continuation of the Procurement Technical Assistance Program, and be it further

RESOLVED, that the Procurement Technical Assistance Program will commence April 1, 2022 and terminate March 30, 2023, 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 Development and Agriculture Committee.

Adopted September 8, 2021 by voice vote.

ACT NO. 347-2021 by Mr. Klancer and Mr. Boberg

**ADOPTING CATTARAUGUS COUNTY OFFICE OF EMERGENCY SERVICES
FIREARMS POLICY AND PROCEDURES**

Pursuant to Section 153 of the County Law.

WHEREAS, the County Office of Emergency Services is desirous of establishing and adopting a policy for the on-duty use of firearms by Emergency Services personnel, and

WHEREAS, a Cattaraugus County Office of Emergency Services Firearms Policy and Procedures has been prepared and approved by the Office of Emergency Services, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature hereby establishes and adopts the Cattaraugus County Office of Emergency Services Firearms Policy and Procedures dated September 8, 2021, and be it further

RESOLVED, that the Cattaraugus County Legislature hereby authorizes and directs the Director of Emergency Services to develop a schedule and plan for the structured implementation of the Firearms Policy hereinafter established, in a manner that is not disruptive to the operations of the Office of Emergency Services, and be it further

RESOLVED, that the Director of Emergency Services is further authorized and directed to provide periodic reports to the Legislature regarding the implementation of this policy.

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

Adopted September 8, 2021 by voice vote.

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MRS. HUNT moved, seconded by Mr. Parker, to waive Rule 12, pursuant to Rule 33.1, regarding Act No. 348-2021 through Act No. 351-2021. Carried.

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ACT NO. 348-2021 by Mr. Boberg and Mr. Klancer
who ask immediate consideration

**ADJUSTING VARIOUS APPROPRIATION ACCOUNTS
(Sheriff's Office-Purchase of Tires)**

Pursuant to Sections 363 and 366 of the County Law.

WHEREAS, the Sheriff's Office is desirous of purchasing winter tires and all-season tires for Sheriff's Office vehicles, and

WHEREAS, UTZ Tire Service of Arcade, Inc., 688 West Main Street, Arcade, New York 14009, through New York State contract pricing (NYS Contract #NYG3AA9), can provide tires for the Sheriff's Office for an amount not to exceed \$25,000.00, and

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

RESOLVED, that the County Administrator is hereby directed to make the following budgetary changes in order to cover the cost of the aforementioned winter tires:

Decrease Appropriation Account:		
A.311.3110.0000.13000	Overtime	\$16,800.00
Increase Appropriation Account:		
A.311.3110.0000.45104	Tires	\$16,800.00.

Adopted September 8, 2021 by voice vote.

ACT NO. 349-2021 by Mrs. Hunt
and Mr. Morrow and Mr. Koch¹
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
CITY OF SALAMANCA FOR
COVID-19 SANITIZING SUPPLIES**

Pursuant to Section 450 of the County Law.

WHEREAS, in order for the City of Salamanca to safely operate the 2021 Falling Leaves Festival amidst the COVID-19 Pandemic, additional sanitizing supplies are needed, and

WHEREAS, sanitizing supplies are required in order to try to protect those who will attend the Falling Leaves Festival and minimize the spread of COVID-19, and

WHEREAS, the City has requested assistance from the County, and

WHEREAS, it is in the County's best interest to assist the City with additional supplies by providing in kind services and goods, 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 City of Salamanca, for the provision of sanitizing supplies for the 2021 Falling Leaves Festival, for a term commencing October 1, 2021 and terminating October 3, 2021, according to the above-described terms.

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

Adopted September 8, 2021 by voice vote.

ACT NO. 350-2021 by Mrs. Andreano, Mr. Benson, Mr. Boberg, Mr. Brisky, Mr. Burr, Mr. Helmich, Mr. Higgins, Mrs. Hunt, Mr. Klancer, Mr. Marsh, Mr. Morrow, Mr. Parker, Ms. Schröder, Mr. Smith, Mr. Snyder, Jr., Mr. VanRensselaer and Mr. Koch who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACTS WITH
VARIOUS ENTITIES FOR
MUNICIPAL WATER AND WASTEWATER SYSTEMS UPGRADES**

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

WHEREAS, Great Lakes Cheese Company, Inc. is interested in building a new cheese production facility in the Towns of Farmersville and Franklinville, with an associated investment of approximately \$500,000,000.00 including the purchase of new equipment, facility construction, and site development, and

WHEREAS, it is anticipated that the construction of the facility will support an average of 240 construction jobs over a two-year period, and

WHEREAS, the facility is expected to employ approximately 500 people with an average annual salary of \$52,000.00 plus benefits per employee, and to have the capability of processing up to 4,000,000 pounds of milk per day which would support an additional 600 regional agricultural jobs, and

WHEREAS, the construction phase of the project is expected to generate \$393,000,000.00 worth of goods and services in the Western New York region, and once fully operational, the facility is expected to generate \$910,000,000.00 worth of goods and services in the Western New York region, and

WHEREAS, the County desires to expand and improve the municipal water and wastewater systems to accommodate this potential project, and

WHEREAS, the County is desirous of appropriating \$5,800,000.00 to assist with the cost of improving the municipal water and wastewater systems, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute contracts with various entities including but not limited to any district(s) within the County of Cattaraugus, the Town of Farmersville, the Village of Franklinville, the Town of Franklinville, and the Cattaraugus County Industrial Development Agency, on behalf of Cattaraugus County, to expand and

improve of the water systems and wastewater systems, for a term commencing September 15, 2021, and terminating December 31, 2024, according to the above-described terms, and be it further

RESOLVED, that the County Administrator is hereby directed to appropriate funding, either cash or bonding, as further directed by the Legislature, to expand and improve the water systems and wastewater systems, and be it further

RESOLVED, that such contracts shall provide that should the project of constructing the facility in the Towns of Farmersville and Franklinville not proceed, the County, in its sole discretion, may terminate the contracts.

Adopted September 8, 2021 by voice vote.

ACT NO. 351-2021 by Mr. Brisky, Mr. Higgins, Mr. Marsh,
Ms. Schröder and Mr. Snyder, Jr.
*and Mrs. Andreano, Mr. Benson, Mr. Boberg, Mr. Burr, Mr. Helmich, Mrs. Hunt,
Mr. Morrow, Mr. Parker, Mr. Smith, Mr. VanRensselaer and Mr. Koch¹*
who ask immediate consideration

**AUTHORIZING PUBLIC HEARING ON
COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION
(Great Lakes Cheese-Franklinville Project)**

Pursuant to Section 10 of the Municipal Home Rule Law.

WHEREAS, the County wishes to assess the advisability of submitting a Community Development Block Grant ("CDBG") application to the New York State Office of Community Renewal for a grant to assist Great Lakes Cheese Co., Inc. in developing a cheese manufacturing and packaging facility on all or portions of seven parcels of land located on Route 16 in the Towns of Farmersville and Franklinville, New York (the "Project"), and

WHEREAS, the County is required to hold a public hearing to provide information regarding the CDBG program, the County's community development and economic development programs, and the proposed funding application to the public, and to consider citizen comments regarding community needs and the proposal prior to submitting an application for CDBG funding, now, therefore, be it

RESOLVED, that a public hearing shall be held by this County Legislature to provide information regarding the proposed cheese factory to be located on Route 16 in the Towns of Farmersville and Franklinville, New York, on the 22nd day of September, 2021, at 5:01 p.m. at the Legislature's Chambers, County Center, 303 Court Street, Little Valley, New York, and that at least ten (10) 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.

¹The following Legislators requested their names be listed as additional sponsors: "Mrs. Andreano, Mr. Benson, Mr. Boberg, Mr. Burr, Mr. Helmich, Mrs. Hunt, Mr. Morrow, Mr. Parker, Mr. Smith, Mr. VanRensselaer and Mr. Koch".

Adopted September 8, 2021 by voice vote.

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MR. KOCH moved, seconded by Mr. Boberg, to adjourn until September 22, 2021 at 5:00 p.m.
Carried.

Meeting adjourned at 5:45 p.m.

Ann M. Giglio
Journal Clerk