

May 22, 2024

The meeting was called to order by Chairman Burr.

The invocation was given by Richard Helmich.

The Attendance Roll Call disclosed one Legislator absent - Higgins.

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There being no amendments or objections thereto, Chairman Burr noted that the minutes of the May 8, 2024 session stand approved as presented.

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COMMUNICATIONS:

Eight Counties of Western New York: Recognition of 61st Anniversary of Western New York Armed Forces Week.

Ischua Valley Historical Society: Letter of thanks for donation in memory of Dr. Terry Martin.

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APPOINTMENTS:

CATTARAUGUS-ALLEGANY WORKFORCE DEVELOPMENT BOARD

Term to expire December 31, 2025

Rich Barie, Hedley Brook Agency
to fill the unexpired term of Brad Monroe

CATTARAUGUS COUNTY PLANNING BOARD

Terms to expire July 31, 2024

Michael Higgins
to fill the unexpired term of Daniel J. Brown
Terry Hahn
to fill the unexpired term of Charles W. Couture

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PROCLAMATION:

CHAIRMAN BURR proclaimed the month of May 2024 as **Older Americans Month** in Cattaraugus County. Chairman Burr presented the proclamation to Bonnie Saunders and Sue Carney representing the Department of Aging.

PRIVILEGE OF THE FLOOR:

CHAIRMAN BURR granted Privilege of the Floor to Legislator Richard Smith who commended the Department of Aging for their tireless efforts on behalf of the County's older adults. He personally thanked Bonnie Saunders and Sue Carney for their outstanding work.

Legislator Smith further recognized Acting Director of the Department of Nursing Homes, Kelly Reed, and the entire nursing home staff for their hard work and dedication to the residents. Legislator Smith attended an event at the Olean facility last week and witnessed the appreciation residents and their families have for the care and commitment of staff.

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ACT NO. 216-2024 by Mr. Benson and Mr. Helmich

**BID ACCEPTANCE FOR REHABILITATION OF COUNTY ROAD NO. 14
(Department of Public Works)**

Pursuant to Section 103 of the General Municipal Law, Section 131-b of the Highway Law and Section 450 of the County Law.

WHEREAS, the Clerk of the Legislature was authorized to advertise for sealed bids for the rehabilitation of County Road No. 14 (Toad Hollow Road) from the Village of Little Valley to Five Points intersection in the Town of Mansfield, according to bid specifications and general information provided by the Public Works Committee, and

WHEREAS, the lowest responsible bid received meeting specifications was submitted by Union Concrete & Construction Corp., 2650 Seneca Street, West Seneca, New York 14224, in the amount of \$4,563,441.99, to be paid as invoiced and approved by the Commissioner of the Department of Public Works, and

WHEREAS, all work associated with the aforementioned project shall commence within ten (10) days of the effective date of the contract and be completed by October 31, 2024, with the exception of the following: Work within the areas of Full Depth Reconstruction Station TH 57+25 to TH 62+50; and B 7+50 to B 12+54 including DS 13-1 and DS 13-2, and the Mill and Overlay section from Station B 1+20 to B 7+50 shall be completed by June 30, 2025, and

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

RESOLVED, that the bid of Union Concrete & 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.

53 sets of specifications were sent out.

6 were received which met specifications.

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

Adopted May 22, 2024 by voice vote.

ACT NO. 217-2024 by Mr. Benson and Mr. Helmich

**BID ACCEPTANCE FOR PAVEMENT IMPROVEMENT PROJECT ON COUNTY ROAD NO. 19
(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 a pavement improvement project to resurface County Road No. 19 (Five Mile Road), located in the Towns of Humphrey, Hinsdale, Ischua and Franklinville, according to bid specifications and general information provided by the Public Works Committee, and

WHEREAS, the lowest bid received meeting specifications was submitted by McLaughlin Construction Corp., d/b/a Edbauer Construction, 2790 Clinton Street, West Seneca, New York 14224, in the amount of \$3,465,513.66, to be paid as invoiced and approved by the Commissioner of the Department of Public Works, and

WHEREAS, the term of the aforementioned contract shall commence within ten (10) days of the effective date of the contract and be completed by October 31, 2024, 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 McLaughlin Construction Corp., d/b/a Edbauer Construction, 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.

41 sets of specifications were sent out.

5 bids were received which met specifications.

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

Adopted May 22, 2024 by voice vote.

ACT NO. 218-2024 by Mr. Benson and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED
CONSTRUCTION INSPECTION TERM AGREEMENT
WITH GREENMAN-PEDERSEN, INC. FOR
BRIDGE AND HIGHWAY-RELATED PROJECTS**

Pursuant to Sections 215 and 450 of the County Law.

WHEREAS, Act 200-2023 authorized a Construction Inspection Term Agreement with Greenman-Pedersen, Inc., 4950 Genesee Street, Suite 100, Buffalo, New York 14225, for the provision of construction inspection services for various bridge and highway-related projects, the term of which expired April 30, 2024, and

WHEREAS, the Department of Public Works is desirous of amending the aforementioned Agreement to add an additional \$460,000.00 and extending the term of the contract to expire April 30, 2025, and

WHEREAS, Greenman-Pedersen, Inc., has agreed to continue the provision of construction inspection services for various bridge and highway-related projects for an additional amount of \$460,000.00, to be paid in periodic payments based on a cost-plus basis as determined by the Department of Public Works, and

WHEREAS, sufficient funds are included in the budget to cover the costs of the additional engineering services for various bridge and highway-related projects, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute an amended Construction Inspection Term Agreement, on behalf of Cattaraugus County, with Greenman-Pedersen, Inc., which amends the contract which commenced May 1, 2023 and now terminates April 30, 2025, according to the above-described terms.

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

Adopted May 22, 2024 by voice vote.

ACT NO. 219-2024 by Mr. Benson and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE GRANT DOCUMENTS WITH
NEW YORK STATE OCCUPATIONAL SAFETY AND HEALTH HAZARD ABATEMENT BOARD FOR
OCCUPATIONAL SAFETY AND HEALTH TRAINING AND EDUCATION GRANT PROGRAM AND
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
(Department of Public Works)**

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

WHEREAS, the County has been awarded an amount of \$11,850.00 through the New York State Occupational Safety and Health Hazard Abatement Board for the 2024-2025 Occupational Safety and Health Training and Education Grant program, and

WHEREAS, the aforementioned funds are used to support the provision of occupational safety and health training and education programs to employees and businesses to promote safe and healthful conditions in the workplace throughout New York State, and

WHEREAS, a contract with the New York State Occupational Safety and Health Hazard Abatement Board is necessary in order to receive the aforementioned grant, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with the New York State Occupational Safety and Health Hazard Abatement Board, in order to accept and receive the aforementioned grant funding, for a term commencing August 1, 2024 and terminating July 31, 2025, 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, and be it further

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

Increase Estimated Revenue Account:

D.502.0000.0000.3589.01	State Aid-Occupational Safety Grant	\$11,850.00
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Increase Appropriation Account:

D.502.5110.0000.46106.HAB	HAB Training	\$11,850.00.
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Approved by 7 members of the Finance Committee, 5 members of the Public Works Committee, and 5 members of the Labor Relations Committee.

Adopted May 22, 2024 by voice vote.

ACT NO. 220-2024 by Mr. Benson and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
NYS DOT AND AUTHORIZING CATTARAUGUS COUNTY TO PARTICIPATE IN
THE FEDERAL-AID PROJECT ADMINISTERED BY THE NYS DOT AND
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
(Mansfield Bridge No. 37 over Eddyville Creek Project – Bridge NY Funds)**

Pursuant to 23 U.S. Code and Sections 363, 366 and 450 of the County Law.

WHEREAS, a project for the replacement of Mansfield Bridge No. 37, located on County Road No. 14 (Toad Hollow Road) over Eddyville Creek, located in the Town of Mansfield, Cattaraugus County, PIN 5764.82, Comptroller's Contract #D041424 (the "Project"), is eligible for funding under Title 23 U.S. Code, as amended, 23 CFR, as amended and Pub. L. 117-58, also known as the "Bipartisan Infrastructure Law, and

WHEREAS, the County will design, let and construct the Project, and

WHEREAS, the County desires to advance the above Project by making a commitment of 100% of the costs of the Preliminary Engineering (Design I-VI), and Right-of-Way Incidentals phases of the Project, PIN 5764.82, and

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

RESOLVED, that the Cattaraugus County Legislature hereby approves the above-described Project, and be it further

RESOLVED, that the Cattaraugus County Legislature hereby authorizes the County of Cattaraugus to pay 100% of the cost of the Preliminary Engineering (Design I-VI) and Right-of-Way Incidentals phases of the Project, PIN 5764.82, or portions thereof, with the understanding that qualified costs will be eligible for federal-aid, state-aid, or reimbursed from Bridge NY funding, and be it further

RESOLVED, that the sum of \$269,000.00 is hereby appropriated and made available to cover the cost of participation in the Preliminary Engineering (Design I-VI) and Right-of-Way Incidentals phases of the Project, and be it further

RESOLVED, that the Cattaraugus County Legislature hereby agrees that the County of Cattaraugus shall be responsible for all costs of the project which exceed the amount of federal-aid, state-aid or Bridge NY funding awarded to the County of Cattaraugus, and be it further

RESOLVED, that in the event the Project costs not covered by federal-aid, state-aid or NY Bridge funding exceed the amount appropriated above (\$269,000.00), the County of Cattaraugus shall convene its Legislature as soon as possible to appropriate said excess amount immediately upon the notification by the NYSDOT thereof, and be it further

RESOLVED, that the County of Cattaraugus hereby commits that construction of the Project shall begin no later than twenty-four (24) months after award and that the construction phase of the Project shall be completed within thirty (30) months of commencing construction, and be it further

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute all necessary documents, certifications or reimbursement requests with the NYSDOT for federal-aid, State Aid and/or Bridge NY funding, on behalf of Cattaraugus County, in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's funding of the Project costs, and be it further

RESOLVED, that the County of Cattaraugus will be responsible for all maintenance of the Project, and be it further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary agreement in connection with the Project, and be it further

RESOLVED, that this Resolution shall take effect immediately, and be it further

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

Increase Estimated Revenue Account:

H.504.5197.5195.4597.02	Federal Aid, Transportation Capital Projects MAP-21	\$255,550.00
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Increase Appropriation Account:

H.504.5197.5195.25109.41603	Mansfield Bridge No. 37/Contracted Services	\$255,550.00.
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Approved by 7 members of the Finance Committee and 5 members of the Public Works Committee.

Adopted May 22, 2024 by voice vote.

ACT NO. 221-2024 by Mr. Benson and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
TOWN OF GREAT VALLEY FOR ADMINISTRATION OF
GREAT VALLEY CULVERT NO. 26 PROJECT**

Pursuant to Section 450 of the County Law.

WHEREAS, the Town of Great Valley has been awarded a Culvert NY Project from the New York State Department of Transportation, and

WHEREAS, the aforementioned award shall provide funding to be used for the replacement of a culvert known as Great Valley Culvert No. 26, Snow Brook Road over Willoughby Creek, in the Town of Great Valley, and

WHEREAS, the Town of Great Valley has agreed to be the sponsor for the aforementioned funding, and

WHEREAS, the County should act as the liaison for the Town of Great Valley between the NYSDOT, the Consultant and the Contractor for the aforementioned Culvert NY Project, and

WHEREAS, the County shall perform the administration duties on behalf of the Town of Great Valley, and

WHEREAS, the Town of Great Valley shall reimburse the County for all expenses incurred for the administration of the aforementioned project from funds made available through the Culvert NY Project, 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 Great Valley, for the provision of the above-described services, for a term commencing April 8, 2024 and terminating December 31, 2029, according to the above-described terms.

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

Adopted May 22, 2024 by voice vote.

ACT NO. 222-2024 by Mr. Boberg and Mrs. Hunt

**AUTHORIZING THE CHAIR TO APPLY FOR FUNDING THROUGH
NEW YORK STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES
FOR PUBLIC SAFETY ANSWERING POINTS OPERATIONS GRANT
(2024 Public Safety Answering Points Operations Grant Program-Sheriff's Office)**

Pursuant to Section 450 of the County Law.

WHEREAS, funding is available through the New York State Division of Homeland Security and Emergency Services for the 2024 Public Safety Answering Points Operations Grant Program (PSAP), and

WHEREAS, the purpose of the aforementioned program is to facilitate the development, consolidation and/or improved operation of public safety communications to support and enhance statewide interoperable communications for first responders, and

WHEREAS, it is necessary to execute a grant application in order to apply for the aforementioned 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 a grant application, on behalf of Cattaraugus County, with the New York State Division of Homeland Security and Emergency Services, in order to apply for the aforementioned funding for the 2024 Public Safety Answering Points Operations Grant Program, for a term commencing January 1, 2024 and terminating December 31, 2024, 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 3 members of the County Operations/Public Safety Committee.

Adopted May 22, 2024 by voice vote.

ACT NO. 223-2024 by Mr. Boberg and Mrs. Hunt

**AUTHORIZING THE CHAIR TO APPLY FOR FUNDING THROUGH
NEW YORK STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES
FOR STATEWIDE INTEROPERABLE COMMUNICATIONS FORMULA-BASED GRANT
(2024 SICG-Formula Program-Sheriff's Office)**

Pursuant to Section 450 of the County Law.

WHEREAS, funding is available through the New York State Division of Homeland Security and Emergency Services for the 2024 Statewide Interoperable Communications Formula-Based Grant (SICG), and

WHEREAS, the purpose of the aforementioned program is to minimize gaps in interoperable communications by aligning technology acquisitions with operational use by first responders, and

WHEREAS, it is necessary to execute a grant application in order to apply for the aforementioned 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 a grant application, on behalf of Cattaraugus County, with the New York State Division of Homeland Security and Emergency Services, in order to apply for the aforementioned funding, for a term commencing January 1, 2024 and terminating December 31, 2026, 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 3 members of the County Operations/
Public Safety Committee.

Adopted May 22, 2024 by voice vote.

ACT NO. 224-2024 by Mr. Higgins and Mr. Marsh

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH
BEARDSLEY ARCHITECTS & ENGINEERS FOR
ONOVILLE MARINA PARK REHABILITATION AND EXPANSION PROJECT
(Phase I – Design & Construction Administration)**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 458-2021, as amended by Act 405-2022, authorized a contract with Beardsley Architects & Engineers, 64 South Street, Auburn, New York 13021, for the provision of architect and engineering services necessary for the completion of a feasibility analysis for improving and expanding the Onoville Marina, the term of which expires December 31, 2024, and

WHEREAS, due to efficiencies in the Design Phase, excess budget was able to be reallocated during the construction period and additional authorized services were completed and invoiced at the request of the County, and

WHEREAS, the remaining work requested for completion of the aforementioned Project includes the following:

- Sidewalk contract submittal review
- Sidewalk contract Request for Information (RFI) responses
- Limited additional coordination for contract closeout for Phase 1 General and Electrical Contractor punch lists
- A total of 4 side visits primarily related to the sidewalk project, combined with other verification, as required
- Limited additional coordination with NCI for fabrication and delivery of the pre-engineered camp store structure,

and

WHEREAS, Beardsley Architects & Engineers can provide the aforementioned services for a modified amount of \$15,000.00, which is shown as follows:

Total Value of Original Agreement	\$228,200.00
Total Earned/Billed under Original Agreement	\$189,033.40 (as of 5/1/2024)
Fixed Fee Value for Remaining Services Requested	<u>\$ 15,000.00</u>
Net Value Credit to County	\$ 24,166.60,

and

WHEREAS, sufficient funds are included in the budget through ARPA funds 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 Beardsley Architects & Engineers, for the provision of the above-described Phase I Design & Construction Administration services, to amend the term of the contract which commenced November 10, 2021 to terminate December 31, 2024, according to the above-described terms.

Approved by 7 members of the Finance Committee, 5 members of the Public Works Committee, and 4 members of the Development and Agriculture Committee.

Adopted May 22, 2024 by voice vote.

ACT NO. 225-2024 by Mr. Higgins and Mr. Marsh

**AUTHORIZING THE CHAIR TO APPLY FOR FUNDING THROUGH
NEW YORK STATE OFFICE OF PARKS, RECREATION AND HISTORIC PRESERVATION
FOR SNOWMOBILE TRAIL MAINTENANCE GRANT
(Department of Economic Development, Planning & Tourism)**

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

WHEREAS, Act 482-2023 authorized the Chair to execute contracts with the New York State Office of Parks, Recreation and Historic Preservation, the Cattaraugus County Federation of Snowmobile Clubs, Inc., and various snowmobile clubs for the snowmobile trail grant program, the terms of which expired March 31, 2024, and

WHEREAS, funding is available through the New York State Office of Parks, Recreation and Historic Preservation for the maintenance of snowmobile trails for the 2024-2025 program year, and

WHEREAS, it is necessary to apply for the aforementioned grant funding, 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 Office of Parks, Recreation and Historic Preservation, in order to apply for the aforementioned funding, for a term commencing April 1, 2024 and terminating March 31, 2025, 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 4 members of the Development and Agriculture Committee.

Adopted May 22, 2024 by voice vote.

ACT NO. 226-2024 by Mrs. Andreano and Mr. Helmich

**AUTHORIZING THE CHAIR TO APPLY FOR FUNDING THROUGH
MEALS ON WHEELS AMERICA FOR
SOCIAL CONNECTION GRANT PROGRAM**

Pursuant to Section 450 of the County Law.

WHEREAS, funding up to \$10,000 is available through Meals on Wheels America for the Social Connection Grant Program, which is intended to expand social connection opportunities in communities across the nation, and

WHEREAS, the aforementioned funding, if awarded, will be used to address social isolation and/or loneliness for older adults, by expanding and enhancing the social connection opportunities within Cattaraugus County, and

WHEREAS, grant documents are necessary in order to apply for the aforementioned funding, and

WHEREAS, this program is 100% funded through the Meals on Wheels America Social Connection Grant, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a grant application, on behalf of Cattaraugus County, with Meals on Wheels America, in order to apply for the Social Connection Grant Program, 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 5 members of the Human Services Committee.

Adopted May 22, 2024 by voice vote.

ACT NO. 227-2024 by Mrs. Andreano and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT
WITH WESCOM SOLUTIONS, INC. D/B/A
POINTCLICKCARE FOR ELECTRONIC MEDICAL RECORDS SYSTEM
(PDPM Coach Module-Department of Nursing Homes)**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 407-2021, as amended, authorized a contract with Wescom Solutions, Inc., d/b/a PointClickCare, 5570 Explorer Drive, Mississauga, Ontario Canada L4W 0C4, for the provision of a

cloud-based electronic medical records system for The Pines Healthcare and Rehabilitation Centers-Olean and Machias Campuses, the term of which expires July 31, 2026, and

WHEREAS, the Department of Nursing Homes is desirous of adding a PDPM Coach Module to the current contract for the Olean and Machias Campuses, and

WHEREAS, Wescom Solutions, Inc., d/b/a PointClickCare, can provide the PDPM Module to the Machias Campus for an amount of \$431.42 per month, and to the Olean Campus for an amount of \$450.18 per month, and

WHEREAS, a contract amendment is necessary to cover the aforementioned PDPM Module, and

WHEREAS, sufficient funds are included in the budget to cover the cost of the aforementioned additional 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 Wescom Solutions, Inc., d/b/a PointClickCare, for the provision of the above-described additional services, for a term to commence May 1, 2024 and shall terminate to coincide with the five (5) year term of the original contract which commenced August 1, 2021, according to the above-described terms.

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

Adopted May 22, 2024 by voice vote.

ACT NO. 228-2024 by Mr. Boberg and Mrs. Hunt

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH
ANA NATASHA CERVANTES, M.D. FOR
FORENSIC PSYCHIATRIC EVALUATION SERVICES**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 226-2022 authorized a contract with Ana Natasha Cervantes, M.D., 465 Tiburon Lane, East Amherst, New York 14051, for the provision of forensic psychiatric evaluation services for various cases in the Public Defender's Office and for the Assigned Counsel Program, and

WHEREAS, Ana Natasha Cervantes, M.D., is requesting an increase in her hourly rate to \$500.00 per hour to continue providing the necessary forensic psychiatric evaluations, 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 Ana Natasha Cervantes, M.D., for the provision of the above-described forensic psychiatric evaluation services, which amends the contract which commenced January 1, 2022 and continues in full force and effect under the terms, rates and conditions set forth above until terminated by either party hereto, according to the above-described terms.

Approved by 7 members of the Finance Committee and 3 members of the County Operations/
Public Safety Committee.

Adopted May 22, 2024 by voice vote.

ACT NO. 229-2024 by Mrs. Andreano and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE AFFILIATION AGREEMENT
WITH SYRACUSE UNIVERSITY FOR
STUDENT INTERNSHIP PROGRAM**

Pursuant to Section 450 of the County Law.

WHEREAS, Syracuse University, on behalf of its David B. Falk College of Sport and Human
Dynamics, requires students to complete an internship as part of the curriculum, and

WHEREAS, the County is desirous of working with students enrolled at Syracuse University
and believes that the value of the presence of such students would add to its operation, and

WHEREAS, the aforementioned internship program is conducted at no cost to the County,
now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to
execute an affiliation agreement, on behalf of Cattaraugus County, with Syracuse University, for the
provision of the above-described internship program, for a term commencing upon execution of the
agreement and terminating one year from the effective date, and thereafter to be automatically renewed
on a year-to-year basis until terminated by either party hereto, according to the above-described terms.

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

Adopted May 22, 2024 by voice vote.

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MRS. HUNT moved, seconded by Mr. Nagle, to waive Rule 12, pursuant to Rule 33.1, regarding
Act No. 230-2024 through Act No. 237-2024. Carried.

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ACT NO. 230-2024 by Mr. Benson and Mr. Helmich
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
JAMESTOWN MACADAM, INC. FOR ELLIPTICAL CONCRETE PIPE (CLASS IV) FOR
DAYTON CULVERT NO. 40 REPLACEMENT PROJECT**

Pursuant to Section 450 of the County Law.

WHEREAS, the Department of Public Works is in need of a specific custom-sized elliptical concrete pipe for the Dayton Culvert No. 40 Replacement Project, located on County Road No. 2 (Cottage Road) in the Town of Dayton, which is not available through the County's regular bid, and

WHEREAS, Jamestown Macadam, Inc., 74 Walden Avenue, Jamestown, New York 14701, can provide 70 feet of custom-sized 77" X 121" X 7' long elliptical concrete pipe sections for an amount of \$1,240.00 per foot, for a total amount of \$86,800.00, and

WHEREAS, sufficient funds are included in the budget to cover the cost of the aforementioned concrete pipe, 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 Jamestown Macadam, Inc., for the provision of the above-described specific custom-sized elliptical concrete pipe (Class IV), for a term commencing May 22, 2024 and terminating December 31, 2024, according to the above-described terms.

Adopted May 22, 2024 by voice vote.

ACT NO. 231-2024 by Mrs. Andreano and Mr. Helmich
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE GRANT DOCUMENTS FOR FUNDING
THROUGH WAL-MART SUPERCENTER #2159 FOR THE
SPARK GOOD LOCAL GRANTS FUNDING PROGRAM**

Pursuant to Section 95-a of the General Municipal Law and
Section 450 of the County Law.

WHEREAS, funding in the amount of \$2,500.00 is available through Wal-Mart Supercenter #2159 for community projects, and

WHEREAS, the County Health Department is desirous of continuing a Veggie Mobile program for the provision of farm fresh vegetables, herbs and fruits to Cattaraugus County residents to promote healthier lifestyles, and

WHEREAS, the County Health Department should apply for, and accept, if awarded, the aforementioned funding for the Veggie Wheels Program, at no cost to the County, 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 Wal-Mart Supercenter #2159 in order to apply for, and accept the above-described grant, according to the above-described terms.

Adopted May 22, 2024 by voice vote.

ACT NO. 232-2024 by Ms. Schröder
who asks immediate consideration

**CREATING ONE (1) FULL-TIME POSITION OF PRINCIPAL SOCIAL SERVICES EXAMINER
IN THE DEPARTMENT OF SOCIAL SERVICES AND
ESTABLISHING COMPENSATION FOR THE SAME
(DSS)**

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

WHEREAS, to continue structuring a more efficient administration within the Department of Social Services, a newly titled position is needed to provide day-to-day supervision of senior social services examiners as well as lesser graded titles, and

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

WHEREAS, sufficient funds are included in the 2024 budget for this position, now, therefore, be it

RESOLVED, that effective immediately, there is hereby created one (1) position of Principal Social Services Examiner in the Department of Social Services, to be filled on a full-time basis, Supervisory Bargaining Unit, Pay Grade 25 (\$35.39 per hour), Position No. 601-425-001.

Adopted May 22, 2024 by voice vote.

ACT NO. 233-2024 by Mrs. Andreano
who asks immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
BE-A-FRIEND PROGRAM, INC., BIG BROTHERS BIG SISTERS OF ERIE, NIAGARA
AND THE SOUTHERN TIER FOR GROUP MENTORING PROGRAM**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 222-2023 authorized a contract with Be-A-Friend Program, Inc., Big Brothers Big Sisters of Erie, Niagara and the Southern Tier, 100 River Rock Drive, Suite 104, Buffalo, New York 14207, for the provision of a group mentoring program to youths between the ages of 10 to 15 to promote academic and community success for youth considered PINS, JD, JO or AO through job readiness, independent living skills, youth advocacy and leadership development, the term of which expires May 31, 2024, and

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

WHEREAS, Be-A-Friend Program, Inc., Big Brothers Big Sisters of Erie, Niagara and the Southern Tier, can provide a group mentoring program to promote academic and community success for youth for a total contract amount not to exceed \$35,000.00 to be paid on a monthly basis for services provided during the preceding month, as invoiced, and

WHEREAS, this program is 100% federally funded (CFDA #93.558), 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 Be-A-Friend Program, Inc., Big Brothers Big Sisters of Erie, Niagara and the Southern Tier, for the provision of the above-described Group Mentoring Program, for a term commencing June 1, 2024 and terminating May 31, 2025, 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 May 22, 2024 by voice vote.

ACT NO. 234-2024 by Mrs. Andreano, Mr. Higgins, Mr. Smith and Mr. Teachman
who ask immediate consideration

**AUTHORIZING SALE OF CERTAIN TAX TITLE PROPERTY AND
WAIVING RULE 40 OF THE RULES OF ORDER
(City of Olean)**

Pursuant to Section 215 of the County Law, Rule 33 and Rule 40 of the
Rules of Order of the Cattaraugus County Legislature,
Section 1166 of the Real Property Tax Law, and
Section 72-h of the General Municipal Law.

WHEREAS, Cattaraugus County has tax title to certain property located at 543 Highland Avenue in the City of Olean described as Tax Map No. 94.058-3-32, and

WHEREAS, this parcel has boundary discrepancies and would be unsuitable to sell at auction, and

WHEREAS, it is in the County's best interest to offer for sale the subject property to the adjacent landowner for an amount of \$4,903.55, who will combine this parcel with his existing property, now, therefore, be it

RESOLVED, that the County Treasurer is hereby authorized to accept \$4,903.55 for the aforementioned parcel known as Tax Map Number 94.058-3-32 located at 543 Highland Avenue in the City of Olean from the adjacent landowner, and be it further

RESOLVED, that Rule 40 of the Rules of Order of the Cattaraugus County Legislature is hereby waived for this sale.

Adopted May 22, 2024 by voice vote.

ACT NO. 235-2024 by Mrs. Andreano, Mr. Higgins, Mr. Smith and Mr. Teachman
who ask immediate consideration

**AUTHORIZING SALE OF CERTAIN TAX TITLE PROPERTY AND
WAIVING RULE 40 OF THE RULES OF ORDER
(Town of Portville)**

Pursuant to Section 215 of the County Law, Rule 33 and Rule 40 of the
Rules of Order of the Cattaraugus County Legislature,
Section 1166 of the Real Property Tax Law, and
Section 72-h of the General Municipal Law.

WHEREAS, Cattaraugus County has tax title to certain property located at 388 Butternut Brook Road in the Town of Portville described as Tax Map No. 113.002-2-12.1, and

WHEREAS, this parcel did not sell at auction in 2023, and

WHEREAS, it is in the County's best interest to offer for sale the subject property to the adjacent landowner for an amount of \$2,304.96, who will combine this parcel with his existing property, now, therefore, be it

RESOLVED, that the County Treasurer is hereby authorized to accept \$2,304.96 for the aforementioned parcel known as Tax Map Number 113.002-2-12.1 located at 388 Butternut Brook Road in the Town of Portville from the adjacent landowner, and be it further

RESOLVED, that Rule 40 of the Rules of Order of the Cattaraugus County Legislature is hereby waived for this sale.

Adopted May 22, 2024 by voice vote.

ACT NO. 236-2024 by Mr. Benson, Mr. Boberg, Mr. Brisky, Mr. Burr,
Mr. Helmich, Mr. Parker, Ms. Schröder and Mr. Stoltenberg
who ask immediate consideration

**SALE OF TAX TITLE PROPERTY TO FORMER OWNERS
(Towns of Coldspring, Leon and Yorkshire)**

Pursuant to Section 215 of the County Law, Rule 33 and Rule 40 of the
Rules of Order of the Cattaraugus County Legislature,
Section 1166 of the Real Property Tax Law, and
Section 72-h of the General Municipal Law.

WHEREAS, Cattaraugus County has tax title to certain property situate in the Towns of Coldspring, Leon and Yorkshire, and

WHEREAS, the former owners of the properties have offered to tender an amount which will cover the County's financial involvement in these premises, and

WHEREAS, the cost involved for these premises has been tendered to the County Treasurer's Office, now, therefore, be it

RESOLVED, that the County Treasurer be, and hereby is, authorized and directed, on behalf of Cattaraugus County, to execute County Treasurer's Deeds conveying these properties to the following individuals:

TOWN OF COLDSRING

PARCEL NO.	TAX MAP NO.	PROPERTY ADDRESS	FORMER OWNER(S) AND ADDRESS	COUNTY INVOLVEMENT
128	89.001-1-16	Jones Hill Road	Mark Irwin Lois A. Markham Lois A. Wood PO Box 269 Steamburg, NY 14783	\$1,441.33

TOWN OF LEON

PARCEL NO.	TAX MAP NO.	PROPERTY ADDRESS	FORMER OWNER(S) AND ADDRESS	COUNTY INVOLVEMENT
273	34.004-1-10.3	11090 Scott Hollow Rd.	Estate of Glen Rohm Tabatha Rohm 11090 Scott Hollow Road Cattaraugus, NY 14719	\$17,702.05

TOWN OF YORKSHIRE

PARCEL NO.	TAX MAP NO.	PROPERTY ADDRESS	FORMER OWNER(S) AND ADDRESS	COUNTY INVOLVEMENT
420	21.001-1-21.2	10210 Pleasant Valley Rd.	Robert J. Simmons 9553 Main Street Machias, NY 14041	\$2,494.60

Adopted May 22, 2024 by voice vote.

ACT NO. 237-2024 by Mrs. Andreano, Mr. Benson, Mr. Boberg, Mr. Brisky, Mr. Burr, Mr. Helmich, Mr. Higgins, Mrs. Hunt, Mr. Marsh, Mr. Nagle, Mr. Parker, Ms. Schröder, Mr. Smith, Mr. Stoltenberg and Mr. Teachman who ask immediate consideration

OPPOSING SENATE BILL 8461B

Pursuant to Section 153 of the County Law.

WHEREAS, Senate Bill 8416B has been introduced to amend the Environmental Conservation Law to establish the "Sporting Range Good Neighbor Act", and

WHEREAS, such Bill proposes to require skeet field tracts at shooting ranges to be a minimum of 600 yards by 300 yards with the shooting semicircle located in the middle of the long side; if unable to comply, the range would be required to construct and maintain an appropriate backstop to be covered by a roof, to prevent lead migration outside of the designated skeet field tract; the skeet field cannot include a wetland or open water source, and

WHEREAS, this proposed legislation is both unnecessary and burdensome for the numerous fish and game clubs in Cattaraugus County and other communities who have for decades,

maintained outdoor shooting ranges as good stewards; this proposed bill would end up closing these clubs and ending these student leagues, and

WHEREAS, this Bill is based upon misinformation as to the trajectory of skeet shots, and the reason why most trap and skeet fields have been operating for decades without the need of this additional legislation; participants are shooting shotguns with small lead pellet loads which are only capable of traveling a maximum distance of 150-200 yards and in addition, most clubs, reclaim the expended pellets for reuse, and

WHEREAS, the common practice in sweeping and reclaiming the shot negates any thought that a club would design its shooting field with a stream or water source where the shot would fall, and

WHEREAS, this proposed restrictive law demonstrates, once again, the shortsightedness of those who support this unnecessary legislation and the adverse effects it will have upon small, rural communities in New York where most of these fish and game clubs have been operating for decades, without causing any danger or lead contamination to waterways, and

WHEREAS, this proposed legislation will cause severe hardship on the clubs, members and schools who depend upon the fish and game clubs for this very popular recreational sport in Cattaraugus County with no empirical evidence that the mandates and restrictions are necessary, now, therefore, be it

RESOLVED, that Cattaraugus County strongly opposes Senate Bill 8461B and its unrealistic restrictions and requirements for outdoor shooting ranges and their skeet field tracts, and be it further

RESOLVED, that the Clerk of the Legislature is hereby directed to forward certified copies of this resolution to New York State Governor Kathy Hochul, Senator George Borrello, Assemblyman Joseph Giglio, the New York State Association of Counties, and all others deemed necessary and proper.

Adopted May 22, 2024 by voice vote.

**MOTION TO ADJOURN IN MEMORY OF
JOANN HAMMOND**

WHEREAS, JoAnn Hammond, 93, formerly of Little Valley, passed away on May 11, 2024, at her son's home in Jensen Beach, Florida, and

WHEREAS, Mrs. Hammond was first employed with Cattaraugus County as a Clerk in the County Clerk's Office on September 30, 1963 and was promoted to a Senior Clerk on March 14, 1966; on August 4, 1969, she was appointed as Deputy County Clerk; on January 1, 1975, she was reinstated as a Senior Clerk in the Department of Real Property Tax Services and promoted to Real Property Technician on December 19, 1984, retiring on December 31, 1991, and

WHEREAS, Mrs. Hammond was a long-time member of the Little Valley Wesleyan Church until she and her husband, Floyd, relocated to Florida in 1995, where they became members of Morningside Friends Church in Port St. Lucie, and

WHEREAS, Mrs. Hammond is survived by four sons: Mark of Stuart, Florida; Dale of Jensen Beach, Florida; Daniel of Port St. Lucie, Florida; and Scot of Elkdale; nine grandchildren; and five great-grandchildren, and

WHEREAS, the loss of her presence will be sadly felt by her many friends and colleagues in Cattaraugus County, now, therefore, Legislators Hunt, Marsh and Nagle hereby

MOVE, that the Cattaraugus County Legislature hereby adjourns, and stands adjourned, in memory of JoAnn Hammond, 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 JoAnn Hammond, 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 her son, Dale Hammond.

* * * * *

MR. BRISKY moved, seconded by Mr. Benson, to adjourn until June 12, 2024 at 5:00 p.m. Carried.

Meeting adjourned at 5:18 p.m.

Ann M. Giglio
Journal Clerk