

November 26, 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 – Andreano.

* * * * *

There being no amendments or objections thereto, Chairman Burr noted that the minutes of the November 13, 2024 session stand approved as presented.

* * * * *

PUBLIC HEARING:

CHAIRMAN BURR announced this is the time and place called for a public hearing on the **2025 Cattaraugus County Tentative Budget**, and that anyone wishing to speak for or against this may now do so.

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

* * * * *

PRIVILEGE OF THE FLOOR:

CHAIRMAN BURR granted Privilege of the Floor to Legislator Richard Smith who announced that the Portville Girls' Volleyball team has won the NYSPHSAA Class C Championship for the 4th year in a row on Sunday, November 24th held in Glens Falls. They defeated Section 9's Mount Academy.

* * * * *

ACT NO. 433-2024 by Mrs. Andreano

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
INOVALON FOR THIRD-PARTY CLEARINGHOUSE SOFTWARE
(Department of Nursing Homes)**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 363-2022 authorized a contract with Waystar, Inc. (formerly eSolutions), for the provision of a Medicare Reporting software system to work with the current EMR software for the Department of Nursing Homes, and

WHEREAS, Act 364-2022 authorized a contract with Waystar, Inc. (formerly ZirMed), for the provision of the Third-Party Clearinghouse software, software licenses, product support services and

professional services necessary to participate in electronic billing for Medicare, Medicaid and commercial insurance companies, and

WHEREAS, the Department of Nursing Homes is desirous of terminating the aforementioned contracts with Waystar, Inc., and thereafter contracting with Inovalon for Third-Party Clearinghouse software and services, and

WHEREAS, Inovalon, 100 North 6th Street, Suite 900A, Minneapolis, Minnesota 55403, is a Third-Party Clearinghouse that is partnered with PointClickCare and integrated with the PointClickCare software to work with the Department of Nursing Homes' current EMR software, in accordance with the following:

<u>Fee Type</u>	<u>Service</u>	<u>Service Name</u>	<u>Total Price</u>
One Time	RCM-PRO-INS	Revenue Cycle Management Pro Bundle – Install	\$459.14
One Time	EASE-AP-RULES	Claims Management Pro Business Rules – Setup Fee	\$717.00
Recurring	FRCM-ID	Insurance Discovery	\$381.44
One Time	FRCM-ID-IMP	Insurance Discovery Implementation	\$323.85
Recurring	RCM-SNF-PRO-NPI	Front- and Back-end RCM Bundle: EV, DDE, CMP w/Analytics, esMD Submission, and CMP for SNF-Additional NPIs	\$400.35
Recurring	RCM-SNF-PRO-2A	Front- and Back-end RCM Bundle: EV, DDE, CMP w/Analytics, esMD Submission, CMP for SNF	\$867.30

*After the initial 60 month term, fees are subject to an annual adjustment not to exceed 3%, 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 Inovalon for the provision of the above-described Third-Party Clearinghouse software, for a five-year (5) term commencing February 1, 2025 and terminating January 31, 2030, with automatic annual renewals thereafter, 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 November 26, 2024 by voice vote.

ACT NO. 434-2024 by Mrs. Andreano and Mr. Helmich

AUTHORIZING THE CHAIR TO EXECUTE LEASE AGREEMENTS WITH VARIOUS ENTITIES FOR DEPARTMENT OF AGING SENIOR WELLNESS AND NUTRITION PROGRAM SITES

Pursuant to Section 95-a of the General Municipal Law, Title III-C of the Older Americans Act of 1965, as amended and Sections 215 and 450 of the County Law.

WHEREAS, Act 457-2023 authorized lease agreements with various entities for the leasing of County Department of Aging Senior Wellness and Nutrition (SWAN) Program sites in the County, the terms of which expire December 31, 2024, and

WHEREAS, the County Department of Aging is desirous of renewing the aforementioned lease agreements, and

WHEREAS, the following various entities have agreed to renew the aforementioned lease agreements, as follows:

<u>Site</u>	<u>Address</u>	<u>2025 Rate</u>
Delevan	Steve and Judy Spaulding 20 Grove Street Delevan, New York 14042	\$410.81/mo. plus \$180.25/mo. for utilities
Franklinville	First Baptist Church 27 South Main Street Franklinville, New York 14737	\$546.36/mo.
Gowanda	Healthy Community Alliance Academy Place 1 School Street Gowanda, New York 14070	\$538.71/mo.
Portville	Portville Lodge #579 F.& A.M. 14 Temple Street Portville, New York 14770	\$488.01/mo.
Randolph	Town of Randolph Municipal Building 72 Main Street Randolph, New York 14772	\$561.03/mo.
South Dayton	Free Methodist Church 327 Pine Street, P.O. Box 261 South Dayton, New York 14138	\$273.71/mo.
West Valley	St. Paul's United Methodist Church 9372 Route 240 West Valley, New York 14171	\$397.76/mo.

and

WHEREAS, this program is 42% federal (CFDA #93.045), 54% state and 4% county funded, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute lease agreements, on behalf of Cattaraugus County, with the above-listed various entities, for the leasing of Senior Wellness and Nutrition Program sites, contingent upon and subject to inclusion in the 2025 budget of sufficient funds to cover the costs of the aforementioned services, for a term commencing January 1, 2025 and terminating December 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 5 members of the Human Services Committee.

Adopted November 26, 2024 by voice vote.

ACT NO. 435-2024 by Mrs. Andreano and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
HEALTHY COMMUNITY ALLIANCE, INC. FOR MANAGEMENT OF
DEPARTMENT OF AGING SENIOR WELLNESS AND NUTRITION PROGRAM SITE**

Pursuant to Section 95-a of the General Municipal Law, Title III-C
of the Older Americans Act of 1965, as amended and
Sections 215 and 450 of the County Law.

WHEREAS, Act 455-2023 authorized a lease and staffing agreement with Healthy Community Alliance, Inc., Academy Place, 1 School Street, Suite 100, Gowanda, New York 14070, for the management of a Senior Wellness and Nutrition Program (SWAN) site in the Gowanda area for the Department of Aging, the term of which expires December 31, 2024, and

WHEREAS, the Department of Aging is desirous of continuing the staffing agreement for the management of the Gowanda SWAN site, and

WHEREAS, Healthy Community Alliance, Inc., shall continue providing for the management of, and part-time personnel to staff, the Gowanda SWAN site for an amount not to exceed \$30,500.00, to be paid as invoiced, and

WHEREAS, this program is 90% federal (CFDA #93.045) and 10% County funded, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Healthy Community Alliance, Inc., for the management of the Gowanda SWAN site, contingent upon and subject to inclusion in the 2025 budget of sufficient funds to cover the costs of the aforementioned services, for a term commencing January 1, 2025, and terminating December 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 5 members of the Human Services Committee.

Adopted November 26, 2024 by voice vote.

ACT NO. 436-2024 by Mrs. Andreano and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
KATHLEEN A. OVERHOFF FOR PROFESSIONAL DIETICIAN SERVICES
FOR DEPARTMENT OF AGING**

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

WHEREAS, Act 456-2023 authorized a contract with Kathleen A. Overhoff, 5326 Shero Road, Hamburg, New York 14075, for the provision of professional dietician services for clients participating in any of the Aging nutrition programs, the term of which expires December 31, 2024, and

WHEREAS, the Department of Aging is desirous of continuing the aforementioned professional dietician services, and

WHEREAS, Kathleen A. Overhoff, an independent contractor, has agreed to provide professional dietician services at a rate of \$65.00 per hour for up to eight (8) hours per week for clients participating in any of the Aging nutrition programs, and

WHEREAS, this program is 57% federal (CFDA #93.045), 37% state and 6% county funded, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Kathleen A. Overhoff, for the provision of the above-described professional dietician services, contingent upon and subject to inclusion in the 2025 budget of sufficient funds to cover the costs of the aforementioned services, for a term commencing January 1, 2025, and terminating December 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 5 members of the Human Services Committee.

Adopted November 26, 2024 by voice vote.

ACT NO. 437-2024 by Mr. Higgins and Mr. Marsh

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
COLLIERS ENGINEERING & DESIGN FOR
DESIGN AND ALIGNMENT OF THE SOUTHERN TIER TRAILS PROJECT
(RAISE Grant Program)**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 319-2023 authorized the acceptance of a \$7,044,971.00 grant through the RAISE Program for the planning, environmental, design and permitting for the construction of an approximate 52-mile trail that will connect the Erie/Cattaraugus Rail Trail in Erie County with the Genesee Valley Greenway in Allegany County, and

WHEREAS, the Department of Economic Development, Planning & Tourism (EDP&T) solicited proposals for the design and alignment of the Southern Tier Trails Project and have awarded the contract to Colliers Engineering & Design, and

WHEREAS, Colliers Engineering & Design, 40 La Riviere Drive, Buffalo, New York 14202, can provide the following professional engineering required for the design and alignment of the Southern Tier Trails Project for an amount of \$6,023,900.00, to be paid as invoiced, and as approved by EDP&T:

- Task 1: Plan Review and Analysis/Design Development Phase
- Task 2: Construction Documents,

and

WHEREAS, this project is 100% federally funded through the RAISE grant (CFDA #DTOS59-23-RA-RAISE), 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 Colliers Engineering & Design, for the provision of the aforementioned professional engineering services, contingent upon and subject to inclusion in the 2025 budget of sufficient funds to cover the costs of the aforementioned services, for a term commencing January 1, 2025 and terminating May 30, 2027, 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 Development and Agriculture Committee.

Adopted November 26, 2024 by voice vote.

ACT NO. 438-2024 by Mr. Higgins and Mr. Marsh

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACTS WITH
VARIOUS ENTITIES FOR TOURISM PROMOTION**

Pursuant to Sections 224(14) and 450 of the County Law and
Local Law Number 20-2003 (Intro Number 21-2003).

WHEREAS, Act 528-2017 established the allocation of a portion of the Cattaraugus County hotel and motel tax to the various municipalities, and

WHEREAS, Act 47-2024 authorized contracts with various municipalities for the promotion of tourism in Cattaraugus County, the terms of which will expire December 31, 2024, and

WHEREAS, the Department of Economic Development, Planning and Tourism is desirous of continuing the promotion of tourism in Cattaraugus County, and

WHEREAS, the three (3) entities listed below shall collectively receive funding in the amount of \$252,530.00 for the promotion of tourism in Cattaraugus County, as follows:

Ellicottville Chamber of Commerce	\$143,942.00
Greater Olean, Inc., d/b/a	\$ 73,234.00
Greater Olean Area Chamber of Commerce	
Seneca Salamanca Area Chamber of Commerce	\$ 35,354.00,

and

WHEREAS, in order to assist the County with tourism promotion, each of the three (3) chambers listed above will assist, in cooperation with the Cattaraugus County Department of Economic Development, Planning and Tourism, with promotion of events and festivals in their respective areas as outlined below:

- Ellicottville Chamber of Commerce – Greater Ellicottville area, including Village and Town of Ellicottville, West Valley and the Otto area;
- Greater Olean Area Chamber of Commerce – Greater Olean area, including the City and Town of Olean, the Town and Village of Allegany, Pfeiffer Nature, Bonagany, Olean Airport, Hinsdale Heritage Day and Portville Heritage Day;
- Seneca Salamanca Area Chamber of Commerce – Greater Salamanca area, including the City and Town of Salamanca, Little Valley and Great Valley,

and

WHEREAS, the above-listed entities have agreed to utilize funding for the promotion of tourism in Cattaraugus County in the following categories:

- Radio advertising, local and regional
- Television advertising, local and regional
- Production costs associated with approved advertising media
- Advertising in newspaper, magazine, travel guide, newsletter, and special edition inserts
- Website development and upgrades including purchase of search engine key words
- Outdoor advertising
- Direct response & direct mail advertising
- Brochure development and printing
- Paid distribution of brochures and travel guides
- Development and promotion of special "travel & trip packages"
- Use of professional public relation firms,

and

WHEREAS, the above-listed entities will return any unexpended funds to the County by January 10, 2026, and

WHEREAS, the Cattaraugus County Legislature hereby determines that the Department of Economic Development, Planning and Tourism should expend an additional amount not to exceed \$168,354.00 during the year 2025 to defray advertising costs or other expenses incurred for various county-wide festivals, events and other tourism marketing initiatives, 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 the above-listed various entities, for the provision of the above-described tourism promotion services, for a term commencing January 1, 2025 and terminating December 31, 2025, according to the above-described terms, and be it further

RESOLVED, that the Department of Economic Development, Planning and Tourism is hereby authorized to expend such amounts as may be deemed necessary during the year 2025, not to exceed a total of \$420,884.00, to cover the cost of tourism promotion services and defray advertising costs or other expenses incurred or to be incurred by the organizations and events listed above.

Approved by 7 members of the Finance Committee and 5 members of the Development and Agriculture Committee.

Adopted November 26, 2024 by voice vote.

ACT NO. 439-2024 by Mr. Higgins and Mr. Marsh

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
GOBIKE BUFFALO FOR
PUBLIC PROCESS FOR THE SOUTHERN TIER TRAILS PROJECT
(RAISE Grant Program)**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 319-2023 authorized the acceptance of a \$7,044,971.00 grant through the RAISE Program for the planning, environmental, design and permitting for the construction of an approximate 52-mile trail that will connect the Erie/Cattaraugus Rail Trail in Erie County with the Genesee Valley Greenway in Allegany County, and

WHEREAS, the Department of Economic Development, Planning & Tourism (EDP&T) solicited proposals for the public process portion of the Southern Tier Trails Project and have awarded the contract to GObike Buffalo, and

WHEREAS, GObike Buffalo, 313 Broadway, Buffalo, New York 14204, can manage the public process required to solicit input from each involved community for the public process portion of the Southern Tier Trails Project for an amount of \$429,772.00, to be paid as invoiced, and as approved by EDP&T, to include the following:

- Task 1: Plan Review and Analysis/Design a Public Process Plan,
- Task 2: Establish Advisory Groups,
- Task 3: Identify the Corridor and Negotiate Trail Alignment, and
- Task 4: Establish Operation and Maintenance Plan,

and

WHEREAS, this project is 100% federally funded through the RAISE grant (CFDA #DTOS59-23-RA-RAISE), 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 GOBike Buffalo, for the provision of the aforementioned public process services, contingent upon and subject to inclusion in the 2025 budget of sufficient funds to cover the costs of the aforementioned services, for a term commencing January 1, 2025 and terminating May 30, 2027, 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 Development and Agriculture Committee.

Adopted November 26, 2024 by voice vote.

ACT NO. 440-2024 by Mr. Higgins and Mr. Marsh

**AUTHORIZING THE CHAIR TO EXECUTE GRANT DOCUMENTS WITH
THE NEW YORK STATE HOMES AND COMMUNITY RENEWAL
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM AND
AUTHORIZING PUBLIC HEARING ON APPLICATION FOR
MICROENTERPRISE ASSISTANCE PROGRAM
(Economic Development, Planning & Tourism)**

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

WHEREAS, the County is desirous of submitting a Community Development Block Grant ("CDBG") application to the New York State Office of Homes and Community Renewal (the "OCR") for funding to implement a microenterprise assistance program (the "Program"), and

WHEREAS, the application will seek a grant in the amount of \$300,000.00 to implement a microenterprise assistance program, and

WHEREAS, there is no requirement that any County dollars be committed as a condition of receiving the grant, and

WHEREAS, the Department of Economic Development, Planning & Tourism will contract with a consultant to prepare the grant application and oversee administration of the grant on behalf of the County, and

WHEREAS, the program requires that a municipal corporation act as the lead agency and the recipient of the grant funds, and

WHEREAS, Cattaraugus County Department of Economic Development, Planning and Tourism shall act as the lead agency on the aforementioned grant application provided under the New

York State Homes and Community Renewal Community Development Block Grant Program for the Microenterprise Assistance Program, and

WHEREAS, the Cattaraugus County Economic Sustainability and Growth Corporation (the "ESGC") shall assist with the implementation of the Project and administration of the aforementioned grant, and

WHEREAS, the County is required to hold a public hearing to provide information to the public and to consider citizen comments regarding community needs for the Program prior to submitting an application for CDBG funding, now, therefore, be it

RESOLVED, that a public hearing shall be held by this County Legislature on the submission of an application to the New York State Office of Homes and Community Renewal for Community Development Block Grant funding to implement a microenterprise assistance program on the 11th day of December, 2024, at 5:01 p.m. at the Cattaraugus County Legislature's Chambers, County Center, 303 Court Street, Little Valley, New York, and that at least eight (8) 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, and be it further

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute grant documents, on behalf of Cattaraugus County, to apply for a \$300,000.00 grant through the New York State Homes and Community Renewal Community Development Block Grant Program, according to the above-described terms.

Approved by 7 members of the Finance Committee and 5 members of the Development and Agriculture Committee.

Adopted November 26, 2024 by voice vote.

ACT NO. 441-2024 by Mr. Higgins and Mr. Marsh

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
WGRZ FOR TELEVISION ADVERTISING SERVICES TO PROMOTE TOURISM**

Pursuant to Section 450 of the County Law.

WHEREAS, the Department of Economic Development, Planning and Tourism is desirous of promoting tourism in Cattaraugus County through the use of television commercials, and

WHEREAS, WGRZ, 259 Delaware Avenue, Buffalo, New York 14202, can provide advertising services, promoting tourism in Cattaraugus County, through the use of television commercials for an amount not to exceed \$15,000.00, to be paid as invoiced, 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 WGRZ, for the provision of the above-described advertising services, for a term commencing December 1, 2024 and terminating January 31, 2025, according to the above-described terms.

Approved by 7 members of the Finance Committee and 5 members of the Development and Agriculture Committee.

Adopted November 26, 2024 by voice vote.

ACT NO. 442-2024 by Mrs. Andreano and Mr. Helmich

APPROVING AMENDED CONTRACT BETWEEN CATTARAUGUS COUNTY COMMUNITY SERVICES BOARD AND ACCUMEDIC COMPUTER SYSTEMS, INC. FOR DEPARTMENT OF COMMUNITY SERVICES ACCUMED SOFTWARE SYSTEM (Cloud Server)

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

WHEREAS, Act 317-2024 authorized a contract with Accumedic Computer Systems, Inc., for the provision of SaaS Edition on redundant (Cloud) servers for use with the AccuMed Software System, the term of which expires May 23, 2029, and

WHEREAS, the Department of Community Services is desirous of adding 5 more licenses for a total of 20 licenses, to the Accumedic subscription, continuing the utilization of the Cloud servers within the AccuMed System in order to maintain access to the older client records that may not migrate to the new software system, and

WHEREAS, Accumedic Computer Systems, Inc., 100 Merrick Road, Rockville Centre, New York 11570, can provide the aforementioned licenses for an additional amount of \$805.00 per month for a total amended contract amount of \$3,220.00 for licenses, and

WHEREAS, the aforementioned services are 50% state and 50% federally funded (CFDA #93.778), now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute an amended contract, between the Cattaraugus County Community Services Board and Accumedic Computer Systems, Inc., for additional licenses to continue the utilization of Cloud servers, which amends the original contract that commenced May 24, 2024 and terminates May 23, 2029, 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, 5 members of the Human Services Committee and 5 members of the County Operations/Public Safety Committee.

Adopted November 26, 2024 by voice vote.

ACT NO. 443-2024 by Mrs. Andreano and Mr. Helmich

**APPROVING CONTRACTS BETWEEN
CATTARAUGUS COUNTY COMMUNITY SERVICES BOARD
AND GOWANDA CENTRAL SCHOOL DISTRICT FOR
MENTAL HEALTH SOCIAL WORKER SERVICES**

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

WHEREAS, Act 490-2023 authorized a contract with Gowanda Central School District for the provision of mental health services through the placement of a social worker in the school, the term of which expires December 31, 2024, and

WHEREAS, the County Department of Community Services is desirous of continuing the placement of a social worker in the Gowanda Central School District, and

WHEREAS, a contract is necessary with the Gowanda Central School District to outline the mental health services to be provided by the County's mental health clinician, at no cost to the County, and

WHEREAS, the Gowanda Central School District shall provide an office, a family meeting room, a phone line and furniture, as well as a family support staff to work in conjunction with the County staff to meet the needs of families, and special equipment for the County's mental health clinician 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 a contract, between the Cattaraugus County Community Services Board and the Gowanda Central School District, to signify the County's approval, for the provision of the above-described services, for a term commencing January 1, 2025 and terminating December 31, 2025, according to the above-described terms.

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

Adopted November 26, 2024 by voice vote.

ACT NO. 444-2024 by Mr. Helmich

**APPROVING CONTRACT BETWEEN
CATTARAUGUS COUNTY COMMUNITY SERVICES BOARD
AND OLEAN CITY SCHOOL DISTRICT FOR
MENTAL HEALTH SOCIAL WORKER SERVICES**

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

WHEREAS, Act 579-2023 authorized a contract with the Olean City School District, 410 West Sullivan Street, Olean, New York 14760, for the provision of mental health clinician services at the Olean Middle/High School, the term of which expires December 31, 2024, and

WHEREAS, the Olean City School District has requested the Department of Community Services to continue the aforementioned services in the Olean Middle/High School, and

WHEREAS, the Department of Community Services shall provide social worker services for the provision of mental health services in the Olean City Schools, as requested by the Olean City School District, and

WHEREAS, the Olean City School District shall contribute an amount of \$5,000.00 per year and provide an office, a family meeting room, a phone line and furniture for the County's mental health clinician 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 a contract, between the Cattaraugus County Community Services Board and the Olean City School District, to signify the County's approval, for the provision of the above-described services, contingent upon and subject to inclusion in the 2025 budget of sufficient funds to cover the costs of the aforementioned services, for a term commencing January 1, 2025 and terminating December 31, 2025, according to the above-described terms.

Approved by 6 members of the Finance Committee and 4 members of the Human Services Committee. Mrs. Andreano abstained from committee votes.

Adopted November 26, 2024 by voice vote. Mr. Teachman abstained from vote.

ACT NO. 445-2024 by Mr. Boberg, Mr. Brisky and Ms. Schröder

**AUTHORIZING THE CHAIR TO EXECUTE GRANT DOCUMENTS WITH
NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES FOR
DISTRICT ATTORNEY AID TO PROSECUTION PROGRAM**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 386-2023 authorized a contract with New York State Division of Criminal Justice Services for the Aid to Prosecution Program for the period April 1, 2023 to March 31, 2024, and

WHEREAS, the District Attorney has been awarded the amount of \$310,958.00 by the New York State Division of Criminal Justice Services for the Aid to Prosecution Program for the period April 1, 2024 to March 31, 2025, and

WHEREAS, the purpose of this program is to expedite the processing of repeat and serious felony offenders, to maintain increased levels of experienced prosecution personnel, to seek the imposition of maximum sentences and minimum plea bargaining options for defendants, to limit the caseloads of experienced attorneys in order to maintain a policy of vertical prosecution, and to screen all potentially Aid to Prosecution-eligible felony cases, and

WHEREAS, it is necessary to execute grant documents with the New York State Division of Criminal Justice Services 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 above-described 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 5 members of the County Operations/
Public Safety Committee.

Adopted November 26, 2024 by voice vote.

ACT NO. 446-2024 by Mr. Boberg and Mrs. Hunt

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
BLACK CREEK INTEGRATED SYSTEMS CORP. FOR
JAIL SECURITY SYSTEM SUPPORT SERVICES
(SallyPort Inmate Management System)**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 576-2023 authorized a contract with Black Creek Integrated Systems Corp., 2900 Crestwood Boulevard, P.O. Box 101747, Irondale, Alabama 35210, as the sole source provider, to upgrade the management system at the Jail (SallyPort®) and the security system with a Black Creek Super Display® Touchscreen Control System, the term of which expires December 31, 2024, and

WHEREAS, the Sheriff's Office is desirous of continuing support services for 16 user licenses for the aforementioned SallyPort Inmate Management System, and

WHEREAS, Black Creek Integrated Systems Corp., can provide the SallyPort NY Unlimited Support Plan for 16 user licenses for the period January 1, 2025 through December 31, 2025, for an amount of \$45,650.00, to be paid as invoiced, 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 Black Creek Integrated Systems Corp. for the provision of the above-described support plan for the SallyPort Inmate Management System, contingent upon and subject to inclusion in the 2025 budget of sufficient funds to cover the costs of the aforementioned services, for a term commencing January 1, 2025 and terminating December 31, 2025, according to the above-described terms.

Approved by 7 members of the Finance Committee and 5 members of the County Operations/
Public Safety Committee.

Adopted November 26, 2024 by voice vote.

ACT NO. 447-2024 by Mr. Boberg and Mrs. Hunt

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
BLACK CREEK INTEGRATED SYSTEMS CORP. FOR
JAIL SECURITY SYSTEM SUPPORT SERVICES
(Level One Service Plan)**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 532-2023 authorized a contract with Black Creek Integrated Systems Corp., 2900 Crestwood Boulevard, P.O. Box 101747, Irondale, Alabama 35210, as the sole source provider, for the provision of a Level One Service Plan for the Black Creek Super Display® Touchscreen Control System, the term of which expires December 31, 2024, and

WHEREAS, the Sheriff's Office is desirous of renewing the support services for the aforementioned camera and touch screen door control security system, and

WHEREAS, Black Creek Integrated Systems Corp., can provide a Level One Service Plan for an amount of \$27,571.98, to be paid as invoiced, 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 Cattaugus County, with Black Creek Integrated Systems Corp. for the provision of the Level One Service Plan for the aforementioned Black Creek Super Display® Touchscreen Control System, contingent upon and subject to inclusion in the 2025 budget of sufficient funds to cover the costs of the aforementioned services, for a term commencing January 1, 2025 and terminating December 31, 2025, according to the above-described terms.

Approved by 7 members of the Finance Committee and 5 members of the County Operations/
Public Safety Committee.

Adopted November 26, 2024 by voice vote.

ACT NO. 448-2024 by Mr. Boberg and Mrs. Hunt

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
CRAIG ZUCKERMAN, D.Ed., FOR SHERIFF'S OFFICE
PRE-EMPLOYMENT PSYCHOLOGICAL SCREENING SERVICES**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 534-2023 authorized a contract with Craig Zuckerman, D.Ed., Licensed Psychologist, 2416 Constitution Avenue, Olean, New York 14760, for the provision of pre-employment psychological evaluations of prospective employees of the Sheriff's Office, the term of which expires December 31, 2024, and

WHEREAS, the Sheriff's Office is desirous of continuing the aforementioned services, and

WHEREAS, Craig Zuckerman, D.Ed., Licensed Psychologist and independent contractor, has agreed to provide pre-employment psychological evaluations of prospective employees using the

enhanced 16PF and the Protective Services Report Plus, as the basis for written reports and recommendations, for an amount of \$130.00 per report, to be paid as invoiced, 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 Craig Zuckerman, D.Ed., for the provision of the above-described services, contingent upon and subject to inclusion in the 2025 budget of sufficient funds to cover the costs of the aforementioned services, for a term commencing January 1, 2025 and terminating December 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 5 members of the County Operations/Public Safety Committee.

Adopted November 26, 2024 by voice vote.

ACT NO. 449-2024 by Mrs. Andreano and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
JAMESTOWN COMMUNITY COLLEGE FOR
STAFF DEVELOPMENT AND TRAINING COORDINATOR SERVICES**

Pursuant to Section 112 of the Social Services Law and
Section 450 of the County Law.

WHEREAS, Act 459-2023 authorized a contract with Jamestown Community College for an employee education and training program for the Department of Social Services, the term of which expires December 31, 2024, and

WHEREAS, the County Department of Social Services is desirous of renewing the aforementioned contract, and

WHEREAS, Jamestown Community College, P.O. Box 5901, 260 North Union Street, Olean, New York 14760, has agreed to provide a full-time training coordinator who will provide the above-described staff development services to employees of the Cattaraugus County Department of Social Services, and

WHEREAS, the maximum amount for 2025 is \$162,721.00, of which \$113,905.00 is charged to the Cattaraugus County Department of Social Services, and

WHEREAS, this program is 30% federal (CFDA #93.575), 30% state, 10% County and 30% funded through other sources, 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 Community College, for the provision of the above-described employee education and training program, contingent upon and subject

to inclusion in the 2025 budget of sufficient funds to cover the costs of the aforementioned services, for a term commencing January 1, 2025 and terminating December 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 5 members of the Human Services Committee.

Adopted November 26, 2024 by voice vote.

ACT NO. 450-2024 by Mrs. Andreano and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
GENESIS HOUSE OF OLEAN, INC. FOR HOMELESS SHELTER SERVICES FOR
DEPARTMENT OF SOCIAL SERVICES ELIGIBLE RECIPIENTS**

Pursuant to Article 2-A of the Social Services Law and
Section 450 of the County Law.

WHEREAS, Act 467-2023 authorized a contract with the Genesis House of Olean, Inc., for the provision of homeless shelter services for eligible recipients, the term of which expires December 31, 2024, and

WHEREAS, the County Department of Social Services is desirous of continuing the aforementioned homeless shelter services, and

WHEREAS, Genesis House of Olean, Inc., 107 South Barry Street, Olean, New York 14760, can provide homeless shelter services on an as-needed basis in accordance with the following rate schedule:

Single Person	\$100.00/night
Single Parent Family	\$100.00/night plus \$25.00 per night for each additional child
2 Parent Households	\$140.00/night plus \$25.00 per night for each additional child

After 60 Days (*90 Days with approval of DSS Commissioner)	\$70.00 per night for single adults and couples plus \$17.00 per night per child
--	---

Hotel reimbursement in emergency situations at a reasonable rate for a maximum of 3 nights (Only if a DSS application was completed by shelter staff with the individual at the time of hotel placement),

and

WHEREAS, the above-described services are 50% federal (CFDA #93.558), 25% state and 25% county funded, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Genesis House of Olean, Inc., for the provision of the above-described services, contingent upon and subject to inclusion in the 2025 budget of sufficient funds to cover the costs of the aforementioned services, for a term commencing January 1, 2025 and terminating December 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 5 members of the Human Services Committee.

Adopted November 26, 2024 by voice vote.

* * * * *

MR. SMITH moved, seconded by Mr. Nagle, to waive Rule 12, pursuant to Rule 33.1, regarding Act No. 451-2024 through Act No. 462-2024. Carried.

* * * * *

ACT NO. 451-2024 by Mr. Benson and Mr. Helmich
who ask immediate consideration

LOCAL LAW NUMBER 5 - 2024
COUNTY OF CATTARAUGUS, NEW YORK

Pursuant to Section 226-b of the County Law and
Section 10 of the Municipal Home Rule Law.

**A LOCAL LAW ESTABLISHING REFUSE DISPOSAL FEES FOR DEPARTMENT OF PUBLIC WORKS
AND REPEALING LOCAL LAW NUMBER 18-1991 (INTRO NUMBER 24-1991), AS AMENDED**

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

SECTION 1. Legislative Intent. It is the intent of this Local Law to revise the fee schedule currently in effect for the disposal of refuse and to repeal Local Law Number 18-1991 (Intro Number 24-1991), as amended.

SECTION 2. Refuse Disposal Fee Schedule.

A. Effective January 1, 2025, the following user fees are established for non-permitted users of County transfer stations:

Solid Waste (MSW)

\$ 1.50	garbage bag up to 16 gallon, or equivalent
\$ 3.00	garbage bag 17 – 35 gallon, or equivalent
\$ 4.50	garbage bag 36 – 48 gallon, or equivalent
\$ 6.00	garbage bag 49 – 64 gallon, or equivalent
\$75.00	scaled per ton of solid waste

Construction and Demolition Debris (C&D)

\$80.00	per ton of C&D
---------	----------------

Miscellaneous Bulky Items

\$ 5.00	chair
\$ 5.00	propane tank
\$ 5.00	toilet
\$ 5.00	doors/windows
\$10.00	couch
\$20.00	box spring
\$20.00	mattress
\$20.00	sleeper sofa
\$10.00	carpet roll >3' long
\$15.00	Freon item (per unit for appliances containing refrigerant or appliances which have not been properly certified as refrigerant-free)

Yard Waste

\$ 1.00	per bag of yard waste
---------	-----------------------

Tire Fee Schedule

\$5.00	car (to 21") – limit four (4) per day
\$15.00	car (to 21" on rim)
\$350.00	agricultural & industrial (15" – 21"); large truck (19.5" – 24.5"); oversized (greater than 24.5") scaled per ton – Salamanca Transfer Station only

Miscellaneous

\$20.00	minimum scale fee
---------	-------------------

B. Effective January 1, 2025, the following user fees are established for Cattaraugus County Department of Public Works permitted waste collectors:

Solid Waste (MSW)

\$ 1.50	garbage bag up to 16 gallon, or equivalent
\$ 3.00	garbage bag 17 – 35 gallon, or equivalent
\$ 4.50	garbage bag 36 – 48 gallon, or equivalent
\$ 6.00	garbage bag 49 – 64 gallon, or equivalent
\$70.00	scaled per ton of solid waste

Construction and Demolition Debris (C&D)

\$75.00	per ton of C&D
---------	----------------

Miscellaneous Bulky Items

\$ 5.00	chair
\$ 5.00	propane tank
\$ 5.00	toilet
\$ 5.00	doors/windows
\$10.00	couch
\$20.00	box spring
\$20.00	mattress
\$20.00	sleeper sofa

\$10.00	carpet roll >3' long
\$15.00	Freon item (per unit for appliances containing refrigerant or appliances which have not been properly certified as refrigerant-free)
<u>Surcharges</u>	
\$50.00	any loads that include contaminated waste materials

SECTION 3. Severability. If any provision of this Local Law shall be adjudged by any court of competent jurisdiction to be invalid, then such adjudication, shall not effect, impair or invalidate the remainder thereof, but shall be confined in its operation to the particular provision directly involved in the controversy in which such judgment shall have been rendered.

SECTION 4. Repeal Local Law No. 18-1991, as amended. All other provisions of Local Law Number 18-1991 (Intro Number 24-1991), as amended by Local Law Number 4-2020 (Intro Number 4-2020), not otherwise repealed herein shall remain in full force and effect.

SECTION 5. Effective Date. This Local Law shall take effect January 1, 2025.

No further action at this time.

ACT NO. 452-2024 by Mr. Benson and Mr. Helmich
who ask immediate consideration

AUTHORIZING PUBLIC HEARING ON LOCAL LAW NUMBER 5 - 2024

Pursuant to Section 20 of the Municipal Home Rule Law.

WHEREAS, there has been duly presented and introduced at a meeting of this Legislature held on November 26, 2024, a proposed Local Law entitled "A Local Law Establishing Refuse Disposal Fees for Department of Public Works and Repealing Local Law Number 18-1991 (Intro Number 24-1991), As Amended", and

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

RESOLVED, that a public hearing shall be held on the proposed Local Law by this County Legislature on the 11th day of December, 2024, at 5:03 p.m. at the Legislature's Chambers, Cattaraugus County Center, 303 Court Street, Little Valley, New York, and that at least five days' notice of such hearing shall be given by the Clerk by the due posting thereof upon the bulletin board of each County Court House within the County and by publishing such notice at least once in the official newspapers of the County.

Adopted November 26, 2024 by voice vote.

ACT NO. 453-2024 by Mr. Benson and Mr. Helmich
who ask immediate consideration

**ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
(CHIPS – Department of Public Works)**

Pursuant to Sections 363 and 366 of the County Law.

WHEREAS, Cattaraugus County has received additional CHIPS funding in the amount of \$5,982,356.60 for 2025, and

WHEREAS, the Department of Public Works is desirous of allocating the CHIPS funding for various highway projects, and

WHEREAS, various appropriation and revenue accounts must be adjusted in order to accommodate this additional CHIPS funding, now, therefore, be it

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

Increase Estimated Revenue Account:

H.504.5197.5197.3501	State Aid, CHIPS	\$5,982,356.60
----------------------	------------------	----------------

Increase Appropriation Accounts:

H.504.5197.5197.23091.41603	Yorkshire Culvert #30	\$120,000.00
H.504.5197.5197.23096.41603	Dayton Culvert #40	\$75,000.00
H.504.5197.5197.23101.41603	Dayton Culvert #40A	\$35,001.00
H.504.5197.5197.23105.41603	Ashford Culvert #50	\$120,000.00
H.504.5197.5197.25056.41603	Cold Springs Bridge #13	\$135,000.00
H.504.5197.5197.25106.41603	Ellicottville Bridge #38	\$462,000.00
H.504.5197.5197.27011.41603	County Road #11	\$630,000.00
H.504.5197.5197.27019.41603	County Road #32	\$23,000.00
H.504.5197.5197.27047.41603	County Road #6	\$2,582,355.60
H.504.5197.5197.27063.41603	County Road #5	\$800,000.00
H.504.5197.5197.27084.41603	County Road #74	\$1,000,000.00.

Adopted November 26, 2024 by voice vote.

ACT NO. 454-2024 by Mr. Benson, Mr. Brisky, Mr. Burr and Mr. Helmich
who ask immediate consideration

**BID ACCEPTANCE FOR LEGISLATIVE AREA CARPETING PROJECT
LITTLE VALLEY COUNTY CENTER – THIRD FLOOR
(Department of Buildings & Grounds)**

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 carpeting project for the legislative area of the Little Valley County Building located at 303 Court Street, Little Valley, New York 14755, according to specifications provided by the Public Works Committee, and

WHEREAS, the lowest responsible bid received meeting specifications for the aforementioned carpeting improvements was the bid of Duggan & Duggan General Contractor, Inc., 3113 North 7th Street, Allegany, New York 14706, in the amount of \$73,500.00, to be paid as invoiced, and

WHEREAS, this project is 100% federally funded through ARPA funds, now, therefore, be it

RESOLVED, that the bid of Duggan & Duggan General Contractor, Inc., be, and the same hereby is, accepted, for a term commencing within ten (10) days of the effective date of the contract and terminating on or before January 7, 2025, and be it further

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

No State Bid.

Twenty-Nine sets of specifications were sent out.

Two bids were received that met specifications.

Adopted November 26, 2024 by voice vote.

ACT NO. 455-2024 by Mr. Boberg, Mr. Brisky, Mr. Helmich, and Ms. Schröder
who ask immediate consideration

**REQUESTING THE CATTARAUGUS COUNTY INDUSTRIAL DEVELOPMENT AGENCY
EXERCISE ITS DUE DILIGENCE AND HOLD A PUBLIC HEARING FOR THE
ALLE-CATT INDUSTRIAL WIND ENERGY PROJECT (“PROJECT”)**

Pursuant to Section 450 of the County Law.

WHEREAS, on July 3, 2024, Alle-Catt submitted an application to the Cattaraugus County Industrial Development Agency (IDA) to seek financial assistance for the development and operation of a Project in the Towns of Freedom, Farmersville and Yorkshire, and

WHEREAS, such financial assistance would include but is not limited to a lease between the IDA and Alle-Catt with Alle-Catt’s interests in the land and the improvements, and a lease back of the Project from the IDA to Alle-Catt and a payment-in-lieu-of-taxes (PILOT) agreement with the IDA wherein Alle-Catt will make annual payments, which will be allocated to the involved taxing jurisdictions based on percentages, and

WHEREAS, the Towns of Freedom and Farmersville have negotiated Host Community Agreements with Alle-Catt, all of which contain a provision for Alle-Catt to make Host Community payments to the Towns upon the condition that Alle-Catt obtain a PILOT agreement from the IDA, and

WHEREAS, although the County Legislature does not have a vested interest in the Project itself, it does have a vested interest in protecting and aiding the residents and taxpayers of the Towns of Freedom, Farmersville and Yorkshire, to secure any and all entitled financial assistance from Alle-Catt, and

WHEREAS, the IDA requires, pursuant to its own policy for renewable energy projects to obtain PILOTS, that the Towns that the project is located within provide evidence of support for the IDA to move forward, and

WHEREAS, the IDA is in receipt of letters of support from the Town Boards of Freedom, Farmersville and Yorkshire, and

WHEREAS, on November 12, 2024, the IDA notified the County that the IDA policy also requires a request from the Cattaraugus County Legislature in order to hold a public hearing with respect to the application request by Alle-Catt, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature hereby authorizes and respectfully requests that the IDA hold a public hearing in regard to the Project and move forward with its process for consideration of a PILOT.

Adopted November 26, 2024 by voice vote.

ACT NO. 456-2024 by Mrs. Andreano and Mr. Helmich
who ask immediate consideration

**ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
(Department of Social Services)**

Pursuant to Sections 363 and 366 of the County Law.

WHEREAS, foster care and preventive services costs through the Department of Social Services have increased significantly due to a larger number of children being placed, and

WHEREAS, various appropriation and revenue accounts must be adjusted to cover the aforementioned increased costs, now, therefore, be it

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

Increase Estimated Revenue Accounts:

A.601.6119.0000.1819	Repayment of Child Care	\$ 164,000.00
A.601.6119.0000.3619	State Aid, Child Care	\$ 525,000.00
A.601.6119.0000.4619	Federal Aid, Child Care	\$ 825,000.00
A.601.6109.0000.3609	State Aid, Family Assistance	\$1,250,000.00

Decrease Estimated Revenue Account:

A.601.6070.0000.3670	State Aid, Services for Recipients	\$ 300,000.00
----------------------	------------------------------------	---------------

Increase Appropriation Accounts:

A.601.6119.0000.40403.FNP	DSS Entitlements - FNP Child Care	\$ 288,495.00
A.601.6119.0000.40403	DSS Entitlements - Child Care	\$1,400,000.00
A.601.6109.6111.40403	DSS Entitlements - Services EAF	\$ 775,505.00.

Adopted November 26, 2024 by voice vote.

ACT NO. 457-2024 by Mrs. Andreano and Mr. Helmich
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
GLC ON-THE-GO, INC. FOR
HEALTH CARE STAFFING COVERAGE FOR
DEPARTMENT OF NURSING HOMES**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 465-2023 authorized a contract with GLC On-the-Go, Inc., 55 Weston Road, Suite 300, Sunrise, Florida 33326, for the provision of health care services staffing coverage for licensed practical nurse (LPN) and registered nurse (RN) services, as well as certified nurse aides (CNA), for the residents of The Pines Healthcare and Rehabilitation Centers - Olean and Machias Campuses, and

WHEREAS, GLV On-the-Go, Inc., has decreased some of its rates, and

WHEREAS, GLC On-the-Go, Inc., can provide the aforementioned health care services staffing coverage for an amount as follows:

<u>Position</u>	<u>Per Diem</u>	<u>Contract Rate</u>	<u>Premium Rate</u>
Certified Nurse Assistant	\$48.00/hr	\$48.00/hr	\$58.00/hr
Licensed Practical Nurse	\$72.00/hr	\$72.00/hr	\$82.00/hr
Registered Nurse	\$85.00/hr	\$85.00/hr	\$100.00/hr

- 36 hours per week for 12 hour shifts, or 40 hours per week for 8 to 10 hour shifts;
- Each part of an hour beyond 40 hours in a single payroll week (Sunday through Saturday) will be billed at time and a half (1½) of the hourly rate (and be subject to adjustment for Holidays);
- Holiday rates apply from midnight to midnight. The following days are billed at time and a half (1½) of the hourly rate: New Year's Day (3pm through end of New Year's Day), Memorial Day, Independence Day, Labor Day, Thanksgiving, and Christmas Eve (3pm through end of Christmas Day);
- The two (2) facilities are separate entities and overtime pay will be calculated by facility hours;
- Two (2) hours' notice of shift cancellation by the County is required for all shifts including PRN; if no notice is given, or if the contracted staff is cancelled after they have reported for shift, the entire shift will be billed,

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 GLC On-the-Go, Inc., for the provision of the above-described health care services, contingent upon and subject to inclusion in the 2025 budget of sufficient funds to cover the costs of the aforementioned services, for a term commencing November 19, 2024, to continue in full force and effect at the same rates until amended or terminated by either party hereto, according to the above-described terms.

Adopted November 26, 2024 by voice vote.

ACT NO. 458-2024 by Mrs. Andreano
who asks immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
TEAM SERVICES, INC. FOR TRANSPORTATION SERVICES FOR RESIDENTS OF
THE PINES HEALTHCARE AND REHABILITATION CENTER-OLEAN CAMPUS**

Pursuant to Section 450 of the County Law.

WHEREAS, the Department of Nursing Homes is desirous of providing transportation services to medical appointments for residents of The Pines Healthcare and Rehabilitation Center-Olean Campus, and

WHEREAS, TEAM Services, Inc., 92 Fairmount Avenue, Jamestown, New York 14701, can provide wheelchair, taxi or ambulatory transportation services for Medicare Part A, Medicaid and private pay residents of The Pines Healthcare and Rehabilitation Center-Olean Campus, for an amount as follows:

Local Transportation	\$65.00 per round trip
Buffalo, NY & Erie, PA	\$450.00 per round trip,

and

WHEREAS, the cost for the aforementioned transportation services will be paid for through Medicare Part A, Medicaid, or private pay, 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 a contract, on behalf of Cattaraugus County, with TEAM Services, Inc., for the provision of the above-described transportation services, for a term commencing November 12, 2024 and terminating November 11, 2025, with an automatic annual renewal for additional one-year terms, according to the above-described terms.

Adopted November 26, 2024 by voice vote.

ACT NO. 459-2024 by Mr. Burr
who asks immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE SUPPLEMENTAL MEDICAID UPPER PAYMENT LIMIT
SCHEDULE REQUEST FOR DEPARTMENT OF NURSING HOMES SUPPLEMENTAL FUNDING
(Payment #2, 3 and 4 for SFY 23-24)**

Pursuant to Section 2808(12)(e-1) of the Public Health Law.

WHEREAS, the New York State Public Health Law provides for Supplemental Medicaid Upper Payment Limit payments of up to \$500 million statewide to non-state operated public nursing facilities, and

WHEREAS, the federal Centers for Medicare and Medicaid Services (CMS) have approved State Plan amendments to implement this supplemental payment provision in an amount, as follows:

	<u>Period</u>	<u>Non-Federal Share</u>	<u>Federal Share</u>	<u>Total Payment</u>
Pay#2	7/1/23 – 9/30/23	\$1,103,867.94 (47.5%)	\$1,220,064.56 (52.5%)	\$2,323,932.50
Pay#3	10/1/23 – 12/31/23	\$1,127,107.27 (48.5%)	\$1,196,825.23 (51.5%)	\$2,323,932.50
Pay#4	1/1/24 – 3/31/24	\$1,161,966.25 (50%)	\$1,161,966.25 (50%)	\$2,323,932.50

and

WHEREAS, this \$212 million has been allocated to each qualifying nursing home based upon the ratio of each facility’s reported Medicaid days divided by the total reported Medicaid days for all eligible public nursing homes for the state fiscal year 2023-2024, and

WHEREAS, the County’s The Pines Healthcare and Rehabilitation Centers are eligible for payments as follows:

	<u>Period</u>	<u>Pines - Olean</u>	<u>Pines - Machias</u>	<u>Total Amount</u>
Pay#2	7/1/23 – 9/30/23	\$1,104,805.50	\$1,219,127.00	\$2,323,932.50
Pay#3	10/1/23 – 12/31/23	\$1,104,805.50	\$1,219,127.00	\$2,323,932.50
Pay#4	1/1/24 – 3/31/24	\$1,104,805.50	\$1,219,127.00	\$2,323,932.50

and
 WHEREAS, since these payments are exempt from the Medicaid local share cap statute, counties in New York State are responsible for transferring the full non-federal share of each payment to the State prior to the corresponding 100% payment being released to the nursing homes, and

WHEREAS, Cattaraugus County is responsible for contributing an Intergovernmental Transfer of the full non-federal share of the nursing home Upper Payment Limit in the amount of \$3,392,941.46 in 2024, and

WHEREAS, upon the State's receipt of the County's local share, payments totaling \$6,971,797.50 will be made to the County in 2024, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute the Supplemental Medicaid Upper Payment Limit Schedule Request Form for the County Department of Nursing Homes as described above.

Adopted November 26, 2024 by voice vote.

ACT NO. 460-2024 by Mr. Burr
 who asks immediate consideration

**ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
 (Information Technology)**

Pursuant to Sections 215, 363 and 366 of the County Law.

WHEREAS, Act 243-2021 authorized the acceptance of Federal American Rescue Plan Act [ARPA] funding to combat the COVID-19 Pandemic, including its public and economic impacts, and

WHEREAS, it is beneficial to the residents of Cattaraugus County to use American Rescue Plan Act (ARPA) funds to provide funding to cover improvement projects, and

WHEREAS, the County is desirous of using \$190,000.00 in ARPA funds to cover the costs associated with purchasing a HPE Alletra Solution system that will hold all of the County's storage for data for five (5) years, and

WHEREAS, the HPE Alletra Solution system is available through Sourcewell Contract #121923-SHI for an amount of \$190,000.00, and

WHEREAS, various appropriation and revenue accounts must be adjusted to cover the costs associated with the purchase of the aforementioned data storage, now, therefore, be it

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

Increase Estimated Revenue Account:
 CV.901.1997.0000.21134.41603 Federal Aid, ARPA Funds \$190,000.00

Increase Appropriation Account:
 CV.168.1997.0000.21134.41603 Data Storage Project \$190,000.00.

Adopted November 26, 2024 by voice vote.

ACT NO. 461-2024 by Mr. Boberg and Mrs. Hunt
 who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
 MOTOROLA SOLUTIONS, INC. FOR
 LICENSE PLATE RECOGNITION SYSTEMS**

Pursuant to Section 450 of the County Law.

WHEREAS, the Sheriff's Office is desirous of purchasing 4 Camera L5M license plate recognition systems to be equipped on five (5) patrol vehicles, and

WHEREAS, Vigilant Solutions, a wholly-owned subsidiary of Motorola Solutions, Inc., is the sole manufacturer of the Vigilant Car-Detector Mobile, Car-Detector Fixed, L5F (fixed), I5M (mobile), Reaper HD (fixed and mobile), L5Q and L6Q (quick deploy) license plate recognition (LPR) camera systems, and

WHEREAS, as such sole source provider, Motorola Solutions, Inc., can provide five (5) 4 Camera L5M license plate recognition systems, including the installation, for an amount of \$93,150.00, to be paid as invoiced, as follows:

<u>Description</u>	<u>Qty</u>	<u>Term</u>	<u>Sale Price</u>	<u>Extended Sale Price</u>
CDM Kit 12 12 16 16 L5M Cameras w/ VLP	5		\$8,194.56	\$40,972.80
Device License Fee	20	1 Year	\$ 474.96	\$ 9,499.20
Mobile LPR Camera Kit Extended Hardware Warranty – valid from Standard Warranty Expiration	20	5 years	\$1,200.00	\$24,000.00
Travel	1		\$3,375.00	\$ 3,375.00
Project Delivery Services – LPR	5		\$ 995.00	\$ 4,975.00
Hardware Installation	1		\$4,368.00	\$ 4,368.00
U-Base WLock PLT & Thumb & Lock Screw	20		\$ 298.00	\$ 5,960.00
Software, Vehicle Manager Hosted Subscription	1	5 years	\$0	\$0
Account/Software Enablement	1		\$0	\$0

and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Motorola Solutions, Inc., for the provision of the above-described LPR camera system, for a term commencing November 12, 2024 and terminating November 11, 2029, according to the above-described terms.

Adopted November 26, 2024 by voice vote.

ACT NO. 462-2024 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

AUTHORIZING THE CHAIR TO EXECUTE CONTRACT EXTENSION WITH CITY OF SALAMANCA FOR CASINO PROCEEDS DISTRIBUTION

Pursuant to Section 99-h of the State Finance Law and Section 450 of the County Law.

WHEREAS, Act 240-2022 authorized the Chair to execute a contract with the City of Salamanca for the distribution of casino proceeds, the term of which expired December 31, 2023, and

WHEREAS, the County and the City of Salamanca are desirous of extending the terms of the aforementioned contract until such time as New York State and the Seneca Nation of Indians enter into a new compact, 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 the City of Salamanca for the distribution of casino proceeds, to extend the term of the contract which commenced May 25, 2022 to terminate upon commencement of a new tribal compact, according to the above-described terms.

Adopted November 26, 2024 by voice vote.

* * * * *

MR. BRISKY moved, seconded by Mr. Benson, to accept the Finance Committee Report on the 2025 Tentative Budget. Carried.

* * * * *

CHAIRMAN BURR called up the budget resolutions for immediate consideration.

ACT NO. 463-2024 by Mr. Burr who asks immediate consideration

ADOPTION OF 2025 BUDGET

Pursuant to Section 360 of the County Law.

RESOLVED, that the tentative County Budget for the year 2025, as amended and filed with the Clerk of the Legislature and as hereafter attached, is hereby adopted as the County Budget for 2025 and the budget requires the raising by tax of the amount of \$58,956,554.00.

Adopted November 26, 2024 by voice vote.

ACT NO. 464-2024 by Mr. Burr
who asks immediate consideration

APPORTIONMENT OF COUNTY BUDGET

Pursuant to Section 804 of the Real Property Tax Law.

RESOLVED, that the following report of the assessed value of all property assessed in each of the several towns and cities of the County for 2025 shows the equalized value of real estate and the amount of the County budget apportioned to each district:

(see report on page 499)

PROPERTY TAX REPORT		November 15, 2024				
PROPERTY TAX AMOUNT.....		\$58,956,554				
TOWN	Taxable Value	Taxable Value With Fixed Exemptions	Equalization Rate	Full Value	Apportioned Tax	Tax Rate
ALLEGANY	368,672,995	368,674,495	66.32	555,902,435	4,609,474.13	12.5029
ASHFORD	217,507,833	217,509,333	100.00	217,509,333	1,803,560.45	8.2919
CARROLLTON	75,229,191	75,229,191	60.00	125,381,985	1,039,651.89	13.8198
COLDSRING	106,331,107	106,420,057	100.00	106,420,057	882,421.93	8.2988
CONEW ANGO	35,797,674	35,797,674	41.50	86,259,455	715,252.72	19.9804
DAYTON	86,618,533	86,618,533	90.00	96,242,814	798,033.49	9.2132
EAST OTTO	125,370,622	125,372,122	100.00	125,372,122	1,039,570.11	8.2920
ELLCOTTVILLE	635,615,405	635,615,405	54.50	1,166,266,798	9,670,539.82	15.2145
FARMERSVILLE	123,088,594	123,088,594	100.00	123,088,594	1,020,635.37	8.2919
FRANKLINVILLE	240,249,083	240,465,899	100.00	240,465,899	1,993,913.45	8.2994
FREEDOM	183,014,048	183,015,596	100.00	183,015,596	1,517,542.65	8.2919
GREAT VALLEY	186,619,060	186,619,060	63.00	296,220,730	2,456,225.60	13.1617
HINSDALE	123,232,679	123,232,979	64.00	192,551,530	1,596,613.43	12.9561
HUMPHREY	86,530,264	86,530,264	63.00	137,349,625	1,138,886.08	13.1617
ISCHUA	42,496,191	42,500,991	64.00	66,407,798	550,645.23	12.9575
LEON	50,497,300	50,499,200	67.00	75,371,940	624,974.79	12.3764
LITTLE VALLEY	48,348,616	48,350,116	45.00	107,444,702	890,918.16	18.4270
LYNDON	52,730,707	52,730,707	68.00	77,545,157	642,994.84	12.1939
MACHIAS	240,308,684	240,310,184	100.00	240,310,184	1,992,622.28	8.2919
MANSFIELD	177,272,731	177,277,998	82.00	216,192,680	1,792,642.92	10.1123
NAPOLI	97,227,562	97,227,562	100.00	97,227,562	806,198.90	8.2919
NEW ALBION	142,248,049	142,248,049	100.00	142,248,049	1,179,503.20	8.2919
OLEAN/CITY	481,580,954	481,631,104	74.00	650,852,843	5,396,791.15	11.2064
OLEAN/TOWN	91,129,884	91,138,184	48.95	186,186,280	1,543,833.57	16.9410
OTTO	107,973,636	107,973,786	100.00	107,973,786	895,305.26	8.2919
PERRYSBURG	156,295,056	156,295,056	100.00	156,295,056	1,295,979.24	8.2919
PERSIA	136,129,547	136,129,547	100.00	136,129,547	1,128,769.34	8.2919
PORTVILLE	138,456,189	138,472,604	59.00	234,699,329	1,946,097.76	14.0557
RANDOLPH	86,477,481	86,483,481	53.50	161,651,366	1,340,393.10	15.4999
RED HOUSE	305,318,442	305,318,442	100.00	305,318,442	2,531,662.70	8.2919
SALAMANCA/CITY	14,813,137	14,839,037	11.75	126,289,677	1,047,178.36	70.6925
SALAMANCA/TOWN	29,458,584	29,458,584	64.00	46,029,038	381,667.08	12.9561
SOUTH VALLEY	32,746,436	32,746,436	52.00	62,973,915	522,171.90	15.9459
YORKSHIRE	28,697,166	28,706,066	11.00	260,964,236	2,163,883.12	75.4041
	5,054,083,440	5,054,526,336		7,110,158,560	58,956,554.02	
TAX RATE % FULL VALUE		0.0082918761				
TAX RATE % TAXABLE VALUE		0.0116651327				

*** Assessment Values as of November 15, 2024.

Adopted November 26, 2024 by voice vote.

ACT NO. 465-2024 by Mr. Burr
who asks immediate consideration

APPROPRIATIONS FOR THE FISCAL YEAR 2025

Pursuant to Sections 356 and 360 of the County Law.

WHEREAS, the Cattaraugus County Legislature has, by resolution, adopted a budget for the fiscal year 2025, now, therefore, be it

RESOLVED, that the several subtotals specified in such budget, in the column headed "Adopted" opposite the several items of expenditures, be approved for such items, effective January 1, 2025.

Adopted November 26, 2024 by voice vote.

ACT NO. 466-2024 by Mr. Burr
who asks immediate consideration

AUTHORIZING THE CHAIR AND CLERK TO SIGN AND ATTACH WARRANTS

Pursuant to Section 904 of the Real Property Tax Law.

RESOLVED, that tax levies as extended upon the several rolls of the County be, and they hereby are, approved, and be it further

RESOLVED, that the Chair and the Clerk of the Legislature be, and they hereby are, authorized and directed to sign and attach warrants thereto under the date of December 10, 2024.

Adopted November 26, 2024 by voice vote.

ACT NO. 467-2024 by Mr. Burr
who asks immediate consideration

AUTHORIZATION TO DEBIT AND CREDIT ACCOUNTS OF TOWNS AND CITIES

Pursuant to Section 940 of the Real Property Tax Law.

WHEREAS, at the meeting of the Legislature on November 26, 2024, a report was filed by the County Treasurer in the Office of the County Treasurer showing the debits and credits of all the towns and cities in the County, now, therefore, be it

RESOLVED, that the Clerk of the Legislature be, and hereby is, authorized and directed to debit and credit the respective towns and cities as set forth on such report in the tax levy:

<u>TOWN</u>	<u>DEBIT</u>	<u>CREDIT</u>
Allegany		
Ashford		.20
Carrollton		
Coldspring		
Conewango		

Dayton	.25	
East Otto	.95	
Ellicottville	.32	
Farmersville		.15
Franklinville		
Freedom		.17
Great Valley		
Hinsdale		
Humphrey		
Ischua		.12
Leon		.14
Little Valley		
Lyndon	.09	
Machias		
Mansfield		
Napoli	.96	
New Albion		
Olean City	.10	
Olean Town		
Otto		
Perrysburg	.09	
Persia		
Portville		
Randolph		.50
Red House		
Salamanca City	.12	
Salamanca Town	.05	
South Valley		.01
Yorkshire		

Adopted November 26, 2024 by voice vote.

ACT NO. 468-2024 by Mr. Burr
who asks immediate consideration

**AUTHORIZING RELEVY OF RETURNED SCHOOL TAXES AND
RETURNED CITY TAXES OF THE CITY OF OLEAN**

Pursuant to Section 1330 of the Real Property Tax Law.

RESOLVED, that effective November 30, 2024, the Clerk of the Legislature be, and hereby is, authorized and directed to relevy all returned school taxes and returned city taxes of the City of Olean.

Adopted November 26, 2024 by voice vote.

ACT NO. 469-2024 by Mr. Burr
who asks immediate consideration

**AUTHORIZING RELEVY OF VILLAGE TAXES OF
THE COUNTY OF CATTARAUGUS**

Pursuant to Section 1442 of the Real Property Tax Law.

RESOLVED, that effective November 30, 2024, the Clerk of the Legislature be, and hereby is, authorized and directed to relevy all returned village taxes of the County of Cattaraugus.

Adopted November 26, 2024 by voice vote.

ACT NO. 470-2024 by Mr. Burr
who asks immediate consideration

**AUTHORIZATION TO APPLY PORTION OF TOWN OF PORTVILLE'S
SHARE OF SALES TAX REVENUE TO REDUCTION OF
COUNTY TAX LEVIED AGAINST THE TOWN**

Pursuant to Article 29 of the Tax Law.

WHEREAS, the Town of Portville has elected to take its share of the sales tax revenue in cash, and

WHEREAS, the share due to the Town of Portville will result in a surplus, and

WHEREAS, the Town of Portville has requested that a portion of such surplus be applied to reduce the County Tax against the Town of Portville (outside), now, therefore, be it

RESOLVED, that \$465,000.00 of the 2025 sales tax revenue due the Town of Portville be applied to the reduction of the County Tax levied against the real property in the Town of Portville (outside).

Adopted November 26, 2024 by voice vote.

ACT NO. 471-2024 by Mr. Burr
who asks immediate consideration

**AUTHORIZATION TO APPLY PORTION OF TOWN OF RED HOUSE'S
SHARE OF SALES TAX REVENUE TO REDUCTION OF
COUNTY TAX LEVIED AGAINST THE TOWN**

Pursuant to Article 29 of the Tax Law.

WHEREAS, the Town of Red House has elected to take its share of the sales tax revenue in cash, and

WHEREAS, the share due to the Town of Red House will result in a surplus, and

WHEREAS, the Town of Red House has requested that a portion of such surplus be applied to reduce the County Tax against the Town of Red House, now, therefore, be it

RESOLVED, that \$765,000.00 of the 2025 sales tax revenue due the Town of Red House be applied to the reduction of the County Tax levied against the real property in the Town of Red House.

Adopted November 26, 2024 by voice vote.

ACT NO. 472-2024 by Mr. Burr
who asks immediate consideration

ADOPTION OF EQUALIZATION RATES

Pursuant to Section 804 of the Real Property Tax Law.

RESOLVED, that the Cattaraugus County Legislature does hereby adopt the equalization rate fixed by the State Board of Real Property Tax Services for the year 2025 as follows:

<u>Towns</u>	<u>Equalization Rates</u>
Allegany	66.32
Ashford	100.00
Carrollton	60.00
Coldspring	100.00
Conewango	41.50
Dayton	90.00
East Otto	100.00
Ellicottville	54.50
Farmersville	100.00
Franklinville	100.00
Freedom	100.00
Great Valley	63.00
Hinsdale	64.00
Humphrey	63.00
Ischua	64.00
Leon	67.00
Little Valley	45.00
Lyndon	68.00
Machias	100.00
Mansfield	82.00
Napoli	100.00
New Albion	100.00
Olean, City	74.00
Olean, Town	48.95
Otto	100.00
Perrysburg	100.00
Persia	100.00
Portville	59.00
Randolph	53.50

Red House	100.00
Salamanca, City	11.75
Salamanca, Town	64.00
South Valley	52.00
Yorkshire	11.00

Adopted November 26, 2024 by voice vote.

ACT NO. 473-2024 by Mr. Burr
who asks immediate consideration

LOCAL LAW NUMBER 6 - 2024
COUNTY OF CATTARAUGUS, NEW YORK

Pursuant to Section 95-a of the General Municipal Law,
Article 2 of the Municipal Home Rule Law and
Section 10 of the Municipal Home Rule Law.

**A LOCAL LAW AMENDING LOCAL LAW NUMBER 5-1975 (INTRO NUMBER 11-1975),
AS AMENDED, PROVIDING FOR THE CREATION OF THE DEPARTMENT OF THE AGING**

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

SECTION 1. Legislative Intent.

(a) It is the intent of this Local Law to rename the Department of the Aging to be known as the Department of the Aging and Youth Services.

(b) It is the further intent of this local law to include the responsibility for the control, administration and operation of Youth Bureau under the Powers and Duties of the Department of the Aging and Youth Services.

SECTION 2. Amendment of Local Law Number 5-1975 (Intro Number 11-1975), As Amended.

Effective January 1, 2025, Local Law Number 5-1975 (Intro Number 11-1975), as amended, is hereby amended to rename the Department of the Aging to be known as the Department of the Aging and Youth Services.

SECTION 3. Amendment of Local Law Number 5-1975 (Intro Number 11-1975), As Amended.

Effective January 1, 2025, Section 3 of Local Law Number 5-1975 (Intro Number 11-1975), as amended, is hereby further amended by adding a new subsection as follows:

“(j) To control, administer and operate the Youth Bureau Division.”

SECTION 4. Severability. If any provision of this Local Law shall be adjudged by any court of competent jurisdiction to be invalid, then such adjudication, shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the particular provision directly involved in the controversy in which such judgment shall have been rendered.

SECTION 5. Effective Date. This Local Law shall take effect January 1, 2025.

No further action taken at this time.

ACT NO. 474-2024 by Mr. Burr
who ask immediate consideration

AUTHORIZING PUBLIC HEARING ON LOCAL LAW NUMBER 6 - 2024

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 November 26, 2024, a proposed Local Law entitled, "A Local Law Amending Local Law Number 5-1975 (Intro Number 11-1975) As Amended, Providing for the Creation of the Department of the Aging", and

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

RESOLVED, that a public hearing shall be held on the proposed local law by this County Legislature on the 11th day of December, 2024, at 5:04 p.m. at the Legislature's Chambers, County Center, 303 Court Street, Little Valley, New York, and that at least five days' notice of such hearing shall be given by the Clerk by the due posting thereof upon the bulletin board of each County Court House within the County and by publishing such notice at least once in the official newspapers of the County.

Adopted November 26, 2024 by voice vote.

ACT NO. 475-2024 by Finance Committee:
Mr. Brisky, Mr. Marsh, Mrs. Andreano, Mr. Benson,
Mr. Boberg, Mr. Higgins and Mr. Parker
and
by Labor Relations Committee:
Ms. Schröder, Mr. Marsh, Mr. Brisky,
Mr. Helmich and Mr. Stoltenberg
who ask immediate consideration

ABOLISHING VACANT YOUTH BUREAU POSITIONS

Pursuant to Section 204 of County Law.

RESOLVED, that effective January 1, 2025, there are hereby abolished the following vacant positions within the Youth Bureau:

one (1) full-time position of County Youth Bureau Director, Position No. 731-116-001,
one (1) substitute position of Caseworker, Position No. 731-957-001, and
one (1) full-time position of Senior Accountant, Position No. 731-314-001.

Adopted November 26, 2024 by voice vote.

ACT NO. 476-2024 by Finance Committee:
Mr. Brisky, Mr. Marsh, Mrs. Andreano, Mr. Benson,
Mr. Boberg, Mr. Higgins and Mr. Parker
and
by Labor Relations Committee:
Ms. Schröder, Mr. Marsh, Mr. Brisky,
Mr. Helmich and Mr. Stoltenberg
who ask immediate consideration

ABOLISHING CERTAIN POSITIONS IN THE DEPARTMENT OF NURSING HOMES

Pursuant to Section 204 of County Law.

WHEREAS, due to fiscal constraints and in an effort to achieve cost savings and reduction of expenses, it is necessary to identify both filled and unfilled positions in the Department of Nursing Homes which can be eliminated in an effort to achieve needed cutbacks, and

WHEREAS, the following positions in the Department of Nursing Homes have been identified as positions that can assist in achieving such cost savings, now, therefore, be it

RESOLVED, effective immediately, the following positions are hereby abolished:

<u>Position Number</u>	<u>Title</u>	<u>Department</u>
300-064-001	Cook	The Pines-Machias
300-064-002	Cook	The Pines-Machias
300-064-003	Cook	The Pines-Machias
300-064-004	Cook	The Pines-Machias
300-951-001	Cook - Sub	The Pines-Machias
300-145-001	PT Food Service Helper	The Pines-Machias
300-145-002	PT Food Service Helper	The Pines-Machias
300-145-003	FT Food Service Helper	The Pines-Machias
300-145-004	FT Food Service Helper	The Pines-Machias
300-145-005	FT Food Service Helper	The Pines-Machias
300-145-006	FT Food Service Helper	The Pines-Machias
300-145-007	PT Food Service Helper	The Pines-Machias
300-145-008	PT Food Service Helper	The Pines-Machias
300-145-009	PT Food Service Helper	The Pines-Machias
300-145-010	PT Food Service Helper	The Pines-Machias
300-145-011	FT Food Service Helper	The Pines-Machias
300-145-012	PT Food Service Helper	The Pines-Machias
300-913-115	Food Service Helper - Sub	The Pines-Machias
300-913-116	Food Service Helper - Sub	The Pines-Machias
300-913-117	Food Service Helper - Sub	The Pines-Machias
300-913-118	Food Service Helper - Sub	The Pines-Machias
300-913-119	Food Service Helper - Sub	The Pines-Machias
300-913-120	Food Service Helper - Sub	The Pines-Machias
300-913-121	Food Service Helper – Temp	The Pines-Machias
300-913-122	Food Service Helper – Temp	The Pines-Machias
300-913-123	Food Service Helper – Sub	The Pines-Machias
300-913-124	Food Service Helper – Sub	The Pines-Machias
300-913-125	Food Service Helper – Sub	The Pines-Machias

300-913-126	Food Service Helper – Sub	The Pines-Machias
300-913-127	Food Service Helper – Sub	The Pines-Machias
300-913-128	Food Service Helper – Sub	The Pines-Machias
300-146-001	Food Service Manager	The Pines-Machias.

Adopted November 26, 2024 by voice vote.

ACT NO. 477-2024 by Mr. Brisky
who asks immediate consideration

BOND RESOLUTION DATED NOVEMBER 26, 2024

**A RESOLUTION AUTHORIZING HIGHWAY IMPROVEMENTS IN AND FOR THE
COUNTY OF CATTARAUGUS, NEW YORK, AT A MAXIMUM ESTIMATED COST OF
\$9,671,000, AND AUTHORIZING THE ISSUANCE OF \$2,763,521 BONDS OF SAID COUNTY
TO PAY PART OF THE COST THEREOF**

BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the County Legislature of the County of Cattaraugus, New York, as follows:

Section 1. The reconstruction and construction of improvements to various highways, including widening and resurfacing projects, intersection improvements, as well as sidewalks, curbs, gutters, drainage, landscaping, grading or improving rights-of-way and other improvements and incidental costs, are hereby authorized in and for said County of Cattaraugus at a maximum estimated cost of \$9,671,000.

Section 2. The plan for the financing of such maximum estimated cost shall be as follows:

- (a) By the expenditure of \$1,872,124 available funds;
- (b) By the expenditure of \$5,035,355 to be received as grants-in-aid; and
- (c) By the issuance of \$2,763,521 bonds of said County hereby authorized to be issued pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of said class of objects or purposes is fifteen years, pursuant to subdivision 20(c) of paragraph a of Section 11.00 of the Local Finance Law.

Section 4. The faith and credit of said County of Cattaraugus, New York, are hereby irrevocable pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. To the extent not paid from other sources, there shall annually be levied on all the taxable real property of said County, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the County Treasurer, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said County Treasurer, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt service, shall be determined by the County Treasurer, the chief fiscal officer of such County. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the County Treasurer shall determine consistent with the provisions of the Local Finance Law.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. This resolution, which takes effect immediately, shall be published in summary form in the Olean Times Herald, and the Salamanca Press, the official newspapers of such County, together with a notice of the Clerk of the County Legislature in substantially the form provided in Section 81.00 of the Local Finance Law.

CHAIRMAN BURR requested a Roll Call vote on Act No. 477-2024, which disclosed as follows:

Ayes: Benson, Boberg, Brisky, Burr, Helmich, Higgins, Marsh, Nagle, Parker, Schröder, Smith, Stoltenberg and Teachman -13.

Nays: none.

Act No. 477-2024 having received a unanimous vote of the Legislature, was declared Adopted.

ACT NO. 478-2024 by Mr. Brisky
who asks immediate consideration

BOND RESOLUTION DATED NOVEMBER 26, 2024

**A RESOLUTION AUTHORIZING BRIDGE IMPROVEMENTS IN AND FOR THE
COUNTY OF CATTARAUGUS, NEW YORK, AT A MAXIMUM
ESTIMATED COST OF \$6,043,500, AND AUTHORIZING THE ISSUANCE OF
\$398,463 BONDS OF SAID COUNTY TO PAY PART OF THE COST THEREOF**

BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the County Legislature of the County of Cattaraugus, New York, as follows:

Section 1. Bridge improvements, including retaining walls, drainage, landscaping and incidental costs and improvements, is hereby authorized in and for said County of Cattaraugus at a maximum estimated cost of \$6,043,500.

Section 2. The plan for the financing of such maximum estimated cost shall be as follows:

- (a) By the expenditure of \$1,281,746 available funds;
- (b) By the expenditure of \$4,363,291 to be received as grants-in-aid; and
- (c) By the issuance of \$398,463 bonds of said County hereby authorized to be issued pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of said class of objects or purposes is twenty years, pursuant to subdivision 10 of paragraph a of Section 11.00 of the Local Finance Law.

Section 4. The faith and credit of said County of Cattaraugus, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. To the extent not paid from other sources, there shall annually be levied on all the taxable real property of said County, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the County Treasurer, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said County Treasurer, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt service, shall be determined by the County Treasurer, the chief fiscal officer of such County. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the County Treasurer shall determine consistent with the provisions of the Local Finance Law.

- Section 7. The validity of such bonds and bond anticipation notes may be contested only if:
- 1) Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or
 - 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,
- and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. This resolution, which takes effect immediately, shall be published in summary form in the Salamanca Press and the Olean Times Herald, the official newspapers of such County, together with a notice of the Clerk of the County Legislature in substantially the form provided in Section 81.00 of the Local Finance Law.

CHAIRMAN BURR requested a Roll Call vote on Act No. 478-2024, which disclosed as follows:
 Ayes: Benson, Boberg, Brisky, Burr, Helmich, Higgins, Marsh, Nagle, Parker, Schröder, Smith, Stoltenberg and Teachman -13.
 Nays: none.

Act No. 478-2024 having received a unanimous vote of the Legislature, was declared Adopted.

ACT NO. 479-2024 by Mr. Brisky
 who asks immediate consideration

BOND RESOLUTION DATED NOVEMBER 26, 2024

A RESOLUTION AUTHORIZING CULVERT IMPROVEMENTS IN AND FOR THE COUNTY OF CATTARAUGUS, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$5,082,810, AND AUTHORIZING THE ISSUANCE OF \$383,765 BONDS OF SAID COUNTY TO PAY PART OF THE COST THEREOF

BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the County Legislature of the County of Cattaraugus, New York, as follows:

Section 1. Culvert improvements, including drainage, landscaping and incidental costs, is hereby authorized in and for said County of Cattaraugus at a maximum estimated cost of \$5,082,810.

Section 2. The plan for the financing of such maximum estimated cost shall be as follows:

- (a) By the expenditure of \$1,007,566 available funds;
- (b) By the expenditure of \$3,691,479 to be received as grants-in-aid; and
- (c) By the issuance of \$383,765 bonds of said County hereby authorized to be issued pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of said class of objects or purposes is forty years, pursuant to subdivision 4 of paragraph a of Section 11.00 of the Local Finance Law.

Section 4. The faith and credit of said County of Cattaraugus, New York, are hereby irrevocable pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. To the extent not paid from other sources, there shall annually be levied on all the taxable real property of said County, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the County Treasurer, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said County Treasurer, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt service, shall be determined by the County Treasurer, the chief fiscal officer of such County. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the County Treasurer shall determine consistent with the provisions of the Local Finance Law.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. This resolution, which takes effect immediately, shall be published in summary form in the Salamanca Press and the Olean Times Herald, the official newspapers of such County, together with a notice of the Clerk of the County Legislature in substantially the form provided in Section 81.00 of the Local Finance Law.

CHAIRMAN BURR requested a Roll Call vote on Act No. 479-2024, which disclosed as follows:
Ayes: Benson, Boberg, Brisky, Burr, Helmich, Higgins, Marsh, Nagle, Parker, Schröder, Smith, Stoltenberg and Teachman -13.
Nays: none.

Act No. 479-2024 having received a unanimous vote of the Legislature, was declared Adopted.

ACT NO. 480-2024 by Mr. Brisky
who asks immediate consideration

BOND RESOLUTION DATED NOVEMBER 26, 2024

A RESOLUTION AUTHORIZING BUILDING AND GROUNDS IMPROVEMENTS IN AND FOR THE COUNTY OF CATTARAUGUS, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$625,000, AND AUTHORIZING THE ISSUANCE OF \$625,000 BONDS OF SAID COUNTY TO PAY PART OF THE COST THEREOF

BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the County Legislature of the County of Cattaraugus, New York, as follows:

Section 1. Building and grounds improvements, including incidental costs, consisting of (i) a generator project at LVCC at a maximum estimated cost of \$475,000 and (ii) roof replacement at LV DPW building at a maximum estimate cost of \$150,000 is hereby authorized in and for said County of Cattaraugus.

Section 2. The plan for the financing of such maximum estimated cost shall be:
(a) By the issuance of \$625,000 bonds of said County hereby authorized to be issued pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of said generator project, being a specific object or purpose, is ten years, pursuant to subdivision 13 of paragraph a of Section 11.00 of the Local Finance Law. It is also hereby determined that the period of probable usefulness of the roof, being a specific object or purpose, is twenty-five years, pursuant to subdivision 12(a)(1) of paragraph a of Section 11.00 of the Local Finance Law.

Section 4. The faith and credit of said County of Cattaraugus, New York, are hereby irrevocable pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. To the extent not paid from other sources, there shall annually be levied on all the taxable real property of said County, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the County Treasurer, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said County Treasurer, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt service, shall be determined by the County Treasurer, the chief fiscal officer of such County. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the County Treasurer shall determine consistent with the provisions of the Local Finance Law.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. This resolution, which takes effect immediately, shall be published in summary form in the Salamanca Press and the Olean Times Herald, the official newspapers of such County, together with a notice of the Clerk of the County Legislature in substantially the form provided in Section 81.00 of the Local Finance Law.

CHAIRMAN BURR requested a Roll Call vote on Act No. 480-2024, which disclosed as follows:

Ayes: Benson, Boberg, Brisky, Burr, Helmich, Higgins, Marsh, Nagle, Parker, Schröder, Smith, Stoltenberg and Teachman -13.

Nays: none.

Act No. 480-2024 having received a unanimous vote of the Legislature, was declared Adopted.

ACT NO. 481-2024 by Mr. Brisky
who asks immediate consideration

BOND RESOLUTION DATED NOVEMBER 26, 2024

**A RESOLUTION AUTHORIZING VARIOUS IT IMPROVEMENTS IN AND FOR
THE COUNTY OF CATTARAUGUS, NEW YORK, AT A MAXIMUM
ESTIMATED COST OF \$1,979,000, AND AUTHORIZING THE ISSUANCE OF
\$100,000 BONDS OF SAID COUNTY TO PAY PART OF THE COST THEREOF**

BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the County Legislature of the County of Cattaraugus, New York, as follows:

Section 1. Various IT improvements, including incidental costs, is hereby authorized in and for said County of Cattaraugus at a maximum estimated cost of \$1,979,000.

Section 2. The plan for the financing of such maximum estimated cost shall be as follows:

- (a) By the expenditure of \$1,234,000 available funds;
- (b) By the expenditure of \$645,000 to be received as grants-in-aid; and
- (c) By the issuance of \$100,000 bonds of said County hereby authorized to be issued pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of said class of objects or purposes is five years, pursuant to subdivision 32 of paragraph a of Section 11.00 of the Local Finance Law.

Section 4. The faith and credit of said County of Cattaraugus, New York, are hereby irrevocable pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. To the extent not paid from other sources, there shall annually be levied on all the taxable real property of said County, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the County Treasurer, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said County Treasurer, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt service, shall be determined by the County Treasurer, the chief fiscal officer of such County. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the County Treasurer shall determine consistent with the provisions of the Local Finance Law.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. This resolution, which takes effect immediately, shall be published in summary form in the Salamanca Press and the Olean Times Herald, the official newspapers of such County, together with a notice of the Clerk of the County Legislature in substantially the form provided in Section 81.00 of the Local Finance Law.

CHAIRMAN BURR requested a Roll Call vote on Act No. 481-2024, which disclosed as follows:

Ayes: Benson, Boberg, Brisky, Burr, Helmich, Higgins, Marsh, Nagle, Parker, Schröder, Smith, Stoltenberg and Teachman -13.

Nays: none.

Act No. 481-2024 having received a unanimous vote of the Legislature, was declared Adopted.

ACT NO. 482-2024 by Mr. Brisky
who asks immediate consideration

BOND RESOLUTION DATED NOVEMBER 26, 2024

A RESOLUTION AUTHORIZING IMPROVEMENTS FOR THE WATERSHED PROTECTION IN AND FOR THE COUNTY OF CATTARAUGUS, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$1,165,000, AND AUTHORIZING THE ISSUANCE OF \$100,000 BONDS OF SAID COUNTY TO PAY PART OF THE COST THEREOF

BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the County Legislature of the County of Cattaraugus, New York, as follows:

Section 1. Improvements for watershed protection and incidental costs, is hereby authorized in and for said County of Cattaraugus at a maximum estimated cost of \$1,165,000.

Section 2. The plan for the financing of such maximum estimated cost shall be as follows:

- (a) By the expenditure of \$1,065,000 available funds; and
- (b) By the issuance of \$100,000 bonds of said County hereby authorized to be issued pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of said class of objects or purposes is at least fifteen years, pursuant to subdivision 91 of paragraph a of Section 11.00 of the Local Finance Law.

Section 4. The faith and credit of said County of Cattaraugus, New York, are hereby irrevocable pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. To the extent not paid from other sources, there shall annually be levied on all the taxable real property of said County, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the County Treasurer, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said County Treasurer, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt service, shall be determined by the County Treasurer, the chief fiscal officer of such County. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the County Treasurer shall determine consistent with the provisions of the Local Finance Law.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. This resolution, which takes effect immediately, shall be published in summary form in the Salamanca Press and the Olean Times Herald, the official newspapers of such County, together with a notice of the Clerk of the County Legislature in substantially the form provided in Section 81.00 of the Local Finance Law.

CHAIRMAN BURR requested a Roll Call vote on Act No. 482-2024, which disclosed as follows:

Ayes: Benson, Boberg, Brisky, Burr, Helmich, Higgins, Marsh, Nagle, Parker, Schröder, Smith, Stoltenberg and Teachman -13.

Nays: none.

Act No. 482-2024 having received a unanimous vote of the Legislature, was declared Adopted.

ACT NO. 483-2024 by Mr. Burr
who asks immediate consideration

**INCREASING APPROPRIATION AND ESTIMATED REVENUE ACCOUNTS
(Department of Public Works)**

Pursuant to Sections 363 and 366 of the County Law.

WHEREAS, Acts 477-2024, 478-2024, 479-2024, 480-2024, 481-2024 and 482-2024 authorized bond issues in the total amount of \$4,370,749.00, and

WHEREAS, it is necessary to create appropriation and revenue accounts to accommodate the aforementioned bond funds, now, therefore, be it

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

Increase Estimated Revenue Accounts:

H.168.1997.0000.21134.5710.09	Serial Bonds IT Projects	\$100,000.00
H.504.1620.0000.21013.5710.04	Serial Bonds Buildings	\$475,000.00
H.504.1627.0000.21070.5710.04	Serial Bonds Buildings	\$150,000.00
H.504.5197.5198.5710.01	Serial Bonds Culverts	\$383,765.00
H.504.5197.5198.5710.02	Serial Bonds Bridges	\$398,463.00
H.504.5197.5198.5710.03	Serial Bonds Roads	\$2,763,521.00
H.504.8735.0000.21202.5710.08	Serial Bonds Watershed	\$100,000.00

Increase Appropriation Accounts:

H.168.1997.0000.21134.41603	Nimble Storage	\$100,000.00
H.504.1620.0000.21013.41603	LVCC Generator Project	\$475,000.00
H.504.1627.0000.21070.41603	LV DPW Roof	\$150,000.00
H.504.5197.0000.23102.41603	New Albion Culvert #27	\$18,766.00
H.504.5197.5195.25108.41603	Humphrey Bridge #20	\$280,000.00
H.504.5197.5195.25525.41603	2025 Bridge Painting	\$43,463.00
H.504.5197.5198.23091.41603	Yorkshire Culvert #30	\$55,000.00
H.504.5197.5198.23092.41603	Allegany Culvert #26	\$50,000.00
H.504.5197.5198.23096.41603	Dayton Culvert #40	\$75,000.00
H.504.5197.5198.23101.41603	Dayton Culvert #40A	\$84,999.00
H.504.5197.5198.23104.41603	Randolph Culvert #23	\$40,000.00
H.504.5197.5198.23105.41603	Ashford Culvert #50	\$60,000.00
H.504.5197.5198.25114.41603	Freedom Bridge #36	\$75,000.00
H.504.5197.5198.27019.41603	County Road #32	\$27,000.00
H.504.5197.5198.27047.41603	County Road #6	\$1,818,645.00
H.504.5197.5198.27084.41603	County Road #74	\$888,000.00

H.504.5197.5198.27092.41603	County Road #69	\$29,876.00
H.504.8735.0000.21202.41603	Conewango Dam #13	\$100,000.00.

Adopted November 26, 2024 by voice vote.

* * * * *

MR. BRISKY moved, seconded by Mr. Marsh, to adjourn until December 11, 2024 at 5:00 p.m.
Carried.

Meeting adjourned at 5:36 p.m.

Ann M. Giglio
Journal Clerk