



April 27, 2022

The meeting was called to order by Chairman VanRensselaer.

The invocation was given by Rev. leFeber.

The Attendance Roll Call disclosed one Legislator absent – Smith.

\* \* \* \* \*

There being no amendments or objections thereto, Chairman VanRensselaer noted that the minutes of the April 13, 2022 session stand approved as presented.

\* \* \* \* \*

**COMMUNICATIONS:**

Delaware County Board of Supervisors: Resolution No. 69 entitled “Resolution in Opposition to the Climate Action Council’s Draft Scoping Plan” and Resolution No. 76 entitled “Resolution to Submit Comments on New York State Climate Council’s Draft Scoping Plan for New York’s Climate Leadership and Community Protection Act”.

\* \* \* \* \*

**PROCLAMATION:**

Chairman VanRensselaer proclaimed the month of April 2022 as **Fair Housing Month** in Cattaraugus County. Chairman VanRensselaer presented the proclamation to Crystal Abers, Director of the Department of Economic Development, Planning & Tourism.

\* \* \* \* \*

**PRIVILEGE OF THE FLOOR:**

Chairman VanRensselaer granted Privilege of the Floor to Kelly Andreano who announced that the The Pines – Olean has gone from a 1-star rating to a 3-star rating. This was accomplished/achieved during, and in spite of, the COVID-19 Pandemic and its challenges; a real tribute to the dedication and commitment of the staff.

\* \* \* \* \*

**ACT NO. 182-2022** by Mr. Benson and Mr. Helmich

**BID ACCEPTANCE FOR PURCHASE OF HIGH PRESSURE WATER JETTING TRAILER  
AND ADJUSTING APPROPRIATION ACCOUNTS  
(Department of Public Works)**

Pursuant to Section 103 of the General Municipal Law and Sections 363, 366, 408 and 408-a of the County Law.

WHEREAS, the Clerk of the Legislature was authorized to advertise for sealed bids for the purchase of a high pressure water jetting trailer, according to specifications provided by the Public Works Committee, and

WHEREAS, the only bid received meeting specifications, for the purchase of a high pressure water jetting trailer, was the bid of Guthrie Heli-Arc, Inc., 6276 Clinton Street Road, Bergen, New York 14416, in the amount of \$62,430.00, to be paid by the County as invoiced and approved by the Department of Public Works, and

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

RESOLVED, that the bid of Guthrie Heli-Arc, Inc., be, and the same hereby is, accepted, for a term commencing upon signing of contract with delivery to be made within thirty (30) days after receipt of order and prior to June 30, 2022, and be it further

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

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

Decrease Appropriation Accounts:

DM.503.5130.0000.20505	Tandem Axle Dump Trucks	\$55,500.00
DM.503.5130.0000.20516	Rollers 4-6 Ton	\$ 6,930.00

Increase Appropriation Account:

DM.503.5130.0000.20008	Tools and Equipment	\$62,430.00.
------------------------	---------------------	--------------

No State Bid.

Eleven sets of specifications were sent out.

One bid was received.

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

Adopted April 27, 2022 by voice vote.

**ACT NO. 183-2022** by Mr. Benson and Mr. Helmich

**BID ACCEPTANCE FOR PRECAST CONCRETE BOX CULVERT  
FOR DAYTON CULVERT NO. 25  
(Department of Public Works)**

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

WHEREAS, the Clerk of the Legislature was authorized to advertise for sealed bids for the provision of a precast concrete box culvert for Dayton Culvert No. 25, located on County Road No. 2 (Cottage Road), in the Town of Dayton, according to specifications provided by the Public Works Committee, and

WHEREAS, the lowest responsible bid received meeting specifications was the bid of Lakelands Concrete Products, Inc., 7520 East Main Street, Lima, New York 14485, for the provision of a

precast concrete box culvert for Dayton Culvert No. 25, for an amount of \$61,310.00, to be paid as invoiced, and

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

RESOLVED, that the bid of Lakelands Concrete Products, Inc., be, and the same hereby is, accepted, for a term commencing upon Notice of Award with shop drawings submitted within ten (10) consecutive calendar days after the execution of the contract and delivery to be made within 45 consecutive days from approval of shop drawings, and be it further

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

No State Bid.

Three sets of specifications were sent out.

Two bids were received which met specifications.

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

Adopted April 27, 2022 by voice vote.

**ACT NO. 184-2022** by Mr. Benson and Mr. Helmich  
*and Mr. Koch<sup>1</sup>*

**BID ACCEPTANCE FOR 2022 STREAMBANK STABILIZATION PROJECTS  
(Department of Public Works)**

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

WHEREAS, the Clerk of the Legislature was authorized to advertise for sealed bids for the 2022 streambank stabilization projects, according to specifications provided by the Public Works Committee, and

WHEREAS, the lowest bid received meeting specifications for the following three (3) sites was the bid of J. Bognar Construction, LLC, P.O. Box 4, Sardinia, New York 14134, in the total amount of \$54,635.00, as follows, to be paid as invoiced:

County Road No. 17	Bakerstand Road (Town of Machias)	\$14,200.00
County Road No. 6	Leon-New Albion Road (Town of Leon)	\$24,610.00
County Road No. 5	New Albion-Little Valley Road (Town of New Albion)	<u>\$15,825.00</u>
	Total	\$54,635.00,

and

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

RESOLVED, that the bid of J. Bognar Construction, LLC, be, and the same hereby is, accepted, for a term commencing within ten (10) days after the effective date of the contract and terminating October 1, 2022, and be it further

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

No State bid.

Eight sets of specifications were sent out.

Four bids were received which met specifications.

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

<sup>1</sup>The following Legislator requested that his name be listed as an additional sponsor: "Mr. Koch".

Adopted April 27, 2022 by voice vote.

**ACT NO. 185-2022** by Mr. Benson and Mr. Helmich

**BID ACCEPTANCE FOR CONCRETE PIPE (CLASS III & IV)  
(Department of Public Works)**

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

WHEREAS, the Clerk of the Legislature was authorized to advertise for sealed bids for the provision of round and elliptical concrete pipe (Class III & IV), according to specifications provided by the Public Works Committee, and

WHEREAS, the only bid received for the provision of round and elliptical concrete pipe (Class III & IV) was submitted by Jamestown Macadam, Inc., 1801 Washington Street, P.O. Box 0892, Jamestown, New York 14701, as follows:

**Round Concrete Pipe (Class III & IV)**

<u>Description</u>	<u>2022 Rate</u>
18 Inch (Class III) per foot	\$45.25
18 Inch (Class IV) per foot	\$48.60
18 Inch Flared End	\$1,350.00
21 Inch (Class III) per foot	\$58.25
21 Inch (Class IV) per foot	\$62.50
21 Inch Flared End	\$1,695.00
24 Inch (Class III) per foot	\$68.00
24 Inch (Class IV) per foot	\$73.00
24 Inch Flared End	\$1,995.00
30 Inch (Class III) per foot	\$99.50
30 Inch (Class IV) per foot	\$106.75
30 Inch Flared End	\$2,095.00
36 Inch (Class III) per foot	\$134.50
36 Inch (Class IV) per foot	\$144.50
36 Inch Flared End	\$2,460.00
42 Inch (Class III) per foot	\$199.50
42 Inch (Class IV) per foot	\$216.00

42 Inch Flared End	\$3,085.00
48 Inch (Class III) per foot	\$244.00
48 Inch (Class IV) per foot	\$263.00
48 Inch Flared End	\$3,650.00
54 Inch (Class III) per foot	\$298.25
54 Inch (Class IV) per foot	\$328.75
54 Inch Flared End	\$6,012.00
60 Inch (Class III) per foot	\$346.75
60 Inch (Class IV) per foot	\$372.75
60 Inch Flared End	\$7,056.00
66 Inch (Class III) per foot	\$423.00
66 Inch (Class IV) per foot	\$455.75
60 Inch Flared End	\$8,200.00
72 Inch (Class III) per foot	\$501.00
72 Inch (Class IV) per foot	\$517.00
72 Inch Flared End	\$9,588.00

#### **Elliptical Concrete Pipe (Class III & IV)**

<u>Description</u>	<u>2022 Rate</u>
18 Inch (Class III) per foot (14 x 23)	\$103.75
18 Inch (Class IV) per foot	\$114.25
18 Inch Flared End (each)	\$2,395.00
24 Inch (Class III) per foot (19 x 30)	\$133.00
24 Inch (Class IV) per foot	\$146.30
24 Inch Flared End (each)	\$2,885.00
30 Inch (Class III) per foot (24 x 38)	\$169.00
30 Inch (Class IV) per foot	\$185.00
30 Inch Flared End (each)	\$3,275.00
36 Inch (Class III) per foot (29 x 45)	\$241.00
36 Inch (Class IV) per foot	\$266.00
36 Inch Flared End (each)	\$4,199.00
42 Inch (Class III) per foot (34 x 53)	\$309.00
42 Inch (Class IV) per foot	\$340.00
42 Inch Flared End (each)	\$5,290.00
48 Inch (Class III) per foot (38 x 60)	\$392.00
48 Inch (Class IV) per foot	\$432.00
48 Inch Flared End (each)	\$6,400.00
54 Inch (Class III) per foot (43 x 68)	\$485.00
54 Inch (Class IV) per foot	\$534.00
54 Inch Flared End (each)	\$9,750.00
60 Inch (Class III) per foot (48 x 76)	\$575.00
60 Inch (Class IV) per foot	\$632.00
60 Inch Flared End (each)	\$12,400.00
66 Inch (Class III) per foot (53 x 83)	\$662.00
66 Inch (Class IV) per foot	\$727.00
66 Inch Flared End (each)	\$14,250.00
72 Inch (Class III) per foot (58 x 91)	\$867.00
72 Inch (Class IV) per foot	\$954.00

72 Inch Flared End (each) \$15,350.00  
 now, therefore, be it

RESOLVED, that the Commissioner of Public Works is authorized to contract for concrete pipe (Class III & IV) with Jamestown Macadam, Inc., as recommended by the Public Works Committee for the term May 1, 2022 through April 30, 2023, and be it further

RESOLVED, that any county, city, village, town, school, or fire district in Cattaraugus County may participate in the bid prices by dealing directly with the bidder, and be it further

RESOLVED, that the County of Cattaraugus reserves the right to make purchases of the aforementioned items at any time during the term for which the bids are taken and to require suitable bond to guarantee delivery.

No State Bid.

Two sets of specifications were sent out.

One bid was received which met specifications.

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

Adopted April 27, 2022 by voice vote.

**ACT NO. 186-2022** by Mr. Benson and Mr. Helmich

**BID ACCEPTANCE FOR PLASTIC & POLYETHYLENE CORRUGATED DRAINAGE PIPE  
 (Department of Public Works)**

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

WHEREAS, the Clerk of the Legislature was authorized to advertise for sealed bids for the provision of plastic and polyethylene corrugated drainage pipe, according to specifications provided by the Public Works Committee, and

WHEREAS, two (2) acceptable bids were received for the provision of plastic and polyethylene corrugated drainage pipe, as follows:

ADVANCED DRAINAGE SYSTEMS, INC.  
 4640 Trueman Boulevard  
 Hilliard, Ohio 43026

**Plastic & Polyethylene Corrugated Drainage Pipe Or Tubing**

<u>Index No.</u>	<u>Diameter</u>	<u>Description</u>	<u>2022 Rate</u>
CPDP4	4	Per foot	\$0.82
CPC4	4	/coupler	\$4.25
CPDP6	6	Per foot	\$2.04
CPC6	6	/coupler	\$8.46
CPDP8	8	Per foot	\$3.90
CPC8	8	/coupler	\$14.14
CPDP10	10	Per foot	\$7.90
CPC10	10	/coupler	\$16.95
CPDP12	12	Per foot	\$10.10
CPC12	12	/coupler	\$16.00

CPFE12	12	Flared End	\$252.00
CPDP15	15	Per foot	\$12.60
CPC15	15	/coupler	\$26.65
CPFE15	15	Flared End	\$252.00
CPDP18	18	Per foot	\$18.50
CPC18	18	/coupler	\$45.40
CPFE18	18	Flared End	\$339.00
CPDP24	24	Per foot	\$29.00
CPC24	24	/coupler	\$64.00
CPFE24	24	Flared End	\$435.00

**Polyethylene Corrugated High Capacity Smooth Interior Pipe**

CPDP12SI	12	Per foot	\$7.95
CPC12SI	12	/coupler	\$16.00
CPFE12SI	12	Flared End	\$252.00
CPDP15SI	15	Per foot	\$11.05
CPC15SI	15	/coupler	\$26.65
CPFE15SI	15	Flared End	\$252.00
CPDP18SI	18	Per foot	\$14.95
CPC18SI	18	/coupler	\$45.40
CPFE18SI	18	Flared End	\$339.00
CPDP24SI	24	Per foot	\$23.50
CPC24SI	24	/coupler	\$64.00
CPFE24SI	24	Flared End	\$435.00
CPDP30SI	30	Per foot	\$36.50
CPC30SI	30	/coupler	\$149.00
CPFE30SI	30	Flared End	\$1,058.00
CPDP36SI	36	Per foot	\$46.00
CPC36SI	36	/coupler	\$207.00
CPFE36SI	36	Flared End	\$1,120.00
CPDP42SI	42	Per foot	\$70.75
CPC42SI	42	/coupler	\$303.00
CPDP48SI	48	Per foot	\$81.50
CPC48SI	48	/coupler	\$356.00

**Category II Integral Bell Joint**

CPDPSL12	12	Per foot	\$8.02
CPSCP12	12	Split Coupler	\$16.00
CPDPSL15	15	Per foot	\$11.15
CPSCP15	15	Split Coupler	\$26.65
CPDPSL18	18	Per foot	\$15.10
CPSCP18	18	Split Coupler	\$45.40
CPDPSL24	24	Per foot	\$23.95
CPSCP24	24	Split Coupler	\$64.00
CPDPSL30	30	Per foot	\$36.80
CPSCP30	30	Split Coupler	\$149.00
CPDPSL36	36	Per foot	\$46.50
CPSCP36	36	Split Coupler	\$207.00
CPDPSL42	42	Per foot	\$71.00
CPSCP42	42	Split Coupler	\$303.00
CPDPSL48	48	Per foot	\$82.00
CPSCP48	48	Split Coupler	\$356.00



JAMESTOWN MACADAM, INC.  
 1801 Washington Street  
 Jamestown, New York 14701

**Plastic & Polyethylene Corrugated Drainage Pipe Or Tubing**

<u>Index No.</u>	<u>Diameter</u>	<u>Description</u>	<u>2022 Rate</u>
CPDP4	4	Per foot	\$0.65
CPC4	4	/coupler	\$1.75
CPDP6	6	Per foot	\$1.62
CPC6	6	/coupler	\$5.41
CPDP8	8	Per foot	\$2.94
CPC8	8	/coupler	\$8.27
CPC10	10	/coupler	\$13.23

**Polyethylene Corrugated High Capacity Smooth Interior Pipe**

CPDP12SI	12	Per foot	\$6.90
CPC12SI	12	/coupler	\$11.76
CPFE12SI	12	Flared End	\$179.00
CPDP15SI	15	Per foot	\$9.23
CPC15SI	15	/coupler	\$17.64
CPFE15SI	15	Flared End	\$179.00
CPDP18SI	18	Per foot	\$13.50
CPC18SI	18	/coupler	\$24.79
CPFE18SI	18	Flared End	\$233.00
CPDP24SI	24	Per foot	\$21.08
CPC24SI	24	/coupler	\$43.27
CPFE24SI	24	Flared End	\$299.00
CPDP30SI	30	Per foot	\$31.80
CPC30SI	30	/coupler	\$69.78
CPFE30SI	30	Flared End	\$915.00
CPDP36SI	36	Per foot	\$41.39
CPC36SI	36	/coupler	\$69.78
CPFE36SI	36	Flared End	\$915.00
CPDP42SI	42	Per foot	\$56.17
CPDP48SI	48	Per foot	\$68.17

**Category II Integral Bell Joint**

CPDPSL12	12	Per foot	\$7.49
CPSCP12	12	Split Coupler	\$11.76
CPBCP12	12	Bell Coupler	\$43.12
CPDPSL15	15	Per foot	\$9.78
CPSCP15	15	Split Coupler	\$17.64
CPBCP15	15	Bell Coupler	\$54.88
CPDPSL18	18	Per foot	\$14.10
CPSCP18	18	Split Coupler	\$24.79
CPBCP18	18	Bell Coupler	\$66.64
CPDPSL24	24	Per foot	\$22.10
CPSCP24	24	Split Coupler	\$43.27
CPBCP24	24	Bell Coupler	\$151.90
CPDPSL30	30	Per foot	\$33.55
CPSCP30	30	Split Coupler	\$69.78
CPBCP30	30	Bell Coupler	\$166.60
CPDPSL36	36	Per foot	\$43.18

CPSCP36	36	Split Coupler	\$69.78
CPBCP36	36	Bell Coupler	\$215.60
CPDPSL42	42	Per foot	\$58.26
CPDPSL48	48	Per foot	\$73.31

now, therefore, be it

RESOLVED, that the Commissioner of Public Works is authorized to contract for plastic and polyethylene corrugated drainage pipe with Advanced Drainage Systems, Inc., as recommended by the Public Works Committee for the term May 1, 2022 through April 30, 2023, and be it further

RESOLVED, that the Commissioner of Public Works is authorized to contract for plastic and polyethylene corrugated drainage pipe with Jamestown Macadam, Inc., as recommended by the Public Works Committee for the term May 1, 2022 through April 30, 2023, and be it further

RESOLVED, that any county, city, village, town, school, or fire district in Cattaraugus County may participate in the bid prices by dealing directly with the bidder, and be it further

RESOLVED, that the County of Cattaraugus reserves the right to make purchases of the aforementioned items at any time during the term for which the bids are taken and to require suitable bond to guarantee delivery.

State Bid. Prices will be compared with the prices on State Contract and be purchased from the source most beneficial to the County.

Six sets of specifications were sent out.

Two bids were received which met specifications.

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

Adopted April 27, 2022 by voice vote.

**ACT NO. 187-2022** by Mr. Benson and Mr. Helmich

**BID ACCEPTANCE FOR STEEL CORRUGATED PIPE AND PIPE ARCHES  
(Department of Public Works)**

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

WHEREAS, the Clerk of the Legislature was authorized to advertise for sealed bids for the provision of steel corrugated pipe and pipe arches, according to specifications provided by the Public Works Committee, and

WHEREAS, the only bid received for the provision of steel corrugated pipe and pipe arches was submitted by Chemung Supply Corp., P.O. Box 527, Elmira, New York 13901, as follows:

**Round Corrugated Steel Pipe And Pipe Arches  
Perforated Plain Galvanized, Corrugated Steel Pipe Underdrain**

<u>Index No.</u>	<u>Diameter</u>	<u>Description</u>	<u>2022 Rate</u>
CMDP6	6	(18 ga.) per linear foot	\$15.73
CMDP8	8	(16 ga.) per linear foot	\$21.16
CMDP10	10	(16 ga.) per linear foot	\$22.72

CMC1012	10	12" connect. band	\$23.28
CMFE10	10	Flared End	\$441.32
CMDP12	12	(16 ga.) per linear foot	\$22.37
CMC1212	12	12" connect. band	\$22.37
CMC1224	12	24" connect. band	\$44.77
CMFE12	12	Flared End	\$208.96
CMDP15	15	(16 ga.) per linear foot	\$27.11
CMC1512	15	12" connect. band	\$27.11
CMC1524	15	24" connect. band	\$54.23
CMFE15	15	Flared End	\$259.60
CMDP18	18	(16 ga.) per linear foot	\$34.30
CMC1812	18	12" connect. band	\$34.30
CMC1824	18	24" connect. band	\$68.62
CMFE18	18	Flared End	\$332.15

**Round Corrugated Steel Pipe & Pipe Arches Class II**

CMDP21	21	(16 ga.) per linear foot	\$40.21
CMC2112	21	12" connect. band	\$40.21
CMC2124	21	24" connect. band	\$68.62
CMFE21	21	Flared End	\$430.61
CMDP24	24	(14 ga.) per linear foot	\$53.29
CMC2412	24	12" connect. band	\$53.29
CMC2424	24	24" connect. band	\$106.59
CMFE24	24	Flared End	\$481.50
CMDP30	30	(14 ga.) per linear foot	\$69.17
CMC3012	30	12" connect. band	\$69.17
CMC3024	30	24" connect. band	\$138.25
CMFE30	30	Flared End	\$911.98
CMDP36	36	(12 ga.) per linear foot	\$110.60
CMC3612	36	12" connect. band	\$110.60
CMC3624	36	24" connect. band	\$221.22
CMFE36	36	Flared End	\$1,214.74
CMDP42	42	(12 ga.) per linear foot	\$128.96
CMC4212	42	12" connect. band	\$128.96
CMC4224	42	24" connect. band	\$260.03
CMFE42	42	Flared End	\$2,082.65
CMDP48	48	(12 ga.) per linear foot	\$145.54
CMC4812	48	12" connect. band	\$145.54
CMC4824	48	24" connect. band	\$291.08
CMFE48	48	Flared End	\$2,536.44
CMDP60	60	(10 ga.) per linear foot	\$272.71
MC6012	60	12" connect. band	\$340.89
CMC6024	60	24" connect. band	\$681.77
CMFE60	60	Flared End	\$4,342.67
CMDP72	72	(10 ga.) per linear foot	\$310.59
CMC7212	72	12" connect. band	\$853.65
CMC7224	72	24" connect. band	\$1,242.00
CMFE72	72	Flared End	\$6,119.15
CMDP84	84	(8 ga.) per linear foot	\$426.77

CMC8412	84	12" connect. band	\$853.56
CMC8424	84	24" connect. band	\$1,691.60
CMFE84	84	Flared End	\$7,080.95

**Fully Bituminous Coated w/o Pavement Helically Corrugated Pipe Arch  
w/Rerolled Ends**

CMDP3524	35" x 24"	Per linear foot	\$147.64
CMSC3524		24" connect. band	\$295.09
CMDP4229	42" x 29"	Per linear foot	\$223.12
CMSC4229		24" connect. band	\$446.24
CMDP4933	49" x 33"	Per linear foot	\$278.39
CMSC4933		24" connect. band	\$600.28
CMDP5738	57" x 38"	Per linear foot	\$300.13
CMSC5738		24" connect. band	\$600.28
CMDP6443	64" x 43"	Per linear foot	\$488.70
CMSC6443		24" connect. band	\$1,221.78
CMDP7147	71" x 47"	Per linear foot	\$512.01
CMSC7147		24" connect. band	\$1,280.03
CMDP7752	77" x 52"	Per linear foot	\$700.55
CMSC7752		24" connect. band	\$2,802.26
CMDP8357	83" x 57"	Per linear foot	\$774.79
CMSC8357		24" connect. band	\$3,387.90

now, therefore, be it

RESOLVED, that the Commissioner of Public Works is authorized to contract for steel corrugated pipe and pipe arches with Chemung Supply Corp., as recommended by the Public Works Committee for the term May 1, 2022 through April 30, 2023, and be it further

RESOLVED, that any county, city, village, town, school, or fire district in Cattaraugus County may participate in the bid prices by dealing directly with the bidder, and be it further

RESOLVED, that the County of Cattaraugus reserves the right to make purchases of the aforementioned items at any time during the term for which the bids are taken and to require suitable bond to guarantee delivery.

State Bid. Prices will be compared with the prices on State Contract and be purchased from the source most beneficial to the County.

Three sets of specifications were sent out.

One bid was received which met specifications.

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

Adopted April 27, 2022 by voice vote.

**ACT NO. 188-2022** by Mr. Benson and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH  
GREENMAN-PEDERSEN, INC. FOR CONSTRUCTION INSPECTION SERVICES  
FOR NEW ALBION BRIDGE NO. 35 FEDERAL-AID REPLACEMENT PROJECT  
AND ADJUSTING VARIOUS APPROPRIATION ACCOUNTS  
(Tannery Street Bridge)**

Pursuant to Section 131-b of the Highway Law and  
Sections 363, 366 and 450 of the County Law.

WHEREAS, Act 516-2019, as amended by Acts 412-2020, 504-2020 and 399-2021, authorized a contract with Greenman-Pedersen, Inc., 4950 Genesee Street, Suite 100, Buffalo, New York 14225, for the provision of construction inspection services for the New Albion Bridge No. 35 federal-aid replacement project, located on Tannery Street over Tributary South Branch Cattaraugus Creek, BIN 3-32281-0, in the Town of New Albion, the term of which expires June 30, 2022, and

WHEREAS, additional services are necessary in order to complete the aforementioned project and cover the cost for work completed by subcontractor Earth Dimensions, Inc., and

WHEREAS, Greenman-Pedersen, Inc., can provide supplemental construction inspection services, construction contract administration and SWPPP inspections from May 2021 to the projected project completion in April 2022 for an additional amount of \$94,000.00, and

WHEREAS, a contract amendment is necessary in order to include the aforementioned additional services, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute an amended contract, on behalf of Cattaraugus County, with Greenman-Pedersen, Inc., for the provision of the above-described additional services for the construction phase of the above-described replacement project, to amend the original contract which commenced upon execution of the contract and now terminates June 30, 2022, according to the above-described terms, and be it further

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

Decrease Appropriation Accounts:

H.504.5197.5198.25092.41603	Hinsdale Bridge No. 62-Contracted Services	\$ 97,121.32
-----------------------------	--	--------------

H.504.5197.5195.25027.41603	Leon Bridge No. 7-Contracted Services	\$ 22,878.68
-----------------------------	---------------------------------------	--------------

Increase Appropriation Account:

H.504.5197.5195.25019.41603	New Albion Bridge No. 35-Contracted Services	\$120,000.00.
-----------------------------	--	---------------

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

Adopted April 27, 2022 by voice vote.

**ACT NO. 189-2022** by Mr. Benson and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH  
GHD FOR FARWELL LANDFILL LEACHATE GENERATION EVALUATION SERVICES**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 539-2020 authorized a contract with GHD, 285 Delaware Avenue, Suite 500, Buffalo, New York 14202, for the provision of a preliminary evaluation of the leachate generation at the Farwell Landfill, the term of which expired December 31, 2021, and

WHEREAS, the County Department of Public Works is in need of services for the evaluation of both temporary and permanent improvements for the western portion of the Farwell Landfill, and

WHEREAS, GHD can provide the aforementioned evaluation at the Farwell Landfill for an amount not to exceed \$19,300.00, to be paid as invoiced, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute an amended contract, on behalf of Cattaraugus County, with GHD, to include evaluation for both temporary and permanent improvements for the western portion of the Farwell Landfill, to amend the contract which commenced January 1, 2021 to terminate December 31, 2022, according to the above-described terms.

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

Adopted April 27, 2022 by voice vote.

**ACT NO. 190-2022** by Mr. Benson and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
MDA CONSULTING ENGINEERS, PLLC FOR  
ENGINEERING SERVICES FOR DEPARTMENT OF NURSING HOMES PAVILION DESIGN**

Pursuant to Section 450 of the County Law.

WHEREAS, the County is desirous of building two (2) pavilions at The Pines Healthcare and Rehabilitation Center-Olean Campus, and

WHEREAS, MDA Consulting Engineers, PLLC, P.O. Box 604, Three Bristol Lane, Ellicottville, New York 14731, can provide the engineering design services necessary for public bidding and construction of the two (2) pavilions for an amount not to exceed \$8,500.00, which includes reimbursable expenses, to be paid as invoiced, and

WHEREAS, sufficient funds are included in the budget to cover the cost of the aforementioned engineering design 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 MDA Consulting Engineers, PLLC, for the provision of the above-described engineering design services, for a term commencing April 27, 2022 and terminating December 31, 2022, according to the above-described terms.

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

Adopted April 27, 2022 by voice vote.

**ACT NO. 191-2022** by Mrs. Andreano and Mr. Helmich

**ADJUSTING VARIOUS APPROPRIATION ACCOUNTS FOR  
PURCHASE OF VACCINES  
(The Pines Healthcare and Rehabilitation Center-Machias Campus)**

Pursuant to Sections 363 and 366 of the County Law.

WHEREAS, various appropriation accounts must be adjusted to purchase Prevnar vaccines for the Department of Nursing Homes Machias Campus, now, therefore, be it

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

Decrease Appropriation Account:

EI.453.4530.6020.47035	Medical Supplies	\$15,000.00
------------------------	------------------	-------------

Increase Appropriation Account:

EI.453.4530.7270.47041.06	Vaccines Other Treatments	\$15,000.00.
---------------------------	---------------------------	--------------

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

Adopted April 27, 2022 by voice vote.

**ACT NO. 192-2022** by Mrs. Andreano and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE LEASE AGREEMENT WITH  
CREEKSIDE CHAPEL FOR 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 475-2021 authorized a lease agreement with Intandem d/b/a Cattaraugus Rehabilitation Center, Inc., for the County Department of Aging Senior Wellness and Nutrition (SWAN) Program site located in Allegany, and

WHEREAS, the County Department of Aging is desirous of terminating the aforementioned lease with Intandem effective April 30, 2022, and

WHEREAS, effective May 1, 2022, the County shall lease space from Creekside Chapel, 2523 Five Mile Road, Allegany, New York 14706, for the Allegany SWAN site, for an amount of \$300.00 per month, and

WHEREAS, this program is 96% 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 a lease agreement, on behalf of Cattaraugus County, with Creekside Chapel, for the leasing of the Allegany Senior Wellness and Nutrition Program site, for a term commencing May 1, 2022 and terminating December 31, 2022, according to the above-described terms, and be it further

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

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

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

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

Adopted April 27, 2022 by voice vote.

**ACT NO. 193-2022** by Mrs. Andreano and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE LEASE AGREEMENT  
WITH SALAMANCA INDUSTRIAL DEVELOPMENT AGENCY FOR  
DEPARTMENT OF COMMUNITY SERVICES OFFICE SPACE**

Pursuant to Sections 215 and 450 of the County Law.

WHEREAS, Act 441-2013 authorized a lease agreement with the City of Salamanca for 3,192 square feet of space located at 117½ Main Street in the City of Salamanca, the term of which expired March 31, 2022, and

WHEREAS, the County is desirous of renewing the above-described lease for a term of three (3) years, with the option to renew for additional three (3) year terms thereafter, and

WHEREAS, the Salamanca Industrial Development Agency, 225 Wildwood Avenue, Salamanca, New York 14779, has agreed to lease 3,192 square feet of space located at 117½ Main Street in the City of Salamanca for an amount of \$34,524.00 per year for 2022, 2023 and 2024, payable in equal monthly installments of \$2,877.00, and

WHEREAS, the annual amount shall increase 3% at the beginning of each three (3) year renewal term of the lease, and

WHEREAS, it is in the best interests of the County to enter into the aforementioned lease agreement with the Salamanca Industrial Development Agency, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a lease agreement, on behalf of Cattaraugus County, with the Salamanca Industrial Development Agency, for the lease of office space, for a term commencing April 1, 2022 and terminating March 31, 2025, with the option of the County to renew for three (3) year terms thereafter under the same rates, terms and conditions as contained in the lease, according to the above-described terms.



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

Adopted April 27, 2022 by voice vote.

**ACT NO. 194-2022** by Mrs. Andreano and Mr. Helmich

**APPROVING CONTRACT BETWEEN  
CATTARAUGUS COUNTY COMMUNITY SERVICES BOARD AND  
CASA-TRINITY, INC. FOR  
DEPARTMENT OF COMMUNITY SERVICES  
SUBSTANCE ABUSE PROGRAM FUNDS**

Pursuant to Articles 1, 19, 23 and 25 of the Mental Hygiene Law  
and Section 450 of the County Law.

WHEREAS, Act 56-2022 authorized approval of a contract with Council on Addiction Recovery Services, Inc. (CAREs), for the provision of a substance abuse program in the County, the term of which expires December 31, 2022, and

WHEREAS, effective April 1, 2022, CAREs became a wholly-owned subsidiary of CASA-Trinity, Inc., 4612 Millennium Drive, Geneseo, New York 14454, and

WHEREAS, as a subsidiary of CASA-Trinity, Inc., CAREs will continue to provide the high quality, accessible and effective prevention, education, treatment, referral and recovery services to individuals, families and communities affected by alcohol, tobacco and other drugs, and

WHEREAS, New York State has approved a substance abuse program in Cattaraugus County in a total amount not to exceed \$1,817,236.00 for the period January 1, 2022 through December 31, 2022, or in such amount as approved by the State, which includes the net County cost of \$26,900.00, and

WHEREAS, the contracts currently in place between the County and CAREs will be assigned to CASA-Trinity, Inc., with all terms and conditions of the contracts to be honored by CASA-Trinity, Inc., now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute contract documents, between the Cattaraugus County Community Services Board and CASA-Trinity, Inc., to signify the County's approval, for the provision of the above-described services, for a term commencing April 1, 2022 and terminating December 31, 2022, according to the above-described terms, and be it further

RESOLVED, that the Chair of the Legislature be, and hereby is, further authorized and directed to execute contract amendments, upon notification of award, for the allocation of additional state aid funding or cost of living adjustments (COLAs) for this program, 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 April 27, 2022 by voice vote.

**ACT NO. 195-2022** by Mr. Higgins and Mr. Marsh

**AUTHORIZING THE CHAIR TO EXECUTE GRANT APPLICATION AND  
CONTRACT WITH DEFENSE LOGISTICS AGENCY FOR  
PROCUREMENT TECHNICAL ASSISTANCE PROGRAM AND  
RESCINDING ACT 346-2021**

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

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

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

WHEREAS, it is estimated that the project cost will not exceed \$181,205.00, of which Cattaraugus County's share will not exceed \$36,242.00, and

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

WHEREAS, this program is 80% federally funded (CFDA #12.002) and 20% County funded, plus in-kind contributions, and sufficient funds are included in the budget to cover the County's cost of the aforementioned program, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a grant application and contract, on behalf of Cattaraugus County, with the Defense Logistics Agency in order to secure funding for the continuation of the Procurement Technical Assistance Program, and be it further

RESOLVED, that the Procurement Technical Assistance Program will commence July 1, 2022 and terminate June 30, 2023, and be it further

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

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

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

RESOLVED, that Act 346-2021 be, and hereby is, rescinded.

Approved by 7 members of the Finance Committee and 6 members of the Development and Agriculture Committee.

Adopted April 27, 2022 by voice vote.

**ACT NO. 196-2022** by Mr. Boberg and Mr. Klancer

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACTS  
WITH CASA-TRINITY, INC. FOR  
HEALTHY CATTARAUGUS COUNTY: A DRUG FREE COALITION PROGRAM  
(Sheriff's Office)**

Pursuant to Section 450 of the County Law.

WHEREAS, Act Nos. 365-2020 and 366-2020 authorized the following two (2) contracts with Council on Addiction Recovery Services, Inc. (CAREs), for the provision of the Healthy Cattaraugus County: A Drug Free Coalition Program, under the Drug Free Communities Grant and the STOP ACT Grant, and

WHEREAS, effective April 1, 2022, CAREs became a wholly-owned subsidiary of CASA-Trinity, Inc., 4612 Millennium Drive, Geneseo, New York 14454, and

WHEREAS, as a subsidiary of CASA-Trinity, Inc., CAREs will continue to provide the high quality, accessible and effective prevention, education, treatment, referral and recovery services to individuals, families and communities affected by alcohol, tobacco and other drugs, and

WHEREAS, the contracts currently in place between the County and CAREs will be assigned to CASA-Trinity, Inc., with all terms and conditions of the contracts to be honored by CASA-Trinity, Inc., now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract document, on behalf of Cattaraugus County, with CASA-Trinity, Inc., for the provision of the Drug Free Communities Grant services, for a term commencing April 1, 2022 and terminating October 30, 2024, according to the above-described terms, and be it further

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract document, on behalf of Cattaraugus County, with CASA-Trinity, Inc., for the provision of the STOP ACT Grant services, for a term commencing April 1, 2022 and terminating April 29, 2024, according to the above-described terms, and be it further

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

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

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

Approved by 7 members of the Finance Committee and 6 members of the County Operations/ Public Safety Committee.

Adopted April 27, 2022 by voice vote.

**ACT NO. 197-2022** by Mr. Boberg and Mr. Klancer

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACTS  
WITH CASA-TRINITY, INC. FOR  
HEALTHY CATTARAUGUS COUNTY: A DRUG FREE COALITION PROGRAM  
(Probation Department)**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 267-2020 authorized the following two (2) contracts with Council on Addiction Recovery Services, Inc. (CAREs), for the provision of the Healthy Cattaraugus County: A Drug Free Coalition Program, the terms of which expire October 30, 2024:

Drug Free Communities Grant, and  
STOP ACT Grant,

and

WHEREAS, effective April 1, 2022, CAREs became a wholly-owned subsidiary of CASA-Trinity, Inc., 4612 Millennium Drive, Geneseo, New York 14454, and

WHEREAS, as a subsidiary of CASA-Trinity, Inc., CAREs will continue to provide the high quality, accessible and effective prevention, education, treatment, referral and recovery services to individuals, families and communities affected by alcohol, tobacco and other drugs, and

WHEREAS, the contracts currently in place between the County and CAREs will be assigned to CASA-Trinity, Inc., with all terms and conditions of the contracts to be honored by CASA-Trinity, Inc., now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute contract documents, on behalf of Cattaraugus County, with CASA-Trinity, Inc., for the provision of the above-described services, for a term commencing April 1, 2022 and terminating October 30, 2024, according to the above-described terms, and be it further

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

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

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

Approved by 7 members of the Finance Committee and 6 members of the County Operations/  
Public Safety Committee.

Adopted April 27, 2022 by voice vote.

\* \* \* \* \*

MR. KLANCER moved, seconded by Mr. Koch, to waive Rule 12, pursuant to Rule 33.1, regarding Act No. 198-2022 through Act No. 209-2022. Carried.

\* \* \* \* \*

**ACT NO. 198-2022** by Mr. Benson and Mr. Helmich  
who ask immediate consideration

**BID ACCEPTANCE FOR HIGHWAY SIGNS  
(Department of Public Works)**

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

RESOLVED, that the Commissioner of Public Works is authorized to contract for the purchase of highway signs with the bidder recommended by the Public Works Committee for the season May 1, 2022 through April 30, 2023, and be it further

RESOLVED, that any city, village, town, school or fire district in Cattaraugus County may participate in the bid prices by dealing directly with the bidder, and be it further

RESOLVED, that the County of Cattaraugus reserves the right to make purchases of all materials at any time during the season for which the bids are taken, and be it further

RESOLVED, the only bid received for highway signs was submitted by Lightle Enterprises of Ohio, LLC, 22 East Springfield Street, Frankfort, Ohio 45628, as follows:

Description	Price Per Square Foot	Rate
<b>New Domestic 0.080 inch thick 5052-H38 Alodized Aluminum:</b>		
Blank Aluminum		\$5.30
48" x 96" sheet, blank (no holes)		\$166.40
<b>Signs:</b>		
3M Prismatic High Intensity Grade Aluminum 1 side w/Legend 1 color		\$7.95
3M Prismatic High Intensity Grade Aluminum 1 side w/Legend 2 color		\$8.10
Scotchlite Diamond Grade Aluminum 1 side w/Legend 1 color		\$9.20
Scotchlite Diamond Grade Aluminum 1 side w/Legend 2 color		\$9.30
Scotchlite Diamond Grade Fluorescent Aluminum 1 side w/Legend 1 color		\$9.20
Scotchlite Diamond Grade Fluorescent Aluminum 1 side w/Legend 2 color		\$9.30
6"x12" Delineators, Reflectorized, Double Sided on Aluminum Engineer Grade		\$3.98

No State Bid.

Fourteen sets of specifications were set out.

One bid was received which met specifications.

Adopted April 27, 2022 by voice vote.

**ACT NO. 199-2022** by Mr. Benson and Mr. Helmich  
who ask immediate consideration

**BID ACCEPTANCE AND AUTHORIZING THE CHAIR TO  
EXECUTE CONTRACT FOR SALE OF TIMBER  
(Bucktooth Softwoods Timber Sale - Town of Little Valley)**

Pursuant to Sections 219 and 450 of the County Law.

WHEREAS, the Clerk of the Legislature was authorized to advertise for sealed bids for the sale of softwoods timber on County-owned property located on Bucktooth Run Road in the Town of Little Valley, according to specifications provided by Generations Forestry, and

WHEREAS, the highest bid received meeting specifications for the sale of marked timber from the aforementioned property was the bid of Wadsworth Logging, Inc., P.O. Box 177, Northville, New York 12134, in the amount of \$65,000.00, and

WHEREAS, Wadsworth Logging, Inc., shall pay to the County 50% at the closing of the Timber Sale contract and 50% by August 1, 2022, and

WHEREAS, Generations Forestry, the County's Forest Manager, has indicated that the price offered is fair and reasonable and should therefore be accepted, and

WHEREAS, Wadsworth Logging, Inc., will complete the harvest and cleanup/restoration of the property by April 30, 2024, now, therefore, be it

RESOLVED, that the bid of Wadsworth Logging, Inc., be, and the same hereby is, accepted, and be it further

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Wadsworth Logging, Inc., for the above-described sale of timber.

50 sets of specifications were sent out.

5 bids were received meeting specifications.

Adopted April 27, 2022 by voice vote.

**ACT NO. 200-2022** by Mr. Benson and Mr. Helmich  
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT EXTENSION WITH  
GREENMAN-PEDERSEN, INC. FOR CONSTRUCTION ADMINISTRATION AND  
CONSTRUCTION INSPECTION SERVICES FOR  
LEON BRIDGE NO. 8 FEDERAL-AID REPLACEMENT PROJECT**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 292-2020 authorized a contract with Greenman-Pedersen, Inc., 4950 Genesee Street, Suite 100, Buffalo, New York 14225, for the provision of construction administration and construction inspection services for the Leon Bridge No. 8 Federal-Aid Replacement Project, located on Leon-New Albion Road (County Road No. 6) over Mud Creek, in the Town of Leon, the term of which expired December 31, 2021, and

WHEREAS, it is necessary to extend the term of the aforementioned contract in order to allow additional time to complete the aforementioned project, and

WHEREAS, Greenman-Pedersen, Inc., has agreed to complete the aforementioned project by December 31, 2022, at no additional cost to the County, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract extension, on behalf of Cattaraugus County, with Greenman-Pedersen, Inc., for the provision of the above-described construction administration and inspection services, to extend the term of the original contract which was dated August 14, 2020 to terminate December 31, 2022, according to the above-described terms.

Adopted April 27, 2022 by voice vote.

**ACT NO. 201-2022** by Mr. Boberg and Mr. Klancer  
who ask immediate consideration

**CREATING ONE (1) FULL-TIME POSITION OF DEPUTY SHERIFF IN  
THE SHERIFF'S OFFICE, ESTABLISHING COMPENSATION FOR THE SAME  
AND ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS  
(Sheriff's Office)**

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

WHEREAS, the Portville Central School District has requested the Sheriff's Office provide a resource officer for their district, and

WHEREAS, the Portville Central School District will provide funding for this position in terms of wages, benefit costs and supplies at no cost to the County, and

WHEREAS, a New Position Duties Statement has been submitted to the Cattaraugus County Personnel Officer, who has approved the title as Deputy Sheriff in accordance with Civil Service Law Section 22, and

WHEREAS, various appropriation and revenue accounts must be adjusted to accommodate the aforementioned position, now, therefore, be it

RESOLVED, that effective July 1, 2022, there is hereby created one (1) position of Deputy Sheriff to be filled on a full-time basis, Cattaraugus County Deputy Sheriff Association, Pay Grade 23 (\$24.68 per hour), Position No. 311-097-106, and be it further

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

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

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

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

Increase Estimated Revenue Account:

A.311.3218.3225.2260.03	Portville School District SRO Contract	\$56,161.00
-------------------------	--	-------------

## Increase Appropriation Accounts:

A.311.3218.3225.11000	Full Time Wages	\$32,000.00
A.311.3218.3225.13000	Overtime	\$ 1,000.00
A.311.3218.3225.14000	Pay-in-Lieu of Benefit Hours	\$ 1,214.00
A.311.3218.3225.46106	Training	\$ 750.00
A.311.3218.3225.46111	Uniforms and Personal Equipment	\$ 865.00
A.311.3218.3225.81000	FICA	\$ 2,601.00
A.311.3218.3225.82000	Retirement	\$ 6,834.00
A.311.3218.3225.83000	Health Insurance	\$10,897.00.

Adopted April 27, 2022 by voice vote.

**ACT NO. 202-2022** by Mr. Boberg and Mr. Klancer  
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH  
PORTVILLE CENTRAL SCHOOL DISTRICT  
FOR SCHOOL RESOURCE OFFICER PROGRAM**

Pursuant to Section 450 of the County Law.

WHEREAS, the Portville Central School District is desirous of participating in the School Resource Officer ("SRO") Program by having a school resource officer placed in its facility, and

WHEREAS, the SRO Program is designed to provide education, law enforcement and counseling to high school students and to encourage youths not to abuse drugs or alcohol, and to promote living a safe, law abiding, successful life, and

WHEREAS, the Cattaraugus County Sheriff's Office has agreed to assign a law enforcement officer to the Portville Central School District at no cost to the County, and

WHEREAS, the Portville Central School District has agreed to pay to the Sheriff's Office the actual cost of one (1) full-time school resource officer, which shall include all wages and fringe benefits, and the costs associated with training and uniforms, and

WHEREAS, the Portville Central School District shall provide a vehicle for SRO-related business and shall be responsible for all operational costs related to such vehicle, the use of which will be devoted to SRO-related business under the contract hereby authorized, including, but not limited to, tires, maintenance, fuel and repairs, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with the Portville Central School District, for participation in the School Resource Officer Program, for a term commencing July 1, 2022 and terminating June 30, 2023, with the option to renew for successive one-year terms under the same terms and conditions, according to the above-described terms, and be it further

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

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



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

Adopted April 27, 2022 by voice vote.

**ACT NO. 203-2022** by Mrs. Andreano  
who asks immediate consideration

**CREATING ONE (1) FULL-TIME POSITION OF NUTRITION PROGRAM ASSISTANT I, ONE (1) FULL-TIME POSITION OF WIC NUTRITIONIST, AND ONE (1) PART-TIME POSITION OF WIC PEER COUNSELOR IN THE HEALTH DEPARTMENT, ESTABLISHING COMPENSATION FOR THE SAME AND ADJUSTING VARIOUS APPROPRIATION ACCOUNTS  
(Health Department)**

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

WHEREAS, the Health Department is in need of a nutrition program assistant, a nutritionist and a peer counselor for its Women Infant and Children (WIC) Program, and

WHEREAS, there is currently insufficient staff to provide these services to the community,  
and

WHEREAS, a New Position Duties Statement has been submitted to the Cattaraugus County Personnel Officer, who has approved the title of Nutrition Program Assistant I in accordance with Civil Service Law Section 22, and

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

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

WHEREAS, these positions are 100% funded through the WIC Program, however, various appropriation accounts must be adjusted, now, therefore, be it

RESOLVED, that effective April 20, 2022, there is hereby created one (1) position of Nutrition Program Assistant I to be filled on a full-time basis in the Health Department in the General Bargaining Unit, Pay Grade 14 (\$22.95 per hour), Position No. 401-226-001, and be it further

RESOLVED, that effective April 20, 2022, there is hereby created one (1) position of WIC Nutritionist to be filled on a full-time basis in the Health Department in the General Bargaining Unit, Pay Grade 24 (\$31.17 per hour), Position No. 401-409-001, and be it further

RESOLVED, that effective April 20, 2022, there is hereby created one (1) position of WIC Peer Counselor to be filled on a part-time basis in the Health Department in the Part-Time Bargaining Unit, Pay Grade 13 (\$17.45 per hour), Position No. 401-410-001, and be it further

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

## Decrease Appropriation Accounts:

A.401.4082.0000.41605.03	Contracted Peer Counselors	\$ 7,930.79
A.401.4082.0000.41225	Contracted Nutritionist	\$46,447.23
A.401.4082.0000.41605.04	Contracted Program Aides	\$35,564.14

## Increase Appropriation Accounts:

A.401.4082.0000.11000	Full Time Wages	\$60,625.60
A.401.4082.0000.12000	Part Time Wages	\$ 6,700.80
A.401.4082.0000.81000	FICA	\$ 5,151.00
A.401.4082.0000.82000	Retirement	\$ 7,203.92
A.401.4082.0000.83000	Health Insurance	\$ 9,986.67
A.401.4082.0000.84000	Dental	\$ 274.17,

and be it further

RESOLVED, that upon termination of either state or federal funding for this program, then these positions shall be automatically abolished.

Adopted April 27, 2022 by voice vote.

**ACT NO. 204-2022** by Mrs. Andreano and Mr. Helmich  
who ask immediate consideration

**AMENDING ACT 135-2022 REGARDING CONTRACT WITH  
HOUSING OPTIONS MADE EASY, INC. D/B/A  
RECOVERY OPTIONS MADE EASY, INC. FOR  
PEER SPECIALISTS FOR THE MENTAL HEALTH CLINIC AND  
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS  
(Department of Community Services)**

Pursuant to Section 41.07 of the Mental Hygiene Law,  
Section 520A of Public Health Service Act and  
Sections 363, 366 and 450 of the County Law.

WHEREAS, Act 135-2022 authorized a contract with Housing Options Made Easy, Inc., d/b/a Recovery Options Made Easy, Inc., 75 Jamestown Street, Gowanda, New York 14070, for the provision of (1) full-time Crisis Peer and one (1) full-time Clinic Peer for the Olean Mental Health Clinic, along with, and including, SAMSHA grant services, the term of which expires December 31, 2022, and

WHEREAS, Recovery Options Made Easy, Inc., has requested an increase in the contract amount from \$98,320.00 to \$118,709.00, and

WHEREAS, Act 135-2022 should be amended to reflect the revised contract amount, and

WHEREAS, this program is 100% federally funded (CFDA #93.958), and

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

RESOLVED, that Act 135-2022 be, and hereby is, amended as follows: In the Fourth Whereas, delete: "\$98,320.00", and replace with: "\$118,709.00", and be it further

RESOLVED, that Act 135-2022 be, and hereby is, further amended as follows: In the Sixth Resolved, make the following changes:

- delete: "\$92,820.00", and replace with: "\$113,209.00",
- delete: "\$84,382.00", and replace with: "\$96,548.00", and
- delete: "\$8,438.00", and replace with: "\$16,661.00".

Adopted April 27, 2022 by voice vote.

**ACT NO. 205-2022** by Mrs. Andreano and Mr. Helmich  
who ask immediate consideration

**APPROVING AMENDED CONTRACT BETWEEN CATTARAUGUS COUNTY COMMUNITY SERVICES BOARD AND JAMESTOWN PSYCHIATRIC, P.C. FOR DEPARTMENT OF COMMUNITY SERVICES NURSING AND PSYCHIATRIC SERVICES FOR MENTAL HEALTH CLINIC & PROS PROGRAM AND ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS (Department of Community Services)**

Pursuant to Section 41.13(a)(6) of the Mental Hygiene Law and Sections 363, 366 and 450 of the County Law.

WHEREAS, Act 523-2021, as amended by Act 143-2022, authorized a contract with Jamestown Psychiatric, P.C., 305 East Fairmount Avenue, Lakewood, New York 14750, for the provision of nursing and psychiatric services for the Department of Community Services Mental Health Clinic and PROS Program, the term of which expires December 31, 2022, and

WHEREAS, due to an increased need and the shortage of the availability of psychiatric services, the Cattaraugus County Community Services Board is desirous of increasing the amount of hours for the allied health professional in the Clinic to 3,440, and

WHEREAS, in addition to the staff that Jamestown Psychiatric, P.C., is currently providing, effective May 1, 2022, Jamestown Psychiatric, P.C. shall provide 3,440 hours of direct care through an allied health professional in the Clinic for an amount of \$157,680.00, for a total contract amount not to exceed \$983,057.00, to be paid on a monthly basis, as invoiced, and

WHEREAS, the costs of these services are provided through a combination of state aid, billable insurance, and County funds, and

WHEREAS, various appropriation and revenue accounts must be adjusted to cover the cost of the aforementioned services, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute an amended contract, between the Cattaraugus County Community Services Board and Jamestown Psychiatric, P.C., to signify the County's approval, for the provision of the above-described services, for a term commencing January 1, 2022 and terminating December 31, 2022, according to the above-described terms, and be it further

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

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

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

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

Increase Estimated Revenue Account:

A.431.4335.2100.1620.08	Mental Health Fees Managed Care	\$157,680.00
-------------------------	---------------------------------	--------------

Increase Appropriation Account:

A.431.4335.2100.41249	Psychiatric Services	\$157,680.00.
-----------------------	----------------------	---------------

Adopted April 27, 2022 by voice vote.

**ACT NO. 206-2022** by Mr. VanRensselaer  
who asks immediate consideration

**RESOLUTION OF THE CATTARAUGUS COUNTY LEGISLATURE, AS THE ELECTED LEGISLATIVE BODY OF CATTARAUGUS COUNTY, NEW YORK, IN ACCORDANCE WITH SECTION 147(F) OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED (THE "CODE"), APPROVING THE ISSUANCE BY THE CATTARAUGUS COUNTY CAPITAL RESOURCE CORPORATION OF UP TO \$25,000,000 PRINCIPAL AMOUNT OF TAX-EXEMPT REVENUE BONDS (ST. BONAVENTURE UNIVERSITY), SERIES 2022, IN ONE OR MORE SERIES, AS PART OF A PLAN OF FINANCE**

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

WHEREAS, the Cattaraugus County Legislature (the "Legislature"), as the elected legislative body of Cattaraugus County, New York (the "County") has been advised by the Cattaraugus County Capital Resource Corporation (the "Issuer") that, in order to assist in the financing, refinancing and/or reimbursing of a certain Project (the "Project") for the benefit of St. Bonaventure University (the "University"), a New York not-for-profit corporation and an organization described in Section 501(c)(3) of the Code, the University has requested that the Issuer issue its Tax-Exempt Revenue Bonds (St. Bonaventure University Project), Series 2022 (the "Series 2022 Bonds"), in one or more series in the aggregate principal amount not to exceed \$25,000,000 for the purpose of financing, refinancing and/or reimbursing all or a portion of the costs of the Project located at the University's campus at 3261 West State Road, St. Bonaventure, New York 14778 (the "Campus Land" or "Land"), consisting of: (A) the reconstruction, renovation and equipping of academic building "Plassmann Hall" including, but not limited to, the installation of a new building-wide HVAC system, new windows, new faculty offices, new modern classrooms with technology and new furniture (the "Plassmann Hall Improvements"); (B) the construction and equipping of an approximately 30,000 square-foot two-story graduate hall residence on the east side of the Campus Land, which will accommodate approximately eighty (80) students in suite-style apartments containing four bedrooms, two full bathrooms, a kitchen, living space and washer and dryer (the "Graduate Residence Improvements"); (C) the reconstruction, renovation and equipping of certain existing space on the second floor of Francis Hall to create a new approximately 5,200 square foot "Health and Wellness Center" (the "Health and Wellness Center Improvements"); (D) the reconstruction, renovation and equipping of the twelve (12) buildings constituting the existing "University Townhomes Phases I, I and III", including, but not limited to, roof and HVAC replacement and kitchen, bathroom and furniture upgrades (the "Undergraduate Residence Improvements"); (E) the reconstruction, renovation, upgrading, replacement and equipping of the University's aging infrastructure including, but not limited to, electric and plumbing systems, campus-wide roof replacement and HVAC improvements (the "Maintenance Improvements"; and, together with the Plassmann Hall Improvements, the Graduate

Residence Improvements, the Health and Wellness Center Improvements and the Undergraduate Residence Improvements, the "Improvements"; the Improvements together with the Campus Land are hereinafter referred to as the "Facility"); and (F) paying costs incidental to the issuance of the Bonds, including issuance costs of the Bonds and any reserve funds as may be necessary to secure the Bonds, as well as capitalized interest on the Series 2022 Bonds (collectively, the "Project Costs"), and

WHEREAS, the proceeds of the Series 2022 Bonds will be used to finance all or a portion of the costs associated with the qualifying portions of the Project, and to provide funds for all or a portion of the costs of issuing the Series 2022 Bonds, credit enhancement fees relating to the Series 2022 Bonds, if any, funding a debt service reserve fund, if any, and capitalized interest if any, and

WHEREAS, the Facility is or will be owned and operated by the University, and

WHEREAS, pursuant to Section 147(f) of the Code, interest on the Series 2022 Bonds will not be excluded from gross income for Federal income tax purposes unless the issuance of the Series 2022 Bonds and the portion thereof to be applied to finance the Project is approved by the county Legislature after a public hearing to consider both the issuance of the Series 2022 Bonds and the nature and location of the facilities located within the County financed therewith has been conducted following reasonable public notice, and

WHEREAS, on April 25, 2022, the Issuer held such a public hearing upon proper notice in compliance with the Code, with access to the general public being provided by toll-free telephone number (in accordance with Internal Revenue Service Revenue Procedure 2022-20), and

WHEREAS, to aid the Legislature in its deliberations, the Issuer has made available to the members of the Legislature prior to this meeting (a) the notice of public hearing with respect to the Project which was published in the *Olean Times Herald* and (b) the minutes of such public hearing held on April 25, 2022, and

WHEREAS, the Legislature, after due consideration of the foregoing, as the "applicable elected representative" of Cattaraugus County, New York, within the meaning of Section 147(f)(2)(E) of the Code, desires to approve the issuance of the Series 2022 Bonds and the application of up to \$25,000,000 principal amount thereof to finance or refinance the Project, provided the principal, premium, if any, and interest on the Series 2022 Bonds shall be special obligations of the Issuer and shall never be a debt of the State of New York (the "State") or any political subdivision thereof including, without limitation, Cattaraugus County, New York and neither the State nor any political subdivision thereof including, without limitation, Cattaraugus County, New York shall be liable thereon,

NOW, THEREFORE, BE IT RESOLVED, by the Cattaraugus County Legislature as follows:

Section 1. For the purpose of satisfying the approval requirement of Section 147(f) of the Code, the Legislature hereby gives its approval of the issuance by the Issuer of the Series 2022 Bonds in an amount not to exceed \$25,000,000, in one or more series, as part of a plan of finance; provided that, the Series 2022 Bonds, and the premium, if any, and interest thereon, shall be special obligations of the Issuer and shall never be a debt of the State of New York or any political subdivision thereof including, without limitation, Cattaraugus County, New York and neither the State of New York nor any political subdivision thereof including, without limitation, Cattaraugus County, New York, shall be liable thereon.

Section 2. This Resolution shall be deemed to be made for the benefit of the holder(s) of the Series 2022 Bonds.

Section 3. This Resolution shall take effect immediately.

Adopted April 27, 2022 by voice vote.

**ACT NO. 207-2022** by Mr. VanRensselaer  
who asks immediate consideration

**ESTABLISHING STANDARD WORK DAY FOR CERTAIN  
ELECTED AND APPOINTED OFFICIALS FOR REPORTING  
PURPOSES TO NEW YORK STATE RETIREMENT SYSTEM**

Pursuant to 2 NYCRR Section 315.4.

WHEREAS, effective August 12, 2009, 2 NYCRR Section 315.4, requires that all newly elected or appointed officials participating in the New York State Retirement System maintain a record of activities for a period of three months within 150 days of appointment or the start of a term of office, for purposes of establishing a standard work day, and

WHEREAS, 2 NYCRR Section 315.4 requires that the governing board shall establish, by resolution, a standard work day for each elected and appointed position, and

WHEREAS, certain newly elected and appointed officials have submitted their three-month record of activities, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees Retirement System, based on the record of activities maintained and submitted by these officials to the Clerk of the Legislature:

<u>Title</u>	<u>Name</u>	<u>Ret. Reg.</u>	<u>Authority</u>	<u>Term</u>	<u>Standard Work Hours per Day</u>	<u>Equivalent Days per Month</u>
Election Commissioner	Kevin Burleson	41396813	Appointed	01/01/2021- 12/31/2024	7	23.73
Treasurer	Matthew Keller	50567734	Elected	01/01/2021- 12/31/2024	7	20.93
Director of Veterans Svs	Steven McCord	60023017	Appointed	01/01/2020- 12/31/2023	7	25.19
Director of Info. Svs	Dawn Pezzimenti	38779799	Appointed	10/15/2021- 10/14/2024	7	22.50
Election Commissioner	Cortney Spittler	61761870	Appointed	01/01/2021- 12/31/2024	7	22.43

and be it further

RESOLVED, that the Clerk of the Legislature is hereby directed to post conspicuously, on the bulletin board in the front lobby of the Little Valley County Center, for a period on thirty days, a copy of this adopted resolution and thereafter forward a certified copy of this resolution, along with a certification of such public posting, to the New York State and Local Employees Retirement System in accordance with 2 NYCRR Section 315.4.

Adopted April 27, 2022 by voice vote.

**ACT NO. 208-2022** by Mrs. Andreano, Mr. Brisky, Mr. Burr, Mr. Marsh,  
Mr. VanRensselaer and Mr. Koch  
who ask immediate consideration

**TRANSFER OF FUNDS  
(Contingent Fund)**

Pursuant to Sections 363 and 365 of the County Law.

WHEREAS, the County is desirous of expanding the security system for various departments having offices located at 207 Rock City Street in Little Valley, and

WHEREAS, Linstar, Inc., 430 Lawrence Bell Drive, Buffalo, New York 14221, can provide the aforementioned security system expansion for an amount of \$36,966.75, to be paid as invoiced, and

WHEREAS, Linstar, Inc., can provide the aforementioned security system expansion through NYS Contract PT68825, and

WHEREAS, a transfer of funds is necessary in order to cover the cost of the aforementioned security system expansion, now, therefore, be it

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

Decrease Appropriation Account:

A.901.1990.0000.40601	Contingent Fund	\$36,966.75
-----------------------	-----------------	-------------

Increase Appropriation Account:

A.162.1622.0000.20006	Computer Equipment & Software	\$36,966.75.
-----------------------	-------------------------------	--------------

Adopted April 27, 2022 by voice vote.

**ACT NO. 209-2022** by Mrs. Andreano, Mr. Benson, Mr. Boberg, Mr. Brisky,  
Mr. Burr, Mr. Helmich, Mr. Higgins, Mrs. Hunt, Mr. Klancer,  
Mr. Marsh, Mr. Morrow, Mr. Parker, Ms. Schröder,  
Mr. Snyder, Jr., Mr. VanRensselaer and Mr. Koch  
who ask immediate consideration

**RESOLUTION OF THE CATTARAUGUS COUNTY LEGISLATURE, ELECTING A CENTS  
PER GALLON RATE OF SALES AND COMPENSATING USE TAXES ON MOTOR FUEL AND  
DIESEL MOTOR FUEL, IN LIEU OF THE PERCENTAGE RATE OF SUCH TAXES, PURSUANT TO THE  
AUTHORITY OF ARTICLE 29 OF THE TAX LAW OF THE STATE OF NEW YORK**

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

SECTION 1. Resolution No. 218-1971 is hereby amended by adding a new section 4-B to read as follows:  
"Section 4-B. Cents per gallon rate of sales and compensating use taxes on motor fuel and diesel motor fuel.

Notwithstanding any provision of this enactment to the contrary, commencing June 1, 2022, in lieu of the percentage rate of sales and compensating use taxes imposed on receipts from the retail sale of and consideration given or contracted to be given for, or for the use of, motor fuel and diesel motor fuel, such taxes shall be imposed at a rate of cents per gallon of such motor fuel or diesel motor fuel, in the manner prescribed by subdivision (m) of section 1111 of the New York Tax Law, provided that, for

purposes of calculating the cents per gallon rate of tax, such receipts or consideration shall be limited to three dollars (\$3.00) per gallon of either such fuel. Provided that, if the average price of such fuels changes as described in such subdivision (m) of section 1111 of the Tax Law, the Commissioner of Taxation and Finance shall adjust the cents per gallon tax rate on such fuels in the manner prescribed in such subdivision (m) of section 1111 of the Tax Law."

SECTION 2. This resolution shall take effect June 1, 2022, and shall expire and be deemed repealed on December 31, 2022.

Adopted April 27, 2022 by voice vote.

\* \* \* \* \*

MR. SNYDER moved, seconded by Mr. Koch, to adjourn until May 11, 2022 at 5:00 p.m. Carried.

Meeting adjourned at 5:16 p.m.

Ann M. Giglio  
Journal Clerk