

May 25, 2022

The meeting was called to order by Chairman VanRensselaer.

The invocation was given by Legislator Richard Helmich.

The Attendance Roll Call disclosed two Legislators absent – Higgins and Parker.

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There being no amendments or objections thereto, Chairman VanRensselaer noted that the minutes of the May 11, 2022 session stand approved as presented.

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PRIVILEGE OF THE FLOOR:

CHAIRMAN VANRENSELAER granted Privilege of the Floor to Matthew Keller, County Treasurer, who presented the annual Treasurer's Report.

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ACT NO. 230-2022 by Mr. Benson and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE SUPPLEMENTAL AGREEMENT NO. 1 WITH
NYS DOT AND AUTHORIZING CATTARAUGUS COUNTY TO PARTICIPATE IN
THE FEDERAL-AID PROJECT ADMINISTERED BY THE NYS DOT AND
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
(Leon Bridge No. 40 Replacement Project – Bridge NY Funds Contract #D036252)**

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

WHEREAS, Act 142-2019 authorized a project for the replacement of Leon Bridge No. 40 (BIN 3-3222-90), located on Dredge Road over Conewango Creek in the Town of Leon, Cattaraugus County, PIN 5762.95, Comptroller's Contract #D036252 (the "Project"), and is eligible for reimbursement of qualified costs from Bridge NY funding that calls for the post-reimbursement apportionment of the qualified costs to be borne at the ratio of 95% Bridge NY funds and 5% local funds, and

WHEREAS, the County will design, let and administer all phases of the Project, and

WHEREAS, the County desires to advance the above Project by making a commitment of 100% of the costs of the Preliminary Engineering (Design I-VI), Right-of-Way Incidentals and Construction/Construction Inspection phases of the Project, PIN 5762.95, and

WHEREAS, various appropriation and revenue accounts must be adjusted in order to cover the costs of the aforementioned project, now, therefore, be it

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

RESOLVED, that the Cattaraugus County Legislature hereby authorizes the County of Cattaraugus to pay 100% of the cost of the Preliminary Engineering (Design I-VI), Right-of-Way Incidentals

and Construction/Construction Inspection phases of the Project, or portions thereof, with the understanding that qualified costs will be reimbursed from Bridge NY funding, and be it further

RESOLVED, that the sum of \$1,559,580.00 is hereby appropriated, in addition to \$286,000.00 previously appropriated for the Project's Preliminary Engineering (Design I-VI) and Right-of-Way Incidentals phases via County Resolution No. 142-2019 adopted on March 27, 2019, and made available to cover the cost of participation in the Preliminary Engineering (Design I-VI), Right-of-Way Incidentals and Construction/Construction Inspection phases of the Project, and be it further

RESOLVED, that the Cattaraugus County Legislature hereby agrees that the County of Cattaraugus shall be responsible for all costs of the project which exceed the amount of reimbursement available from the Bridge NY funding awarded to the County of Cattaraugus, and be it further

RESOLVED, that in the event the costs of the Project exceed the total amount appropriated above (\$1,845,580.00), the County of Cattaraugus shall convene its Legislature as soon as possible to appropriate said excess amount immediately upon the notification by the NYSDOT thereof, and be it further

RESOLVED, that the County of Cattaraugus hereby commits that construction of the Project shall begin no later than eighteen (18) months after award and that the construction phase of the Project shall be completed within three (3) years of commencing construction, and be it further

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

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

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

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

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

Increase Estimated Revenue Account:

H.504.5197.5195.4597.02 Federal Aid, Transportation Capital Projects \$1,481,601.00

Increase Appropriation Account:

H.504.5197.5195.25098.41603 Leon Bridge No. 40 – Contracted Services \$1,481,601.00.

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

Adopted May 25, 2022 by voice vote.

ACT NO. 231-2022 by Mr. Benson and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT EXTENSION WITH
CPL: ARCHITECTURE-ENGINEERING-PLANNING FOR
ALLEGANY HIGHWAY MAINTENANCE BARN AND TRANSFER STATION FEASIBILITY STUDY**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 417-2021 authorized a contract with CPL: Architecture-Engineering-Planning, 130 South Union Street, Suite 4, Olean, New York 14760, for a feasibility study to address efficient operation and flow of traffic at the Allegany Highway Maintenance Barn and Transfer Station, the term of which expired April 30, 2022, and

WHEREAS, it is necessary to extend the aforementioned contract to June 30, 2022, in order to allow for the completion of the aforementioned study, 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 CPL: Architecture-Engineering-Planning, to extend the contract which commenced November 11, 2021 to terminate June 30, 2022, according to the above-described terms.

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

Adopted May 25, 2022 by voice vote.

ACT NO. 232-2022 by Mrs. Andreano and Mr. Helmich

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

Pursuant to Section 450 of the County Law.

WHEREAS, Act 234-2021 authorized a contract with Be-A-Friend Program, Inc., Big Brothers Big Sisters of Erie, Niagara and the Southern Tier, 100 River Rock Drive, Suite 104, Buffalo, New York 14207, for the provision of a group mentoring program to youths between the ages of 10 to 15 to promote academic and community success for youth considered PINS, JD, JO or AO through job readiness, independent living skills, youth advocacy and leadership development, the term of which expires May 31, 2022, and

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

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

WHEREAS, this program is 100% federally funded (CFDA #93.558), and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Be-A-Friend Program, Inc., Big Brothers Big Sisters of Erie, Niagara and the Southern Tier, for the provision of the above-described Group Mentoring Program, for a term commencing June 1, 2022 and terminating May 31, 2023, according to the above-described terms, and be it further

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

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

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

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

Adopted May 25, 2022 by voice vote.

ACT NO. 233-2022 by Mr. Benson and Mr. Helmich

**AUTHORIZING CONTRACT WITH VANTAGE EQUIPMENT, LLC A/K/A
ALTA CONSTRUCTION EQUIPMENT NEW YORK, LLC FOR
DEPARTMENT OF PUBLIC WORKS PAVER REPAIRS**

Pursuant to Section 450 of the County Law.

WHEREAS, the County Department of Public Works is in need of repairs to its Volvo Paver, and

WHEREAS, Vantage Equipment, LLC, a/k/a Alta Construction Equipment New York, LLC, 4554 West Saile Drive, Batavia, New York 14020, can provide the necessary repairs to the Volvo Model PF4410 Paver for an amount not to exceed \$19,084.00, to be paid as invoiced, and

WHEREAS, Alta Construction Equipment New York, LLC, is the sole source vendor due to the nature of the repairs being performed on this paver, and

WHEREAS, sufficient funds are included in the budget to cover the cost of the aforementioned paver repairs, 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 Vantage Equipment, LLC, a/k/a Alta Construction Equipment New York, LLC, for the provision of the above-described paver repairs, for a term commencing April 25, 2022 and terminating June 30, 2022, according to the above-described terms.

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

Adopted May 25, 2022 by voice vote.

ACT NO. 234-2022 by Mrs. Andreano and Mr. Helmich

**AUTHORIZING CONTRACT WITH UNITED STATES DEPARTMENT OF HEALTH AND
HUMAN SERVICES ADMINISTRATION FOR COMMUNITY LIVING FOR
ACCEPTANCE OF FEDERAL AMERICAN RESCUE PLAN ACT FUNDING
FOR DEPARTMENT OF SOCIAL SERVICES AND ADJUSTING
VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
(Department of Social Services)**

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

WHEREAS, the County Department of Social Services has been notified that it is eligible for federal funding through the American Rescue Plan Act (ARPA) of 2021 for enhanced adult protective services, administered by the Administration for Community Living, in the amount of \$7,178.00, for the period May 1, 2022 through May 31, 2023, and

WHEREAS, the Department of Social Services is desirous of using the aforementioned ARPA funding to cover community outreach, securing emergency or alternative housing and improving existing adult protective services processes, and

WHEREAS, grant documents must be signed in order to accept the aforementioned federal ARPA funding (CFDA No. 93.747), and

WHEREAS, this program is 100% federally funded, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute grant documents, on behalf of Cattaraugus County, with the United States Department of Health and Human Services Administration for Community Living, in order to accept, and receive, American Rescue Plan Act (ARPA) of 2021 funding, for a term commencing May 1, 2022 and terminating May 31, 2023, 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 Appropriation Account:

A.601.6164.0000.40403	General Fund, Adult Protection	\$7,178.00
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Increase Estimated Revenue Account:

A.601.6164.0000.4689.16	Fed Aid, Adult Protection Grant	\$7,178.00.
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Approved by 7 members of the Finance Committee and 5 members of the Human Services Committee.

Adopted May 25, 2022 by voice vote.

ACT NO. 235-2022 by Mr. Boberg and Mr. Klancer

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
NATIONAL FUEL GAS DISTRIBUTION CORPORATION FOR
RADIO TOWER SPACE**

Pursuant to Sections 215 and 450 of the County Law.

WHEREAS, Act 628-2012 authorized a contract with National Fuel Gas Distribution Corporation, 10 Lafayette Square, Buffalo, New York 14203, for the use of space at the 100 foot level of the County's radio tower located on McCarty Hill, the term of which expires June 30, 2023, and

WHEREAS, National Fuel Gas Distribution Corporation has requested a renewal of the aforementioned contract, and

WHEREAS, the County has agreed to rent space to National Fuel at the 100 foot level of the County's radio tower located on McCarty Hill, for a rental fee of \$1,200.00 per year, 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 National Fuel Gas Distribution Corporation for the provision of the above-described services, for a term commencing July 1, 2023 to continue in full force and effect for a term of five (5) years, with the option to renew for an additional five (5) year term, according to the above-described terms.

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

Adopted May 25, 2022 by voice vote.

ACT NO. 236-2022 by Mrs. Andreano and Mr. Helmich
and Mr. Higgins¹

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACTS WITH
VARIOUS TOWNS AND CITIES FOR
MOSQUITO CONTROL PROGRAM FUNDING**

Pursuant to Section 119-o of the General Municipal Law and
Section 450 of the County Law.

WHEREAS, Act 164-2021 authorized contracts with various towns and cities within the County for the provision of local funding for a portion of the mosquito control spraying program, the terms of which expired December 31, 2021, and

WHEREAS, the County is desirous of providing mosquito control spraying, and

WHEREAS, it is proposed that the County contract with various towns and cities within the County, in order to provide local funding by the towns and cities for a portion of the program, according to the following schedule:

Town of Allegany	\$10,563.39
Town of Carrollton	\$ 1,770.83
Town of Great Valley	\$ 3,866.81

Town of Hinsdale	\$ 2,774.82
Town of Olean	\$ 2,519.14
Town of Portville	\$ 3,151.47
City of Olean	\$14,026.57
City of Salamanca	\$ 5,589.74,

now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute contracts, on behalf of Cattaraugus County, with various towns and cities, for the provision of the above-described services, for a term commencing May 1, 2022 and terminating December 31, 2022, according to the above-described terms.

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

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

Adopted May 25, 2022 by voice vote.

ACT NO. 237-2022 by Mrs. Andreano and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
NEW YORK STATE DEPARTMENT OF HEALTH FOR
RABIES PROGRAM REIMBURSEMENT
(Contract #C36519GG)**

Pursuant to Section 450 of the County Law.

WHEREAS, Act 607-2018 authorized a contract with the New York State Department of Health for the rabies program reimbursement, the term of which expired March 31, 2022, and

WHEREAS, the New York State Department of Health, through the Zoonoses Program, Corning Tower – Empire State Plaza, Room 651, Albany, New York 12237, is providing pre-set reimbursement rates for human rabies treatment, animal specimens prepared and shipped, and for pet vaccination clinics that are conducted, and

WHEREAS, the New York State Department of Health has authorized an amount of \$34,805.00 per year for a three-year total of \$104,415.00, for the period running April 1, 2022 through March 31, 2025, and

WHEREAS, the Cattaraugus County Health Department is desirous of contracting with the New York State Department of Health in order to receive the aforementioned funding, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with the New York State Department of Health, in order to receive the aforementioned rabies reimbursement, for a term commencing April 1, 2022 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 Human Services Committee.

Adopted May 25, 2022 by voice vote.

ACT NO. 238-2022 by Mrs. Andreano and Mr. Helmich

**AUTHORIZING THE CHAIR TO EXECUTE DOCUMENTS
REGARDING YOUTH PROGRAMS FOR 2022**

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

WHEREAS, Act 530-2020 authorized the Chair to execute such agreements, applications and other documents as were necessary to effect the establishment of the various youth programs in 2021, and

WHEREAS, a sum not to exceed \$110,000.00 will be used for various youth-related projects in Cattaraugus County during 2022, and

WHEREAS, it is necessary for the County to enter into various contracts with the individual sponsoring agencies throughout 2022 to comply with New York State Office of Children & Family Services' requirements, and

WHEREAS, these programs are 100% state funded, now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute such contracts, applications and other documents, on behalf of Cattaraugus County, as deemed necessary to effect the establishment of the various youth programs in 2022, and be it further

RESOLVED, that prior to entering into any contract for youth programs for 2022, such programs shall be approved, in writing, by the Cattaraugus County Youth Bureau Board of Directors, and be it further

RESOLVED, that any such contracts, applications, or other documents are further contingent upon subsequent approval by the New York State Office of Children & Family Services of the program and program budgeting and are null and void until and unless such approval is obtained, and be it further

RESOLVED, that the County's participation in any of the various programs will be to reimburse the sponsoring agency 100% for reimbursable expenditures as defined under the New York State Office of Children & Family Services Guidelines and approved by the Cattaraugus County Youth Bureau with reimbursement set forth infra, and be it further

RESOLVED, that all reimbursement to the sponsoring agency by the County of Cattaraugus up to the maximum of the approved program cost for fiscal year 2022 will take effect after the sponsoring agency has filed appropriate state aid forms with the Cattaraugus County Youth Bureau, and the Youth Bureau has approved those forms, and be it further

RESOLVED, that any such contract entered into between the County and a sponsoring agency shall provide, inter alia, a provision that, in the event the State of New York fails to reimburse the County as contractually outlined, the sponsoring agency shall reimburse the County for the total amount of funds provided by the County pursuant hereto, and be it further

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

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

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

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

Adopted May 25, 2022 by voice vote.

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MRS. HUNT moved, seconded by Mr. Koch, to waive Rule 12, pursuant to Rule 33.1, regarding Act No. 239-2022 through Act No. 253-2022. Carried.

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ACT NO. 239-2022 by Mr. VanRensselaer
who asks immediate consideration

**APPOINTMENT OF MEMBER TO THE CHAUTAUQUA, CATTARAUGUS,
ALLEGANY AND STEUBEN SOUTHERN TIER EXTENSION RAILROAD AUTHORITY**

Pursuant to Section 2642-C(4) of the Public Authorities Law.

RESOLVED, that Cory Witkor shall be a Cattaraugus County voting member on the Chautauqua, Cattaraugus, Allegany and Steuben Southern Tier Extension Railroad Authority, filling the vacancy created by the death of Richard Cousins, with a term expiring September 12, 2023, and be it further

RESOLVED, that the Clerk of the Legislature is hereby directed to forward a certified copy of this resolution to the Chautauqua, Cattaraugus, Allegany and Steuben Southern Tier Extension Railroad Authority.

Adopted May 25, 2022 by voice vote.

ACT NO. 240-2022 by Mr. Brisky, Mr. Burr, Mrs. Hunt and Mr. VanRensselaer and Mrs. Andreano, Mr. Benson, Mr. Boberg, Mr. Helmich, Mr. Klancer, Mr. Marsh, Mr. Morrow, Ms. Schröder, Mr. Smith, Mr. Snyder and Mr. Koch¹ who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT 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, New York State and the Seneca Nation of Indians entered into a Tribal-State Gaming Compact dated April 10, 2002, the term of which expires December 31, 2023, and

WHEREAS, the amount of \$31.4 Million in Casino funds are available from New York State, and

WHEREAS, the County and the City of Salamanca, as the municipal governments hosting a gaming facility, have agreed that the formula for distribution of funds payable to the hosting municipality pursuant to Section 99-h of the State Finance Law, shall be as follows:

- .1 First, the City, County and School District shall each be reimbursed for real property tax load shift for the prior fiscal year resulting from all parcels located on the Seneca Nation of Indians Allegany Reservation which are immune from taxation (those parcels in the City which have a 14300 exemption code on the City current assessment roll), based upon the assessed value of each parcel as it appears on the City current assessment roll as defined in Section 3.5, supra, except the parcels owned by the Seneca Territory Gaming Corporation (Tax Map Numbers 82.021-1-4.1 and 81.028-1-1), on which the real property tax load shift reimbursement shall be based upon the assessment value of those two parcels at the time of the acquisition of those two parcels by the Seneca Territory Gaming Corporation, and the tax rate or rates applicable from time to time, as verified by the State Office of Real Property Services,
- .2 The balance of the local revenue share shall be allocated at a ratio of 90% to the City and 10% to the County,
- .3 If the local share is insufficient to fully reimburse the City, County and School District for the full amount of the real property tax load shift described in Section .1, supra, then the City, County and School District share shall be each reduced on a pro-rata basis,
- .4 the City is responsible for all payments owed to New York State out of the City's respective 90% portion of casino receipts,

now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is authorized and directed, to execute a contract, on behalf of Cattaraugus County, with the City of Salamanca for the distribution of Casino proceeds, for a term commencing May 25, 2022 and terminating December 31, 2023, according to the above-described terms.

¹The following Legislators requested their names be listed as additional sponsors: "Mrs. Andreano, Mr. Benson, Mr. Boberg, Mr. Helmich, Mr. Klancer, Mr. Marsh, Mr. Morrow, Ms. Schröder, Mr. Smith, Mr. Snyder and Mr. Koch".

Adopted May 25, 2022 by voice vote.

ACT NO. 241-2022 by Public Works Committee:
Mr. Helmich, Mr. Benson, Mr. Boberg, Mr. Brisky,
Mr. Morrow, Mr. Parker and Mr. Snyder
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
WENDEL WD, ARCHITECTURE, ENGINEERING, SURVEYING & LANDSCAPE ARCHITECTURE, P.C.
FOR ENGINEERING DESIGN SERVICES FOR ELEVATOR IMPROVEMENTS**

Pursuant to Sections 215 and 450 of the County Law and
the Americans with Disabilities Act.

WHEREAS, the County is desirous of providing improvements to the existing elevator, as well as, installing a new elevator in the empty shaft in the Little Valley County Center, and

WHEREAS, Wendel WD, Architecture, Engineering, Surveying & Landscape Architecture, P.C., 375 Essjay Road, Suite 200, Williamsville, New York 14221, can provide the professional services associated with elevator design and engineering to modernize the existing cab and all equipment, add a new cab and pressurize the existing shaft for a geared traction system at the Little Valley County Center for an amount of \$86,860.00, to be paid as invoiced, and

WHEREAS, sufficient funds are included in the budget to cover the cost of the aforementioned engineering 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 Wendel WD, Architecture, Engineering, Surveying & Landscape Architecture, P.C., for the provision of the above-described engineering services, for a term commencing May 25, 2022 and terminating December 31, 2023, according to the above-described terms.

MR. BRISKY moved, seconded by Mr. Burr, to refer Act No. 241-2022 to the Finance Committee and the Public Works Committee. Carried.

ACT NO. 242-2022 by Mr. Benson, Mr. Boberg, Mr. Brisky, Mr. Helmich,
Mr. Morrow and Mr. Parker
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
GREENMAN-PEDERSEN, INC. FOR CONSTRUCTION INSPECTION
SERVICES FOR CATTARAUGUS COUNTY FUNDED PAVING PROJECTS**

Pursuant to Sections 215 and 450 of the County Law.

WHEREAS, the Department of Public Works is in need of construction inspection services for the following County funded paving projects:

County Road No. 60 (West River Road), Towns of Allegany and Olean;
County Road No. 86-1 (Thornwood Drive), Town of Ashford;
County Road No. 12 (Edies Road), Town of Ashford;
County Road No. 6 (Leon Road/Cherry Creek Hill), Town of Leon,

and

WHEREAS, Greenman-Pedersen, Inc., 4950 Genesee Street, Suite 100, Buffalo, New York 14225, can provide the aforementioned construction inspection services for an amount not to exceed \$64,000.00, to be paid as invoiced and approved by the Commissioner of the Department of Public Works, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Greenman-Pedersen, Inc., for the provision of the above-described construction inspection services, for a term commencing May 25, 2022 and terminating December 31, 2022, according to the above-described terms.

Adopted May 25, 2022 by voice vote.

ACT NO. 243-2022 by Mr. Benson and Mr. Helmich
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
DUGGAN & DUGGAN GENERAL CONTRACTOR, INC. FOR
EMERGENCY SEWER LINE WORK AT
THE PINES HEALTHCARE AND REHABILITATION CENTER-OLEAN CAMPUS
AND ADJUSTING VARIOUS APPROPRIATION ACCOUNTS
(Capital Project-Building Improvements)**

Pursuant to Sections 215, 363, 366 and 450 of the County Law.

WHEREAS, the sanitary sewer line at The Pines Healthcare and Rehabilitation Center-Olean Campus is in need of repair, and

WHEREAS, the aforementioned sanitary sewer line repair must be completed on an emergency basis, and

WHEREAS, Duggan & Duggan General Contractor, Inc., 3113 North Seventh Street, Allegany, New York 14706, can provide the labor, materials and equipment necessary to repair the sanitary sewer line for an amount not to exceed \$65,000.00, to be paid as invoiced, and

WHEREAS, various appropriation accounts must be adjusted in order to cover the cost of the aforementioned sewer line repair, 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 Duggan & Duggan General Contractor, Inc., for the provision of the above-described services, for a term commencing May 13, 2022 and terminating July 31, 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 Account:		
EF.453.4530.1160.20002	Building Improvements	\$65,000.00
Increase Appropriation Account:		
EF.453.4530.8220.44401	Building Repair & Maintenance	\$65,000.00.

Adopted May 25, 2022 by voice vote.

ACT NO. 244-2022 by Mr. Helmich, Mr. Higgins, Mr. Marsh and Mr. Koch
who ask immediate consideration

**AUTHORIZING TRANSFER OF TAX FORECLOSURE PROPERTY TO
CATTARAUGUS COUNTY LAND BANK CORPORATION**

Pursuant to Section 450 of the County Law.

WHEREAS, pursuant to Act 679-2014, as amended, Cattaraugus County established the Cattaraugus County Land Bank Corporation, which is now an authorized land bank corporation in New York State, and

WHEREAS, the Cattaraugus County Land Bank Corporation is able to acquire properties through a variety of means, which includes properties obtained through the in rem tax foreclosure process, as well as donated properties, now, therefore, be it

RESOLVED, the Chairman of the Legislature, upon approval of the County Treasurer, is hereby authorized to transfer the County-owned properties listed below to the Cattaraugus County Land Bank Corporation for rehabilitation and/or demolition:

701 Irving Street, City of Olean
Tax Map No. 94.072-4-6

41 First Avenue, Village of Franklinville
Tax Map No. 40.071-2-20

1496 Flannigan Hill Road, Town of Hinsdale
Tax Map No. 77.003-1-41

1657 Seneca Avenue, Town of Olean
Tax Map No. 94.076-1-4

181 S. Main Street, Town of Portville
Tax Map No. 104.074-2-18

and be it further

RESOLVED, that the Cattaraugus County Treasurer hereby agrees to waive any and all taxes, liens or other fees that may be due on the properties being transferred to the Cattaraugus County Land Bank, and be it further

RESOLVED, that the Cattaraugus County Clerk is hereby authorized and directed to waive all recording fees and transfer taxes for properties transferred to the Cattaraugus County Land Bank Corporation.

Adopted May 25, 2022 by voice vote.

ACT NO. 245-2022 by Mr. Brisky, Mr. Klancer, Mr. Marsh and Mr. VanRensselaer
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
GOWANDA'S HISTORIC HOLLYWOOD THEATER, LTD. FOR
AMERICAN RESCUE PLAN ACT FUNDING AND
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
(COVID-19 – Gowanda's Historic Hollywood Theater)**

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

WHEREAS, Gowanda's Historic Hollywood Theater, Ltd., P.O. Box 164, 3910 Main Street, Gowanda, New York 14070, is a 501(c)(3) not-for-profit organization, which has requested funding to assist with the negative economic impact it suffered due to the mandated shutdown caused by the COVID-19 Pandemic, and

WHEREAS, the County, through Act 535-2013, has provided economic assistance to Gowanda's Historic Hollywood Theater, Ltd., in the past and is desirous of providing additional economic assistance, and

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 revenues lost due to the COVID-19 Pandemic, and

WHEREAS, the County shall pay to Gowanda's Historic Hollywood Theater, Ltd., an amount of \$45,000.00 to cover lost revenues realized during the Pandemic, and

WHEREAS, various appropriation and revenue accounts must be adjusted in order to cover the aforementioned negative economic impact, 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 Gowanda's Historic Hollywood Theater, Ltd., for the provision of ARPA funds to assist with lost revenues due to the COVID-19 Pandemic, and be it further

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

Increase Estimated Revenue Account:

CV.901.0000.0000.4089.06	Other CV Local Fiscal Recovery Funds	\$45,000.00
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Increase Appropriation Account:

CV.901.7520.0000.42042	Gowanda Historic Theater	\$45,000.00.
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Adopted May 25, 2022 by voice vote.

ACT NO. 246-2022 by Mr. Brisky, Mr. Burr, Mr. Marsh,
Mr. Klancer and Mr. VanRensselaer
and Mrs. Andreano and Mr. Smith¹
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
CHAUTAUQUA-CATTARAUGUS LIBRARY SYSTEM, INC.
TO SUPPORT FEASIBILITY STUDY AND
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS
(COVID-19 – Chautauqua-Cattaraugus Library System, Inc.)**

Pursuant to Sections 224, 233-a, 363, 366 and 450 of the County Law
and Section 256 of the Education Law.

WHEREAS, Act 13-2022 authorized the payment of \$81,248.00 to the Chautauqua-Cattaraugus Library System, Inc., ("Olean Library") for the provision of educational materials for the citizens of Cattaraugus County, and

WHEREAS, the Olean Library is desirous of obtaining a feasibility study to determine whether the relocation of the Olean library is in the best interests of County citizens, and

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, the County is desirous of assisting the Olean Library with the aforementioned feasibility study by providing an additional \$30,000.00 in assistance through American Rescue Plan Act [ARPA] funding, and

WHEREAS, various appropriation and revenue accounts must be adjusted in order to cover the cost of the aforementioned feasibility study, 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 Chautauqua-Cattaraugus Library System, Inc., for the provision of ARPA funds to assist the Olean Library with the costs of a feasibility study, for a term commencing January 1, 2022 and terminating December 31, 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:

Increase Estimated Revenue Account:

CV.901.0000.0000.4089.06	Other CV Local Fiscal Recovery Funds	\$30,000.00
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Increase Appropriation Account:

CV.901.7415.0000.42009	Chautauqua-Cattaraugus Library System	\$30,000.00.
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¹The following Legislators requested their names be listed as additional sponsors: “Mrs. Andreano and Mr. Smith”.

Adopted May 25, 2022 by voice vote.

ACT NO. 247-2022 by Mrs. Andreano and Mr. Helmich
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE AMENDED CONTRACT WITH
NEW YORK STATE DEPARTMENT OF HEALTH FOR
HEALTH DEPARTMENT WIC PROGRAM
(Contract No. DOH01-C35433GG-3450000)**

Pursuant to 42 USCS Section 1786 and
Section 450 of the County Law.

WHEREAS, Act 353-2015 authorized a contract with the New York State Department of Health Bureau of Supplemental Foods Program, Riverview Center, 150 Broadway, Suite 650, Menands, New York 12204, for the provision of a five-year contract for WIC Program funding for the period October 1, 2015 through September 30, 2020, and

WHEREAS, the County Health Department has been awarded additional funding in the amount of \$572,390.00 for the period October 1, 2020 through September 30, 2023, and

WHEREAS, a contract is necessary with the New York State Department of Health in order to receive this additional funding, and

WHEREAS, this program is 100% federally funded (CFDA #10.557), now, therefore, be it

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute an amended contract on behalf of Cattaraugus County, with the New York State Department of

Health for WIC Program funding for a term commencing October 1, 2020 and terminating September 30, 2023, according to the above-described terms, and be it further

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

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

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

Adopted May 25, 2022 by voice vote.

ACT NO. 248-2022 by Mrs. Andreano and Mr. Helmich
who ask immediate consideration

**AUTHORIZING THE CHAIR TO EXECUTE CONTRACT WITH
TRUSTED CHOICE HOMECARE FOR
CONSUMER DIRECTED HOMECARE SERVICES**

Pursuant to Section 3602 of the Public Health Law and
Section 450 of the County Law.

WHEREAS, Act 171-2021 authorized a contract with Trusted Choice Homecare, 500 Seneca Street, Suite 501, Buffalo, New York 14204, for the provision of consumer directed homecare services for in-home Personal Care I and Personal Care II services to residents of Cattaraugus County, the term of which expired March 31, 2022, and

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

WHEREAS, Trusted Choice Homecare has agreed to provide consumer directed homecare services for in-home Personal Care I and Personal Care II services to residents of Cattaraugus County for an amount of \$23.75 per hour, and

WHEREAS, this program is 5% federally (CFDA #93.044 and #93.052), 72% state, 21% County and 2% locally funded, and

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

RESOLVED, that the Chair of the Legislature be, and hereby is, authorized and directed to execute a contract, on behalf of Cattaraugus County, with Trusted Choice Homecare, for the provision of the above-described services, for a term commencing April 1, 2022 and terminating March 31, 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.

Adopted May 25, 2022 by voice vote.

ACT NO. 249-2022 by Mrs. Andreano and Mr. Helmich
and Mr. Morrow¹
who ask immediate consideration

**APPROVING CONTRACT BETWEEN CATTARAUGUS COUNTY COMMUNITY
SERVICES BOARD AND JAMESTOWN PSYCHIATRIC, P.C. FOR
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 Acts 143-2022 and 205-2022, 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, effective June 1, 2022, the Cattaraugus County Community Services Board is desirous of increasing the salaries of all of the nurses in an effort to make them more competitive, and

WHEREAS, Jamestown Psychiatric, P.C., shall provide the following staff for the provision of nursing and psychiatric services for the mental health clinic and PROS program for a total contract amount not to exceed \$1,258,859.00, to be paid on a monthly basis, as invoiced:

- One (1) nursing supervisor (Clinic) \$33.00/hour for 35 hours/week
- One (1) registered nurse (Clinic) \$30.00/hour for 35 hours/week
- two (2) licensed practical nurses (Clinic) \$25.00/hour for 35 hours/week
- one (1) registered nurse (PROS Program) \$30.00/hour for 40 hours/week
- psychiatric medical services (Clinic) – total not to exceed 3,440 hours
 - child psychiatrist \$195.00/hour of direct care
 - psychiatrist \$195.00/hour of direct care
 - allied health professional \$150.00/hour of direct care
 - travel \$50.00/hour not to exceed 400 hours
- psychiatric medical services (PROS) – total not to exceed 286 hours
 - child psychiatrist \$195.00/hour of direct care
 - psychiatrist \$195.00/hour of direct care
 - travel \$50.00/hour not to exceed 208 hours,

and

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

WHEREAS, various appropriation accounts must be adjusted in order 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, 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 this contract shall supersede and fully replace all prior contracts between the parties for these services, 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 Accounts:

A.431.4335.2100.1620.03	MH Fees Third Party Insurances	\$157,680.00
A.431.4335.2100.1620.08	MH Fees Managed Care	\$ 20,500.00
A.431.4335.2100.3490.9999	State Aid-OMH Uncompensated Care Pool	\$ 72,000.00
A.431.4340.6340.1620.02	MH Fees Medicaid	\$ 9,113.00

Increase Appropriation Accounts:

A.431.4335.2100.41249	Psychiatric Services	\$157,680.00
A.431.4335.2100.41220	Nursing Services Contracted	\$ 92,500.00
A.431.4340.6340.21220	Nursing Services Contracted	\$ 7,847.00
A.431.4340.6340.41237	Psychiatrist Services	\$ 470.00
A.431.4340.6340.48402.03	Other Expenses JP	\$ 796.00.

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

Adopted May 25, 2022 by voice vote.

ACT NO. 250-2022 by Mrs. Andreano and Mr. Helmich
who ask immediate consideration

**APPROVING CONTRACT BETWEEN
CATTARAUGUS COUNTY COMMUNITY SERVICES BOARD AND
CASA-TRINITY, INC. FOR VIDEO TELEHEALTH EQUIPMENT REIMBURSEMENT AND
ADJUSTING VARIOUS APPROPRIATION AND REVENUE ACCOUNTS AND
RESCINDING ACT 225-2022
(Department of Community Services)**

Pursuant to Section 41.07 of the Mental Hygiene Law and
Sections 363, 366 and 450 of the County Law.

WHEREAS, the County Department of Community Services is desirous of purchasing equipment to implement video telehealth sessions for the Olean, Salamanca and Machias clinic sites, and

WHEREAS, CASA-Trinity, Inc., 4612 Millenium Drive, Geneseo, New York 14454, has funding available up to \$5,000.00 to reimburse the County for the purchase of the aforementioned video telehealth equipment, and

WHEREAS, the purchase of this equipment is 100% funded through CASA-Trinity, Inc., and

WHEREAS, various appropriation and revenue accounts must be adjusted in order to cover the cost of the aforementioned video telehealth equipment, 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 CASA-Trinity, Inc., to signify the County's approval, for the receipt of up to \$5,000.00 to cover the cost of the aforementioned video telehealth equipment, for a term commencing January 1, 2022 and terminating December 31, 2022, according to the above-described terms, and be it further

RESOLVED, that Act 225-2022 be, and hereby is, rescinded, and be it further

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

Increase Estimated Revenue Account:

A.431.4335.2100.2705.42	CASA-Trinity Equipment Grant	\$5,000.00
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Increase Appropriation Account:

A.431.4335.2100.45401	Clinic Small Equipment	\$5,000.00.
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Adopted May 25, 2022 by voice vote.

ACT NO. 251-2022 by Mrs. Andreano, Mr. Higgins and Mr. Smith
who ask immediate consideration

**WAIVING TAXES, FEES AND INTEREST ON CERTAIN PROPERTY
(City of Olean)**

Pursuant to Section 501(c)(3) of the Internal Revenue Code and Section 450 of the County Law.

WHEREAS, the Olean Community Theatre, Inc., P.O. Box 100, Olean, New York 14760, is a 501(c)(3) non-profit corporation, which owns property located at 127 South Barry Street, identified as Tax Map No. 94.065-7-38, in the City of Olean, and

WHEREAS, pursuant to Section 501(c)(3) of the Internal Revenue Code, the Olean Community Theatre, Inc., is exempt from taxation, and

WHEREAS, taxes are being assessed on the above-described property due to all tax bills and correspondence erroneously being sent to the wrong address, and

WHEREAS, the taxes owed on the above-described property should be forgiven and the County's tax lien cancelled, and

WHEREAS, the Olean Community Theatre, Inc., provides a public benefit and it is in the County's best interest to cancel the taxes on the above-described property, now, therefore, be it

RESOLVED, that the accrued taxes, fees and interest against property located at 127 South Barry Street, identified as Tax Map No. 94.065-7-38, in the City of Olean, be forgiven and the County's tax lien cancelled.

Adopted May 25, 2022 by voice vote.

ACT NO. 252-2022 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. Smith, Mr. Snyder, Mr. VanRensselaer and Mr. Koch who ask immediate consideration

**SUPPORTING ASSEMBLY BILL A.9990 AND SENATE BILL S.8999
ALLOWING NEW YORK STATE-PRODUCED WHOLE AND 2% MILK
BACK INTO SCHOOLS**

Pursuant to Section 153 of the County Law.

WHEREAS, Federal regulations enacted under the Obama Administration were put in place about ten years ago prohibiting whole and 2% milk from being served in schools which was intended to lower childhood obesity and diabetes rates as it was thought that fat free and 1% milk were inherently healthier, and

WHEREAS, since the implementation of this restriction, childhood obesity and diabetes rates have continued to rise and many have become concerned that the restriction could be exacerbating the problem, and

WHEREAS, recent studies have shown children who drink full-fat dairy products tend to be leaner than their peers and have a lower risk of becoming overweight, and

WHEREAS, other studies have found those who consume whole-fat dairy may have a lower risk for heart disease and Type 2 diabetes, lower blood pressure, an increased satiety without weight gain and better sleep, and

WHEREAS, the removal of these milk options has also had a negative effect on dairy farms throughout upstate New York where milk dumping is on the rise, and

WHEREAS, already facing numerous obstacles in maintaining their viability as a business in recent years, dairy farms have long counted on revenue from milk sales to schools to keep their businesses operational, and

WHEREAS, the removal of whole and 2% milk from school cafeterias has had nothing but negative impacts on all involved, including children and farmers, and

WHEREAS, providing more dairy options to students will encourage students to get the nutrition their growing bodies need from milk and help farmers recoup revenue lost since the passage of this ill-conceived prohibition, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature hereby fully supports Assembly Bill A.9990 and Senate Bill S.8999 to allow New York State-produced whole and 2% milk back into schools and encourages Governor Hochul and the State Legislature to enact the same, and be it further

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

Adopted May 25, 2022 by voice vote.

ACT NO. 253-2022 by Mr. VanRensselaer
who asks immediate consideration

**URGING EXTENDED TIMETABLE AND COMPREHENSIVE COST ANALYSIS OF
NEW YORK STATE CLIMATE ACTION COUNCIL'S DRAFT SCOPING PLAN FOR
NEW YORK'S CLIMATE LEADERSHIP AND COMMUNITY PROTECTION ACT
(THE "CLIMATE ACT")**

Pursuant to Section 153 of the County Law.

WHEREAS, in 2019, the New York State Legislature enacted New York's Climate Leadership and Community Protection Act (the "Climate Act"), the most aggressive decarbonization policy in the nation, and

WHEREAS, the Climate Act targets the goal of reaching 'net zero' emissions by 2050, to be phased in through progressively stricter carbon emission reductions including a 40 percent reduction by 2030 and 85 percent reduction by 2050, while further mandating that by 2040, 100 percent of the electricity used in New York come from renewable energy sources, and

WHEREAS, prior to and upon passage of the Climate Act, multiple business advocacy organizations as well as energy industry representatives and stakeholders expressed grave concerns about the Act's impact on the state's employers, energy consumers and the economy as a whole, which were largely unaddressed in the final law, and

WHEREAS, the Climate Action Council, a body of 22 appointed individuals charged with creating a blueprint for the Climate Act's emissions targets, released a Draft Scoping Plan on December 20, 2021 that mandates hundreds of different measures affecting all aspects of New Yorkers' daily lives and community activities, and

WHEREAS, January 1, 2022 marked the beginning of a 120-day comment period to receive feedback from the public, via the online public comment form, via email and via U.S. Mail, with the comment period ending June 10, 2022, and

WHEREAS, counties, the level of government closest to the people, were afforded no input in this process, including on "The Land Use and Local Government Advisory Group," which did not include any members who currently work in local government, and

WHEREAS, the key prohibitions include bans on new gas service to existing and newly constructed homes and buildings beginning in 2024, a ban on the use of natural gas appliances in 2030, a ban on the replacement of traditional heating systems in existing homes beginning in 2030, and a ban on the sale of gasoline vehicles in 2035, and

WHEREAS, the draft scoping plan lacks a comprehensive and detailed cost analysis of implementing the recommendations, but which is conservatively estimated to be upwards of \$300 billion dollars to be borne by taxpayers and energy ratepayers, and

WHEREAS, the Climate Act applies only to New York, which is already a leader in clean energy production, accounting for just 0.4 percent of global carbon emissions, rendering any attainment of 'net zero' emissions meaningless in terms of any impact on our own or the global climate, while burdening New Yorkers with extreme costs, and

WHEREAS, state residents, who are struggling under the pressure of the highest gas prices on record and soaring inflation, deserve an honest and transparent cost-benefit analysis of these recommendations as well as an extended period in which to review and submit comments on proposals that will have far-reaching impacts on our state's economy, affordability and quality of life, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature respectfully requests that the Climate Action Council provide a comprehensive cost-benefit analysis of all recommendations in its draft and final

scoping plans and accordingly extend its timetable for implementation and public comment, and be it further

RESOLVED, that the Cattaraugus County Legislature hereby directs the Clerk of the Legislature to submit this document as comment on the Draft Scoping Plan, and be it further

RESOLVED, that the Clerk of the Legislature is hereby directed to forward copies to Governor Kathy Hochul; NYS Department of Environmental Conservation (NYSDEC) Commissioner and Climate Action Council Co-Chair Basil Seggos; and NYS Energy Research and Development Authority (NYSERDA) Acting President and Climate Action Council Co-Chair Doreen Harris.

Adopted May 25, 2022 by voice vote.

**MOTION TO ADJOURN IN MEMORY OF
JAMES J. SNYDER, SR.**

WHEREAS, James J. Snyder, Sr., 86, of Olean, passed away on May 11, 2022 at home, and

WHEREAS, Mr. Snyder was elected from District #7 to the newly formed County Legislature in 1969 and served as a legislator for a total of 39 years retiring at the end of his term on December 31, 2019, including 13 years as its Chairman; he was the last surviving member of the original Cattaraugus County Legislature that held their first meeting in January 1970, and

WHEREAS, Mr. Snyder began his long political career in 1962 representing Ward 10 on the Olean Common Council, and

WHEREAS, Mr. Snyder distinguished himself and brought honor and recognition to Cattaraugus County by serving as President of the National Association of Counties (NACo) in Washington, D.C. from 1988-1989, President of the New York State Association of Counties (NYSAC) from 1989-1990, and as Special Assistant to President George H.W. Bush, serving as Director of Intergovernmental Affairs from 1991-1993, and

WHEREAS, born and raised in Olean, he first caught the community's attention as a star basketball player for Olean High School, earning him a basketball scholarship to Syracuse University where he played all four years; in 1992, Mr. Snyder was inducted into the Olean High School Sports Wall of Fame as well as the Syracuse University Sports Hall of Fame, and

WHEREAS, Mr. Snyder earned his B.A. in Sociology in 1957 from Syracuse University; his M.S. in History in 1971 from St. Bonaventure University; and in 2021, was awarded an honorary Doctor of Laws degree from Jamestown Community College, where he was instrumental in establishing the Olean campus, and

WHEREAS, Mr. Snyder retired after 40 years as the Regional Vice President of AAA of Western & Central New York; he served on the JCC Board of Trustees; President of the Cattaraugus County Board of Health, President of the Cattaraugus Empire Zone Corporation; Chairman of the City of Olean Planning Board; member of the American Legion Post #530; as well as other clubs and organizations, and

WHEREAS, he received many honors and awards in recognition of his achievements: 1990, "County Leader of the Year", by *City and County Magazine*; the Edwin L. Crawford Award presented by NACo; 2002, the Star Award presented by the County Department of Aging; 2003, the Good News Award presented by Greater Olean, Inc.; 2003, the John D. Hamilton Award presented by JCC; 2006, the Greater Olean Area Chamber of Commerce "L.O.U.I.E." award; 2019, designation of Cattaraugus County Legislative Chambers in his name; and 1982, adopted into the Seneca Nation of Indians as a member of the Hawk clan, the only member in the history of the County Legislature so honored, and

WHEREAS, Mr. Snyder also served in the U.S. Army, both active and reserve, and

WHEREAS, Mr. Snyder is survived by his wife, Paula; his children, Sydney Evans, Joe Snyder, Amy Ehmann, Shayne Certo; stepchildren, Timothy Perrigo and Maggie Kasperski; thirteen grandchildren; three great-grandchildren; and a sister, Elizabeth Knight, and

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

MOVE, that the Cattaraugus County Legislature hereby adjourns, and stands adjourned, in memory of James J. Snyder, Sr., and this Motion be seconded by the rest of the Legislature, now, therefore, be it

RESOLVED, that the Cattaraugus County Legislature hereby adjourns, and stands adjourned, until its next meeting, unless specially convened, in memory of James J. Snyder, Sr., and be it further

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

* * * * *

MRS. ANDREANO moved, seconded by Mr. Smith, to adjourn until June 8, 2022 at 5:00 p.m. Carried.

Meeting adjourned at 5:39 p.m.

Ann M. Giglio
Journal Clerk