

CHAUTAUQUA COUNTY LEGISLATURE

03/26/2025

RENEW AND AMEND
CHAUTAUQUA COUNTY
RESOLUTION NO. 128-24

Authorize Agreement with NY State DOT for
Performance of Federal-Aid Project PIN 5764.84

By Public Facilities and Audit & Control Committees:

At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, the Project for the Replacement of the Kiantone Road County Bridge 994 over Stillwater Creek, BIN 3325090, in the Town of Kiantone, Chautauqua County, PIN 5764.84 (the Project) is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program, now estimated to be \$375,000 to be borne at the ratio of 95% Federal funds and 5% County funds; and

WHEREAS, the County of Chautauqua will design, let and construct the Project; and

WHEREAS, the County of Chautauqua desires to advance the Project by making a commitment of 100% of the Non-Federal share of the costs of the Project PIN 5764.84; now therefore be it

RESOLVED, That the County Legislature of the County of Chautauqua hereby approves the Project; and be it further

RESOLVED, That the County Legislature of the County of Chautauqua hereby authorizes the County of Chautauqua to pay in the first instance 100% of the Federal and Non-Federal shares of the cost of the Project or portions thereof; and be it further

RESOLVED, That in the event the full federal and nonfederal share costs of the Project exceed the amount appropriated above, the County of Chautauqua shall convene its Legislature as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof; and be it further

RESOLVED, That pursuant to the State's requirement, the County of Chautauqua hereby agrees that construction of the Project shall begin no later than twenty-four (24) months after award and the construction phase of the Project shall be completed within thirty (30) months; and be it further

RESOLVED, That the County Executive of the County of Chautauqua be and is hereby authorized to execute all necessary agreements, certifications or reimbursement requests for Federal Aid on behalf of the County of Chautauqua with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the Municipality's first instance funding of Project costs and permanent funding of the local share of Federal-Aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible; 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 the D Fund Balance is appropriated as follows:

INCREASE THE USE OF FUND BALANCE:

D-----915.0000	Assigned Fund Balance Unappropriated	\$ 18,750
----------------	--------------------------------------	-----------

; and be it further

CHAUTAUQUA COUNTY LEGISLATURE

03/26/2025

RESOLVED, That the Director of Finance is directed to make the following changes to the 2024 Capital Budget:

INCREASE CAPITAL APPROPRIATION ACCOUNT:

D.5112.389.4 Contractual – Capital Improvements, Funded Bridge Program \$375,000

INCREASE CAPITAL REVENUE ACCOUNT:

D.5112.389.R458.9002 Federal Aid – Surface Transp Program \$356,250

Resolution No. 128-24 Originally Adopted – May 22, 2024 (Unanimously Carried)

(Potential changes to be renewed and amended at the March 26, 2025 Legislature Meeting are shown underlined)

RES. NO. 90-25

Requesting Continuation of State Legislation

Authorizing 1.0% Additional Sales Tax

By Administrative Services and Audit & Control Committees:

At the Request of Chairman Pierre E. Chagnon:

WHEREAS, pursuant to Chapter 252 of the Laws of 2023 adopted by the New York State Legislature, the County was authorized to continue the additional sales tax of 1% for the period of December 1, 2023 through November 30, 2025, with three-twentieths of the net collections from the additional 1% allocated to the cities, towns and villages in the county on the basis of their respective populations, and the remainder of the net collections from the additional 1% eligible to be allocated by the County as follows: (1) to pay the County's expenses for Medicaid and other expenses required by law; (2) to pay for local road and bridge projects; (3) for the purposes of capital projects and repaying any debts incurred for such capital projects that are not otherwise paid for by revenue received from the mortgage recording tax; and (4) for deposit into a reserve fund for bonded indebtedness established pursuant to the general municipal law; and

WHEREAS, it is desirable to continue the 1% additional sales tax for allocation to the cities, towns, villages, and the County as currently provided by State law; therefore be it

RESOLVED, That the County of Chautauqua requests the New York State Legislature to further amend Sections 1210 and 1262-o of the New York State Tax Law and any other applicable law to authorize the County of Chautauqua to continue to impose an additional sales tax of 1% subject to the same requirements in Chapter 252 of the Laws of 2023, to take effect on December 1, 2025, and continuing through November 30, 2027; and be it further

RESOLVED, That the Clerk of the County Legislature is directed to immediately send copies of this resolution to State Senator George M. Borrello and State Assemblyman Andrew M. Molitor.

(2/26/25 Leg – Referred back to AC committee)

(3/20/25 AC – Carried with Legislator Nelson voting “No”)

Signed: Pavlock, Johnson, Scudder

CHAUTAUQUA COUNTY LEGISLATURE

03/26/2025

RES. NO. 91-25

Requesting Legislation Authorizing 0.75% Additional Sales Tax

At the Request of Legislator Larson:

WHEREAS, pursuant to Chapter 252 of the Laws of 2023 adopted by the New York State Legislature, the County was authorized to continue the additional sales tax of 1% for the period of December 1, 2023 through November 30, 2025, with three-twentieths of the net collections from the additional 1% allocated to the cities, towns and villages in the county on the basis of their respective populations, and the remainder of the net collections from the additional 1% eligible to be allocated by the County as follows: (1) to pay the County's expenses for Medicaid and other expenses required by law; (2) to pay for local road and bridge projects; (3) for the purposes of capital projects and repaying any debts incurred for such capital projects that are not otherwise paid for by revenue received from the mortgage recording tax; and (4) for deposit into a reserve fund for bonded indebtedness established pursuant to the general municipal law; and

WHEREAS, it is desirable to authorize a 0.75% additional sales tax for allocation of four-twentieths to the cities, towns, villages, and the remainder to the County; therefore be it

RESOLVED, That the County of Chautauqua requests the New York State Legislature to further amend Sections 1210 and 1262-o of the New York State Tax Law and any other applicable law to authorize the County of Chautauqua to impose an additional sales tax of 0.75% with four-twentieths to the cities, towns and villages in the County on the basis of their respective populations, and the remainder of the net collections from the additional 0.75% to the County, to take effect on December 1, 2025, and continuing through November 30, 2027; and be it further

RESOLVED, That the Clerk of the County Legislature is directed to immediately send copies of this resolution to State Senator George M. Borrello and State Assemblyman Andrew M. Molitor.

Signed: Larson

RES. NO. 92-25

Confirm Appointments – Traffic Safety Board

By Public Safety Committee:

At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, Paul M. Wendel Jr., County Executive, has submitted the following appointments for action by the Chautauqua County Legislature; therefore be it

RESOLVED, That the Chautauqua County Legislature does hereby confirm the following appointments to the Traffic Safety Board.

Daniel Ingrao
215 South Work Street
Falconer, NY 14733
Term Expires: 7/31/26
(Replacing William Ohnmeiss Jr.)

CHAUTAUQUA COUNTY LEGISLATURE
03/26/2025

Christopher Witkowski
119 Ounce St.
Dunkirk, NY 14048
Term Expires: 7/31/26
(Replacing David Ortolano)

Lisa Vanstrom
55 Plummer Ave.
Jamestown, NY 14701
Term Expires: 7/31/26
Signed: Niebel, Landy, Carle, Proctor

RES. NO. 93-25
Confirm Re-Appointment - Chautauqua County
Industrial Development Agency

By Planning & Economic Development Committee:

At the Request of Chairman Pierre E. Chagnon:

WHEREAS, General Municipal Law § 895-h(1) provides that the Chairman of the County Legislature's Planning and Economic Development Committee serves on the Board of Directors of the Chautauqua County Industrial Development Agency (CCIDA), and the County Legislature has the authority to appoint another individual to serve on the CCIDA Board; therefore be it

RESOLVED, That the County Legislature hereby reappoints the following individual as a member of the Chautauqua County Industrial Development Agency (CCIDA) for a term to expire 12/31/2028.

Sagan Sheffield-Smith
3774 Bellview Road
Bemus Point, New York, 14712
Term Expires: 12/31/28
Signed: Harmon, Johnson, Larson, Dickey

RES. NO. 94-25
Authorize Lease Agreement with Jamestown's Rental Properties, LLC

By Public Facilities, Administrative Services and Audit & Control Committees:

At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, the Chautauqua County Law Department has been operating with a shortage of staff due to lack of sufficient office space to house additional employees; and

WHEREAS, it has been determined that Law Department staff will be co-located with Department of Mental Hygiene and Social Services legal staff; and

WHEREAS, there is no available space in the County's Mayville campus of sufficient size to accommodate all such personnel; and

CHAUTAUQUA COUNTY LEGISLATURE

03/26/2025

WHEREAS, Jamestown's Rental Properties, LLC has suitable office space available in Mayville, in close proximity to the Mayville campus; and

WHEREAS, onetime costs associated with equipping the space with phone, internet and office furniture are estimated to be \$18,400; and

WHEREAS, other recurring costs are estimated to be \$1,200 per year; and

WHEREAS, the aforementioned expenses were not included in the 2025 budget; now therefore be it

RESOLVED, That the County Executive is hereby authorized and empowered to execute a lease agreement with Jamestown's Rental Properties, LLC (Owner) upon the following terms and conditions:

- 1) Premises. The office building situated at 95 East Chautauqua Street in Mayville, New York, consisting of approximately 7,500 square feet; **2035**
- 2) Term. Ten (10) years, with approximate dates of April 1, 2025 through March 30, ~~2030~~;
- 3) Rent. \$14.00 per square foot per year, equaling approximately \$8,750 per month;
- 4) Utilities. Owner shall be responsible for all utilities, including heat and electric, and cleaning, and County is responsible for the cost of phone and internet service, including installation fees; and
- 5) Other. As negotiated by the County Executive;

and be it further

RESOLVED, That the A Fund be appropriated as follows:

INCREASE THE USE OF FUND BALANCE:

A.----.----.917.0000	Fund Balance – Unassigned Fund Balance	\$124,600
----------------------	--	-----------

; and be it further

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following change to the 2025 Adopted Budget:

ESTABLISH AND INCREASE APPROPRIATION ACCOUNT:

A.1420.----.4	Contractual – County Attorney	\$ 1,200
A.1620.7050.2	Equipment – 95 East Chautauqua Street	4,500
A.1620.7050.4	Contractual – 95 East Chautauqua Street	<u>118,900</u>
	Total	\$124,600

(2-18-25 P.F. – Tabled)

(2-19-25 A.S. – No Action taken)

(2-20-25 A.C. – No Action taken)

(3-20-25 A.C. – Amended by strikethrough and new text in bold)

Signed: Heiser, Johnson, Vanstrom, Buchanan, Nelson, Anthony, Scudder, Pavlock

CHAUTAUQUA COUNTY LEGISLATURE

03/26/2025

RES. NO. 95-25

Authorizing Public Hearing Regarding a Potential Application for 2025
Community Development Block Grant Funding through the New York
State Office of Community Renewal and the Uses of Said Funding

By Planning & Economic Development and Audit & Control Committees:

At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, the County desires to submit a Community Development Block Grant (“CDBG”) application to the New York State Office of Community Renewal (“OCR”) for an Economic Development Grant to fund the purchase of furnishings, fixtures, equipment and working capital expenses in connection with the re-opening of a restaurant at the location formerly known as House on the Hill, located at 186 S Erie St, Mayville, NY (the “Project”); and

WHEREAS, the County’s application for an OCR Economic Development Grant shall include entering into an agreement with the Chautauqua Region Economic Development Corporation (CREDC) for the implementation of the Project and administration of the OCR Economic Development Grant; and

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

RESOLVED, That the Chautauqua County Legislature shall hold a public hearing for the aforementioned purposes during the regular meeting of the County Legislature on April 23, 2025, at 6:35 p.m. in the Legislative Chambers, Gerace Office Building, Mayville, New York; and be it further

RESOLVED, That the Clerk of the Legislature is authorized and directed to post notice of the public hearing in the Gerace Office Building and to publish notice of the hearing at least eight (8) days prior thereto in the official newspapers of the County of Chautauqua in such form as is approved by the Chautauqua County Law Department.

Signed: Harmon, Johnson, Larson, Dickey, Nelson, Scudder, Pavlock

RES. NO. 96-25

Authorizing Public Hearing Regarding 2025 Agricultural District Inclusions

By Planning & Economic Development Committee:

At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, the Chautauqua County Legislature is responsible for the Chautauqua County Agricultural Districts No. 1, 7, 8, and 10; and

WHEREAS, Article 25AA section 303-b of the New York State Agriculture and Markets Law authorizes the inclusion of viable agricultural lands into an existing agricultural district within the County of Chautauqua, in accordance with the procedures set forth therein; and

WHEREAS, pursuant to Resolution No. 280-03 the Chautauqua County Legislature designated January 2nd through January 31st as Chautauqua County’s annual period for landowners to submit a request for inclusion of their land in a State-certified Agricultural District; and

WHEREAS, in accordance with New York State Agriculture and Markets Law Section 303-b, an inclusion of viable agricultural land in Chautauqua County’s agricultural districts is being conducted in 2025, and a Public Notice to accept proposals for inclusions to the districts was posted and distributed in accordance with the procedures set forth therein; and

CHAUTAUQUA COUNTY LEGISLATURE
03/26/2025

WHEREAS, the Chautauqua County Agricultural and Farmland Protection Board reviewed the submitted proposals on February 19, 2025, found that the below parcels of land proposed to be included in the Agricultural Districts consist predominantly of “viable agricultural land” as defined in Article 25AA section 301(7) and that inclusion of the land would serve the public interest by assisting in maintaining a viable agricultural industry within the district, and voted to recommend that the Legislature accept the proposed inclusion parcels listed below into an existing agricultural district; and

Ag. District	Parcel #	Landowner	Acres
7	330.00-2-12.1	Gleason, M. & T	34.7
1	113.09-2-5.1	Maggitti, A. (MWP Enterprises, LLC)	11.5
1	113.09-2-3.1	Maggitti, A. (MWP Enterprises, LLC)	0.4
1	113.09-2-1	Maggitti, A. (MWP Enterprises, LLC)	3.6
1	113.05-1-47	Maggitti, A.	0.5
1	95.02-1-2	Urbanik, R. & B.	61.8

WHEREAS, in accordance with New York State Agriculture and Markets Law Section 303-b, the County must hold a Public Hearing prior to accepting proposed inclusion requests to an existing agricultural district; therefore be it

RESOLVED, That the Chautauqua County Legislature hereby sets a public hearing for the aforementioned purposes during the regular meeting of the County Legislature on April 23, 2025 at 6:35p.m., in the Legislative Chambers, Gerace Office Building, Mayville, New York, where all interested parties shall be heard regarding the proposed inclusion requests for modifications to Chautauqua County’s Agricultural Districts; and it be further

RESOLVED, That at least eight (8) days’ notice of such hearing shall be given by the Clerk of the Legislature by the due posting thereof in the Gerace Office Building and on the County’s website, and by publishing such notices in the official newspaper of the County.
Signed: Harmon, Johnson, Larson, Dickey

RES. NO. 97-25

Establish Chautauqua County as Lead Agency for North Chautauqua Lake
Sewer District Wastewater Treatment Plant Expansion Project

By Planning & Economic Development Committee:

At the Request of County Executive Paul M. Wendel, Jr. and Legislative Chairman Pierre E. Chagnon:

WHEREAS, in 2004, Chautauqua Lake was officially designated as an impaired water body by the NYS DEC pursuant to Section 303(d) of the federal Clean Water Act due to phosphorus loadings; and

WHEREAS, a Total Maximum Daily Load (TMDL) phosphorus allocation for Chautauqua Lake was completed in 2012, which provides an official regulatory plan for reducing phosphorus inputs and restoring the impaired water body, and requires substantial reductions in phosphorus inputs to Chautauqua Lake; and

WHEREAS, the TMDL recommended phosphorous reduction strategies for Chautauqua Lake, including upgrades to Waste Water Treatment Plants (WWTPs) and development of sewer collection infrastructure around the Lake; and

CHAUTAUQUA COUNTY LEGISLATURE

03/26/2025

WHEREAS, the County of Chautauqua, the North Chautauqua Lake Sewer District (NCLSD), the South and Center Chautauqua Lake Sewer Districts, and other stakeholders worked collaboratively to develop the “Chautauqua Lake Integrated Sewage Management Plan” (CLISMP), which was completed in 2014; and

WHEREAS the CLISMP recommended WWTP upgrades and development of sewer infrastructure around the Lake, including infrastructure improvements to the North Chautauqua Lake Sewer District; and

WHEREAS, pursuant to Resolution 129-24, the Chautauqua County Legislature accepted grant funds from the New York State Environmental Facilities Corporation “Engineering Planning Grant” Program and appropriated NCLSD funds for the preparation of a Preliminary Engineering Report (PER) to evaluate the existing treatment capacity and future treatment needs for the WWTP; and

WHEREAS, the PER determined that portions of the WWTP’s physical infrastructure had exceeded their useful life and the treatment processes were insufficient to consistently achieve regulatory compliance at current or potentially increased flows; and

WHEREAS, the NCLSD Board approved the PER and caused the preparation of a *Map and Plan - North Chautauqua Lake Sewer District Wastewater Treatment Plant Expansion Project* Report, in accordance with New York State County Law 5-A, Section 268 Increase and Improvement of Facilities; and

WHEREAS, on February 28, 2025 the NCLSD Board met and approved the *Map and Plan - North Chautauqua Lake Sewer District Wastewater Treatment Plant Expansion Project* Report and made a decision to recommend to the Chautauqua County Legislature that it be found to be in the public interest to advance the North Chautauqua Lake Sewer District Wastewater Treatment Plant Expansion Project, to cause Part 1 of the Long Environmental Assessment Form to be prepared, and to establish Chautauqua County as Lead Agency for the New York State Environmental Quality Review (SEQR) proceedings; therefore be it

RESOLVED, That the Chautauqua County Legislature accepts the recommendation of the NCLSD Board that it be found to be in the public interest to advance North Chautauqua Lake Sewer District Wastewater Treatment Plant Expansion Project; and be it further

RESOLVED, That the Chautauqua County Legislature has caused the Part 1 of the Long Environmental Assessment Form to be completed and that the Project is designated a “Type I Action” as defined in 6 NYCRR Part 617.4; and be it further

RESOLVED, That the Chautauqua County Legislature hereby establishes itself as Lead Agency for the Project to further the required environmental review process.

Signed: Harmon, Johnson, Larson, Dickey

RES. NO. 98-25

Calling a Public Hearing Pursuant to County Law §268 Upon
a Proposal to Upgrade Wastewater Treatment Plant Infrastructure
in the North Chautauqua Lake Sewer District

By Public Facilities and Audit & Control Committees:

At the Request of County Executive Paul M. Wendel, Jr. and Legislature Chairman Pierre E. Chagnon:

WHEREAS, Resolution 37-76 established the North Chautauqua Lake Sewer District (NCLSD) in accordance with County Law Article 5-A; and

CHAUTAUQUA COUNTY LEGISLATURE

03/26/2025

WHEREAS, the Town of Chautauqua has created the Town of Chautauqua Sewer District No. 1 Extension; and

WHEREAS, some portions of NCLSD infrastructure were constructed in the early 1980s, and other portions acquired from another party date as far back as the 1950s; and

WHEREAS, the engineering firm of Square Engineering, competent engineers, duly licensed in the State of New York, was engaged to perform a study of the Wastewater Treatment Plant (WWTP); and

WHEREAS, several treatment process components at the WWTP are reaching the end of their useful lives and some are capacity limited; and

WHEREAS, Square Engineering prepared an engineering report reviewing and analyzing needed WWTP improvements and alternatives and making recommendations, and developed a Map and Plan for recommended WWTP improvements (the Project) together with an estimate of Project costs; and

WHEREAS, County Law §268 requires that this Legislature call a public hearing on the Map and Plan Report; now therefore be it

RESOLVED, That a public hearing will be held by the Chautauqua County Legislature at the Legislative Chambers, Gerace Office Building, 3 North Erie Street in the Village of Mayville, Chautauqua County, New York on April 23, 2025 at 6:35 PM, prevailing time, on the proposed Project as set forth in the Map and Plan; and be it further

RESOLVED, That the Clerk of the Legislature is hereby authorized and directed to cause a copy of the below Notice of Public Hearing to be published once in the official newspapers of the County; and be it further

RESOLVED, That pursuant to County Law §254(2)(a), the Clerk of the Legislature is directed to cause a certified copy of the below Notice of Public Hearing to be filed with the New York State Comptroller on or about the date of the publication of such notice; and be it further

RESOLVED, That the Notice of Public Hearing shall be in substantially the following form:

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the County Legislature of the County of Chautauqua, New York will meet in the Legislative Chambers, Gerace Office Building, 3 North Erie Street, Mayville, New York on April 23, 2025 at 6:35 PM, prevailing time, for the purpose of conducting a public hearing concerning the proposed improvements in the North Chautauqua Lake Sewer District Wastewater Treatment Plant. The proposed work includes influent metering upgrades, replacement of the main pumping station, construction of an activated sludge treatment process (Sequencing Batch Reactor) to replace the current RBC process, demolition or repurpose of primary clarifiers as pre-SBR equalization tanks, conversion of secondary clarifiers into post-SBR equalization tanks, rehabilitation of existing digester tankage into aerobic sludge holding tanks, construction of various digester building upgrades, construction of a new maintenance and garage facility, upgrading the secondary effluent pump station to increase capacity, installation of an additional tertiary filter, and upgrading the UV disinfection system to increase capacity, as detailed in the Map and Plan prepared by Square Engineering which is on file for inspection in the office of the Clerk of the County Legislature, 3 North Erie Street, Mayville, New York, and available on-line at <https://chqgov.com/legislature/Legislature>. The estimated cost of the improvement Project is \$10,146,000.00. The County intends to finance the project through NYSEFC financing and other potential grants. The estimated annual cost to be assessed to properties for these improvements is \$121.00 if grant funding is received, which when added to

the estimated average annual sewer charge will be expected to result in a maximum annual sewer charge of \$737.00. If no grant is received the estimated annual cost to be assessed to properties for these improvements is \$241.00, which when added to the estimated average annual sewer charge will be expected to result in a maximum annual sewer charge of \$857.00.

At such public hearing, the Chautauqua County Legislature will hear all persons interested in this matter.

Signed: Heiser, Pavlock, Johnson, Buchanan, Nelson, Anthony, Scudder

RES. NO. 99-25

Accept New York State Environmental Quality Review Act
(SEQRA) Findings for the Center Chautauqua Lake Sewer
District Extension Phase 3 Project

By Planning & Economic Development Committee:

At the Request of County Executive Paul M. Wendel, Jr. and Legislator Chairman Pierre E. Chagnon:

WHEREAS, in 2004, the United States Environmental Protection Agency (USEPA) and the New York State Department of Environmental Conservation (NYSDEC) completed a Total Maximum Daily Load (TMDL) for phosphorous in Chautauqua Lake; and

WHEREAS, the TMDL recommended phosphorous reduction strategies for Chautauqua Lake, including the upgrade, extension, and development of sewer infrastructure around the Lake; and

WHEREAS, the County of Chautauqua, the North Chautauqua Lake Sewer District (NCLSD), the South and Center Chautauqua Lake Sewer Districts (SCCLSD), and other stakeholders worked collaboratively to develop the “Chautauqua Lake Integrated Sewage Management Plan” (CLISMP), which was completed in 2014; and

WHEREAS, pursuant to Resolution 318-24 the Chautauqua County Sewer Agency was formed in accordance with Article 5-A of the County Law; and

WHEREAS, a Preliminary Engineering Report (PER) was prepared to determine the feasibility of sewer collection and treatment for the east side of Chautauqua Lake between the North Chautauqua Lake Sewer District service at Galloway Road and the Center Chautauqua Lake Sewer District service at Midway State Park; and

WHEREAS, on December 4, 2024 the Sewer Agency met and unanimously approved a motion to accept the PER and to recommend that the PER be advanced to a District Extension Map, Plan and Report with funding from the SCCLSD; and

WHEREAS, pursuant to Resolution 341-24, the Chautauqua County Legislature approved the use of SCCLSD funds for the completion of the District Extension Map, Plan and Report; and

WHEREAS, on January 6, 2025 the Sewer Agency met and accepted the District Extension Map, Plan and Report and made its recommendation that it be found to be in the public interest to begin the District Extension process, to prepare Part 1 of the Long Environmental Assessment Form (LEAF), and to establish Chautauqua County as the Lead Agency for the State Environmental Quality Review Act (SEQR) proceedings; and

WHEREAS, pursuant to Resolution 88-25 the Chautauqua County Legislature accepted the Sewer Agency’s recommendations that the District Extension Project be deemed to be in the public interest, reviewed Part 1 of the LEAF, and in doing so, determined that the District

CHAUTAUQUA COUNTY LEGISLATURE

03/26/2025

Extension Project is a “Type I Action” as defined by SEQR in 6 NYCRR Part 617.4, and established itself as Lead Agency to advance the SEQR process; and

WHEREAS, as, Lead Agency, the Chautauqua County Legislature caused Part 2 of the Full Environmental Assessment Form (FEAF) – Identification of Potential Project Impacts to be completed, and upon due consideration of Part 2 of the FEAF, caused Part 3 of the FEAF – Evaluation of the Magnitude and Importance of Project Impacts and Determination of Significance to be completed; therefore, be it

RESOLVED, upon review of Parts 2 and 3 of the FEAF, and having considered the facts and conclusions relied on to meet the requirements of 6 NYCRR Part 617, the Chautauqua County Legislature hereby finds in accordance with Article 8 of New York State Environmental Conservation Law that:

- 1) the requirements of 6 NYCRR Part 617 have been met; and
- 2) implementation of the proposed action will not result in any significant adverse environmental impacts; and be it further

RESOLVED, That the County Executive be and hereby is authorized on behalf of the County to execute a “Negative Declaration” for the proposed action.

Signed: Harmon, Johnson, Larson, Dickey

RES. NO. 100-25

Determinations in Relation to the Extension of Center Chautauqua
Lake Sewer District Bounds from Midway State Park through Point
Chautauqua on the East Side of Chautauqua Lake

By Public Facilities and Audit and Control Committees:

At the Request of County Executive Paul M. Wendel, Jr. and Legislature Chairman Pierre E. Chagnon:

WHEREAS, the Chautauqua County Legislature adopted Resolution 87-25 calling a public hearing for the purpose of considering a proposal to extend Center Chautauqua Lake Sewer District (CCLSD) bounds along the east side of Chautauqua Lake through Point Chautauqua; and

WHEREAS, notice of said public hearing was duly published and mailed as required by law and the public hearing was held at the Legislative Chambers, Gerace Office Building, Mayville, New York on March 26, 2025 at 6:35 PM, prevailing time; and

WHEREAS, the Legislature has duly considered the Map, Plan and Report filed with it by the County Sewer Agency dated January 2025 relating to the proposed extension of the CCLSD bounds (Map, Plan and Report), as well as the testimony and other information received by it at the public hearing and otherwise; now therefore be it

RESOLVED, Upon the Map, Plan and Report and other data filed with it, the Legislature hereby determines in accordance with County Law §§274 and 256:

1. The proposed facilities for the extension of CCLSD bounds are satisfactory and sufficient.
2. All of the property and property owners within the proposed CCLSD boundary extension are benefitted thereby.

3. All of the property and property owners benefitted are included within the limits of the proposed CCLSD boundary extension.
4. It is in the public interest to extend the CCLSD as proposed.
5. The zones of assessment within the area of the proposed extension of the CCLSD and the allocation of the costs of the facilities thereto represent as nearly as may be the proportionate amount of benefit which the several lots and parcels of land situate in such zones will derive therefrom.
6. The proportion of the cost of the system of the original District to be included in the cost of the extension shall be zero.

and be it further

RESOLVED, That the extension of CCLSD bounds through Point Chautauqua as described in the Map, Plan and Report and in the Notice of Public Hearing and the construction of the improvements described in the Map, Plan and Report for a maximum amount to be expended of \$35,590,000 are hereby approved; and be it further

RESOLVED, That the establishment of the initial zones of assessment within the area of the proposed extension of the District and the initial allocation of the costs of the facilities as between said zones of assessment as described in the Map, Plan and Report and in the Notice of Public Hearing are hereby approved; and be it further

RESOLVED, That to the extent that the cost of the improvements and the expense of operation and maintenance are not paid from the revenues of the CCLSD, they shall be assessed in proportion as nearly as may be to the benefit which each lot or parcel in the CCLSD will derive therefrom; and be it further

RESOLVED, That this resolution is subject to permissive referendum pursuant to County Law §§ 101, 102, 256, 257, and 274 and the Clerk of the Legislature is directed to cause a notice to be published at least once in the official newspapers of the County within ten (10) days after the adoption of this resolution, such notice to contain the number, date of adoption, a true copy of the resolution and a statement that such resolution is subject to a permissive referendum, and the Clerk of the Legislature is further directed to prepare and have available for distribution proper forms for such petition; and be it further

RESOLVED, That in the event no valid petition requesting a referendum vote is filed and the time for doing so has expired, or if a referendum vote is held and the CCLSD extension is approved, the Clerk of the Legislature shall within ten days cause a certified copy of this Resolution to be recorded in the office of the County Clerk and in the office of the state department of audit and control at Albany, New York, pursuant to County Law §259.
Signed: Heiser, Pavlock, Johnson, Buchanan, Nelson, Anthony, Scudder

CHAUTAUQUA COUNTY LEGISLATURE
03/26/2025

RES. NO. 101-25
Establishment of Capital Accounts for Center Chautauqua
Lake Sewer District (CCLSD) Extension Phase 3

By Public Facilities and Audit and Control Committees:

At the Request of County Executive Paul M. Wendel, Jr. and Legislature Chairman Pierre E. Chagnon:

WHEREAS, pursuant to Resolution 87-25, the County Legislature determined it was in the public interest to extend the Center Chautauqua Lake Sewer District (CCLSD) bounds along the east side of Chautauqua Lake through Point Chautauqua; and

WHEREAS, it is appropriate to establish capital accounts for the undertaking of the capital improvements; and

WHEREAS, the financing of the work will be accomplished by a combination of grants, loan funding, and bonds, but the exact dollar amount of each revenue source is not known so the revenue budgets cannot be established at this time; now therefore be it

RESOLVED, That the Director of Finance is authorized and directed to establish accounts for the District's capital improvements, as follows:

ESTABLISH AND INCREASE CAPITAL APPROPRIATION ACCOUNT:

ESS.8130.27008.4	Contractual - Sanitary Sewers, CCLSD Extension Phase 3 (2025)	\$35,590,000
------------------	--	--------------

Signed: Heiser, Pavlock, Buchanan, Nelson, Anthony, Scudder, Johnson

RES. NO. 102-25

A Resolution Authorizing the Issuance of \$35,590,000 Bonds of the County of Chautauqua, New York, to Pay the Cost of the Design and Construction of an Extension of the Center Chautauqua Lake Sewer District in and for said County

By Public Facilities and Audit & Control Committees:

At the Request of County Executive Paul M. Wendel, Jr. and Legislature Chairman Pierre E. Chagnon:

WHEREAS, all conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act, have been performed; and

WHEREAS, it is now desired to authorize the financing and undertaking of such capital project; NOW THEREFORE,

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

Section 1. The design and construction of improvements for the extension of the Center Chautauqua Lake Sewer District to be located in the Towns of Ellery and Chautauqua, in and for the County of Chautauqua, New York, including installation of new facilities for the sewer extension that include gravity and/or pressure sewers, pumping stations, as well as incidental improvements and expenses in connection therewith, is hereby authorized at a maximum estimated cost of \$35,590,000.

Section 2. It is hereby determined that the plan for the financing of the aforesaid maximum estimated cost is by the issuance of not exceeding \$35,590,000 bonds of said County hereby authorized to be issued therefore pursuant to the provisions of the Local Finance Law; provided, however, the amount of bonds to be issued shall be reduced to the extent of grants received.

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

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell the bonds and bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Director of Finance, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Director of Finance, consistent with the provisions of the Local Finance Law.

Section 5. The Director of Finance is hereby further authorized to execute a project finance agreement, and any other agreements with the New York State Environmental Facilities Corporation, including amendments thereto, and including any instruments (or amendments thereto) in the effectuation thereof, in order to effect the financing or refinancing of the object or purpose.

Section 6. The faith and credit of said County of Chautauqua, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. To the extent not paid from assessments within the Extension or other sources, there shall annually be levied on all the taxable real property of said County a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

Section 7. All other matters except as provided herein relating to the serial bonds herein authorized, including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue bonds with substantially level or declining annual debt service, shall be determined by the Director of Finance, the chief fiscal officer of such County. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Director of Finance shall determine consistent with the provisions of the Local Finance Law. Section 8. The validity of such bonds and bond anticipation notes may be contested only if:

1. Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or
2. The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication, or
3. Such obligations are authorized in violation of the provisions of the Constitution.

Section 9. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set

aside with respect to the permanent funding of the objects or purposes described herein.

Section 10. No expenditure shall be made or contract let for the purpose authorized by this bond resolution unless and until the State Comptroller shall consent to such expenditure.

Section 11. This resolution, which takes effects immediately, shall be published in summary form in the official newspapers of Chautauqua County, together with a notice of the clerk of the County Legislature in substantially the form provided in Section 81.00 of the Local Finance Law.

Signed: Heiser, Pavlock, Johnson, Buchanan, Nelson, Anthony, Scudder

RES. NO. 103-25

Authorize County to Apply for Grants on Behalf of the Center Chautauqua Lake Sewer District to Extend District Bounds from Midway State Park through Point Chautauqua on the East Side of Chautauqua Lake

By Public Facilities and Audit & Control Committees:

At the Request of County Executive Paul M. Wendel, Jr. and Legislature Chairman Pierre E. Chagnon:

WHEREAS, Chautauqua Lake experiences nuisance algal blooms and excessive weed growth as a direct result of excessive phosphorus inputs; and

WHEREAS, in 2004, Chautauqua Lake was officially designated as an impaired water body by the NYS DEC pursuant to Section 303(d) of the federal Clean Water Act due to phosphorus loadings; and

WHEREAS, a Total Maximum Daily Load (TMDL) phosphorus allocation for Chautauqua Lake was completed in 2012, which provides an official regulatory plan for reducing phosphorus inputs and restoring the impaired water body, and requires substantial reductions in phosphorus inputs to Chautauqua Lake; and

WHEREAS, the septic systems which still exist surrounding Chautauqua Lake have been identified as a primary point source of phosphorus inputs to Chautauqua Lake; and

WHEREAS, it is likely that 50% of such existing septic systems in proximity to Chautauqua Lake would fail tests for adequacy pursuant to applicable sanitary codes, and the cost to property owners for replacement of such septic systems can be in a range of \$15,000 to \$35,000 or more; and

WHEREAS, recognizing the need to reduce wastewater phosphorus from entering Chautauqua Lake and to protect private water sources and public health, the County, the North Chautauqua Lake Sewer District (NCLSD), the South and Center Chautauqua Lake Sewer Districts (SCCLSD), and other stakeholders worked collaboratively to develop the "Chautauqua Lake Integrated Sewage Management Plan" (CLISMP), which was completed in October 2014; and

WHEREAS, a portion of the CLISMP recommendations included the upgrade, extension, and development of sewer infrastructure to replace existing septic systems on the east side of Chautauqua Lake; and

WHEREAS, the County of Chautauqua, the North Chautauqua Lake Sewer District (NCLSD), the South and Center Chautauqua Lake Sewer Districts (SCCLSD), and other stakeholders worked collaboratively to develop the East Chautauqua Lake Sewer Study; and

CHAUTAUQUA COUNTY LEGISLATURE
03/26/2025

WHEREAS, extending public sewer infrastructure treatment in the area along the northeast side of Chautauqua Lake from Midway State Park through Point Chautauqua would complete the availability of public sewers around the entirety of Chautauqua Lake; and

WHEREAS, pursuant to Resolution 318-24, the Chautauqua County Sewer Agency was established pursuant to Article 5-A of New York State County Law to evaluate sewer infrastructure needs and make recommendations to the County Legislature regarding the creation or extension of County sewer district(s) as may be necessary and in the best interest of the people of Chautauqua County; and

WHEREAS, the Chautauqua County Sewer Agency, after thorough review, has transmitted to this Legislature a Map, Plan and Report produced by Square Engineering D.P.C., competent engineers licensed by the State of New York, dated January 2025, entitled "South & Center Chautauqua Lake Sewer District Phase 3" containing recommendations as to the extension of CCLSD (hereinafter referred to as the Map, Plan and Report) for a maximum amount to be expended of \$35,590,000; and

WHEREAS, the Chautauqua County Sewer Agency and the Administrative Board of Directors of SCCLSD both unanimously recommended the Map, Plan, and Report to the Chautauqua County Legislature; and

WHEREAS, government loan and grant funds for the Project may be available from numerous sources including without limitation the New York State Environmental Facilities Corporation (EFC): Clean Water State Revolving Fund (CWSRF) program, the Bipartisan Infrastructure Law (BIL) Funding, and the Water Infrastructure Improvement Act (WIIA) grant program; the New York State Department of Environmental Conservation Water Quality Improvement Project (WQIP) program, and Federal Congressional Appropriations; and

WHEREAS, it is in the best interest of the County and CCLSD customers to apply for funding assistance when available; therefore, be it

RESOLVED, That the County Executive is authorized to submit Project funding applications to federal and state government entities, to execute related documents, and to represent the County in connection with such funding applications; and be it further

RESOLVED, That when a Project funding application is successful, upon the County Legislature's approval of the funding and allocation of any required matching funds, the County Executive is authorized to execute and submit the contracts and documents necessary to secure funds, and to represent the County in all matters related to Project funding.

Signed: Heiser, Johnson, Buchanan, Nelson, Anthony, Scudder, Pavlock

RES. NO. 104-25

Authorization for the County to Apply for Grants on Behalf of the South
and Center Chautauqua Lake Sewer Districts for Review of
Wastewater Treatment Plant Capacity

By Public Facilities and Audit & Control Committees:

At the Request of County Executive Paul M. Wendel, Jr. and Legislature Chairman Pierre E. Chagnon:

WHEREAS, the South and Center Chautauqua Lake Sewer Districts (SCCLSD) wastewater treatment plant has seen dramatic improvements resulting from the conversion from a mechanical aeration system to a fine bubble aeration system; and

CHAUTAUQUA COUNTY LEGISLATURE

03/26/2025

WHEREAS, a study is warranted to confirm current plant treatment and transmission capacity including the plant's ability to handle additional volume; and

WHEREAS, the Chautauqua County Legislature is considering a proposal to upgrade Wastewater Treatment Plant infrastructure in the North Chautauqua Lake Sewer District; and

WHEREAS, it is in the best interests of Chautauqua County to consider the best and highest use of its infrastructure facilities; and

WHEREAS, New York State Environmental Facilities Corporation (EFC) offers Engineering Planning Grants (EPG) of up to \$50,000 with a \$10,000 match, which grants may be used for the study of wastewater treatment plant capacity; and

WHEREAS, the administrative board of the SCCLSD at its meeting on March 6, 2025, unanimously requested the County approve applying for an EPG for review of the SCCLSD Wastewater Treatment Plant capacity; now therefore be it

RESOLVED, That the County Executive is authorized to apply to EFC for EPG funds for a wastewater treatment plant capacity study, to execute related documents, and to represent the County in connection with such funding application; and be it further

RESOLVED, if the grant application is successful, upon the County Legislature's approval of the funding and allocation of any required matching funds, the County Executive is authorized to execute and submit the contract and documents necessary to secure funds, and to represent the County in all matters related to such funding.

Signed: Heiser, Buchanan, Nelson, Anthony, Scudder, Dickey, Johnson, Pavlock

RES. NO. 105-25

Authorize Extension of the Elections Cybersecurity Remediation Grant
Program Award from the New York State Board of Elections

By Administrative Services and Audit & Control Committees:

At the Request of County Executive Paul M. Wendel Jr.:

WHEREAS, pursuant to Resolution 163-20, the Chautauqua County Board of Elections received notice that the New York State Board of Elections approved the Elections Cybersecurity Remediation Grant Program in the amount of \$94,013; and

WHEREAS, the New York State Board of Elections has offered an extension of contract #BOE01-C004237-1110000 for the performance period through 3/31/2025 for the remaining balance of \$11,561 of the Cybersecurity Remediation Grant Program; and

WHEREAS, revenue and expenditures associated with the grant extension were not included in the 2025 adopted budget; now therefore be it

RESOLVED, That the County Executive is hereby authorized to execute a contract extension with the New York State Board of Elections; and be it further

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2025 Adopted Budget:

INCREASE APPROPRIATION ACCOUNT

A.1450.----.4	Contractual-Board of Elections	\$11,561
---------------	--------------------------------	----------

INCREASE REVENUE ACCOUNT

A.1450.----.R308.9007	New York State Aid-Oth St Aid: Elections Grt	\$11,561
-----------------------	--	----------

Signed: Scudder, Pavlock, Buchanan, Heiser, Vanstrom, Anthony, Johnson

CHAUTAUQUA COUNTY LEGISLATURE
03/26/2025

RES. NO. 106-25
Amend 2024 Budget for Year End Reconciliations –
Capital and Inter-fund Accounts

By Administrative Services and Audit & Control Committees:

At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, some Capital Projects expenditures have exceeded initial budgetary estimates, as well as some appropriations have a surplus; and

WHEREAS, some Capital Projects have received revenues in excess of budget; and

WHEREAS, some Interfund transactions were budgeted in an inappropriate account and need to be corrected; and

WHEREAS, revenue associated with some American Rescue Plan Act projects will not be recognized until 2025. Amendments are now needed to balance corresponding inter-fund accounts; now therefore be it

RESOLVED, That the A Fund Balance is appropriated as follows:

DECREASE THE USE OF FUND BALANCE:

A.----.----.878.0000	Reserved Fund balance – Reserve for Capital	\$153,064
----------------------	---	-----------

;and be it further

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2024 Adopted Budget:

INCREASE APPROPRIATION ACCOUNTS:

A.9901.----.9	Interfund Transfers - Transfer to Other Funds	\$ 4,250
H.1620.25821.4	Contractual - Bldgs&Grnds/Mvl Prkg Lot Reconst (2010)	\$ 5,780
H.3110.06004.4	Contractual - Sheriff / Server & Storage Repl (2019)	\$ 747
H.5130.25980.4	Contractual - Road Mach/Falconer Shop Fuel Sys (2017)	\$ 2,066
H.5130.626.4	Contractual - Road Machinery/DPF Large Equip (Annual)	\$ 86,140
H.7110.25002.4	Contractual - Parks / Parks Capital Improvements (2018)	\$ 23,222
	Total	\$122,205

DECREASE APPROPRIATION ACCOUNTS:

A.9901.9000.9	Interfund Transfers - Trans to Oth Funds-Trans Co Rd Suppl(A-D)	\$4,250
A.9950.----.9	Interfund Transfers - Transfer to Capital	\$153,064
A.9950.----.9	Interfund Transfers - Transfer to Capital	\$3,701,254
H.3110.06017.4	Contractual - Sheriff / Radio Tower Lighting (2023)	\$26,260
	Total	\$3,884,828

INCREASE REVENUE ACCOUNTS:

H.1620.25821.R503.1000	Interfund Transfers-Interfund Transfer	\$ 5,780
H.3110.06004.R503.1000	Interfund Transfers-Interfund Transfer	\$ 747
H.5130.25980.R503.1000	Interfund Transfers-Interfund Transfer	\$ 2,066
H.5130.25193.R268.0000	Sale of Property/Compsa-Insurance Recoveries	\$ 10,860
H.5130.626.R266.5000	Use of Money & Property-Sale fo Equipment	\$ 86,140
H.6010.31003.R503.1000	Interfund Transfers-Interfund Transfer	\$ 25,550
H.7110.25002.R265.2000	Use of Money & Property-Sale fo Forest Products	\$ 23,222

CHAUTAUQUA COUNTY LEGISLATURE
03/26/2025

Total \$154,365

DECREASE REVENUE ACCOUNTS:

A.9950.----.R408.9ARP	Federal Aid - Oth Fed Aid ARPA Funds	\$3,701,254
H.3110.06017.R503.1000	Interfund Transfers-Interfund Transfer	\$ 26,260
H.5130.25193.R503.1000	Interfund Transfers-Interfund Transfer	\$ 10,860
H.6010.31003.R368.9001	New York State Aid-Soc Srvc Capital Funding	\$ 14,122
H.6010.31003.R468.9001	Federal Aid-Soc Srvc Capital Funding	<u>\$ 11,428</u>
	Total	\$3,763,924

Signed: Scudder, Pavlock, Buchanan, Heiser, Vanstrom, Anthony, Nelson, Johnson

RES. NO. 107-25

Amend 2024 Budget for Year End Reconciliations – Department
of Mental Hygiene and Social Services

By Human Services and Audit & Control Committees:

At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, some Department of Mental Hygiene and Social Services departmental expenditures have exceeded initial budgetary estimates, as well as some appropriations have a surplus; and

WHEREAS, the Department of Mental Hygiene and Social Services has received revenues in excess of budget; now therefore be it

RESOLVED, That the A Fund Balance is appropriated as follows:

INCREASE USE OF FUND BALANCE:

A.----.----.917.0000	Unassigned Fund Balance--Unassigned Fund Balance	\$ 175,012
----------------------	--	------------

;and be it further

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2024 Adopted Budget:

INCREASE APPROPRIATION ACCOUNTS:

A.6010.----.1	Personal Services - Social Services Admin	\$ 205,176
A.6010.----.4	Contractual - Social Services Admin	\$1,612,876
A.6055.----.4	Contractual - Day Care	\$ 480,598
A.6109.----.4	Contractual - Family Assistance	\$1,455,766
A.6119.----.4	Contractual - Child Care (Foster/Inst)	\$ 401,043
A.6142.----.4	Contractual - Emergency Aid for Adults	<u>\$ 49,992</u>
	Total	\$4,205,451

DECREASE APPROPRIATION ACCOUNTS:

A.6010.----.2	Equipment - Social Services Admin	\$ 208,272
A.6010.----.8	Employee Benefits - Social Services Admin	\$ 193,082
A.6070.----.4	Contractual - Services for Recipients	\$ 14,201
A.6101.----.4	Contractual – Medical Assistance	\$ 169,705
A.6129.----.4	Contractual - State Training School	<u>\$ 227,250</u>
	Total	\$ 812,510

CHAUTAUQUA COUNTY LEGISLATURE

03/26/2025

INCREASE REVENUE ACCOUNTS:

A.6010.----.R361.0000	New York State Aid-Social Services Admin	\$ 26,153
A.6010.----.R461.0000	Federal Aid-Social Services Admin	\$1,207,248
A.6010.----.R464.1000	Federal Aid-HEAP	\$ 175,774
A.6010.----.R468.9000	Federal Aid-Other Social Services	\$ 12,645
A.6055.----.R465.5000	Federal Aid-Child Assistance	\$ 397,909
A.6070.----.R467.0000	Federal Aid-Services for Recipients	\$ 19,306
A.6109.----.R460.9000	Federal Aid-EAF Foster Care	\$ 683,095
A.6119.----.R181.9000	Departmental Income-Repay: Child Care	\$ 10,133
A.6119.----.R361.9000	New York State Aid-Child Care	\$ 354,888
A.6119.----.R461.9000	Federal Aid-Child Care	\$ 304,506
A.6142.----.R184.2000	Departmental Income-Repay Adult Emerg Assist	\$ 3,546
A.6142.----.R364.2000	New York State Aid-Emerg Assist for Adults	<u>\$ 22,726</u>
	Total	\$3,217,929

Signed: Proctor, Pavlock, Vanstrom, Landy, Dickey, Johnson, Scudder, Nelson

RES. NO. 108-25

Amend Capital Project Accounts—Jamestown Community College

By Administrative Services and Audit & Control Committees:

At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, in previous budgets, Chautauqua County approved a number of capital projects for Jamestown Community College; and

WHEREAS, some projects will not utilize their full project funding while the funding needs for other projects exceed original estimates and an increase of funding is needed for outstanding invoices; now therefore be it

RESOLVED, That the Director of Finance is authorized and directed to make the following amendments to the 2025 Capital Budget:

DECREASE CAPITAL APPROPRIATION ACCOUNTS:

H.2490.00011.4	Contractual – Community College Tuition, Infrastructure Repairs (2021)	\$32,732
----------------	--	----------

INCREASE CAPITAL APPROPRIATION ACCOUNTS:

H.2490.00002.4	Contractual-Community College Tuition-Roofs (2020)	\$ 2,340
H.2490.00012.4	Contractual-Community College Tuition-Ext Reno/ Underground Heat	<u>\$30,392</u>
	Total:	\$32,732

INCREASE CAPITAL REVENUE ACCOUNTS:

H.2490.00002.R503.1000	Interfund Transfer – Interfund Transfer	\$ 2,340
H.2490.00012.R503.1000	Interfund Transfer – Interfund Transfer	<u>\$30,392</u>
	Total:	\$32,732

DECREASE CAPITAL REVENUE ACCOUNT:

H.2490.00011.R503.1000	Interfund Transfer – Interfund Transfer	\$32,732
------------------------	---	----------

; and be it further

CHAUTAUQUA COUNTY LEGISLATURE

03/26/2025

RESOLVED, upon completion of the amendments above that the Director of Finance close capital project H.2490.00012 and reconcile or post adjustments as necessary; and be it further

RESOLVED, That, upon completion of audit and reconciliation of the closed capital project, any surplus or deficit be adjusted to the appropriate Fund or Reserve for Capital.

Signed: Scudder, Buchanan, Heiser, Vanstrom, Anthony, Dickey, Johnson, Pavlock, Nelson

RES. NO. 109-25

Amend 2025 Budget – District Attorney

By Public Safety and Audit & Control Committees:

At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, the District Attorney's Office requests the use of A Fund Balance to increase Personnel and Employee Benefits expenditures not included in the 2025 Budget; and

WHEREAS, the District Attorney was awarded the Criminal Justice Discovery Reform Funding grant through the New York State Division of Criminal Justice Services (DCJS); and

WHEREAS, Equipment and computer software purchases are an eligible expense for this grant; now therefore be it

RESOLVED, The A fund balance is appropriate as follows:

INCREASE THE USE OF FUND BALANCE

A.----.----.917.0000	Unassigned Fund Balance-Unassigned fund balance	\$86,598
----------------------	---	----------

; and be it further

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2025 Adopted Budget:

INCREASE APPROPRIATION ACCOUNTS:

A.1165.----.1	Personal Services - District Attorney	\$70,438
A.1165.----.2	Equipment - District Attorney	\$9,000
A.1165.----.8	Employee Benefits - District Attorney	<u>\$16,160</u>
	Total	\$95,598

INCREASE REVENUE ACCOUNT:

A.1165.----.R308.9000	New York State Aid-OTHER STATE AID	\$9,000
-----------------------	------------------------------------	---------

Signed: Niebel, Landy, Carle, Proctor, Dickey, Johnson, Pavlock, Scudder, Nelson

RES. NO. 110-25

Authorize Acceptance of New York State OASAS 2025 Funds for
Substance Use Disorder Prevention and Treatment

By Human Services and Audit & Control Committees:

At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, the New York State Office of Addiction Services and Supports (OASAS) has allocated to Chautauqua County Department of Mental Hygiene (CCDMH) state aid funding

CHAUTAUQUA COUNTY LEGISLATURE

03/26/2025

for supported substance use disorder and problem gambling treatment, prevention, recovery, and harm reduction services (the Services); and

WHEREAS, the state aid provided covers the period of January 1, 2025 through December 31, 2025 and the maximum amount of the state aid during this period is \$1,665,239; and

WHEREAS, the state aid funding for such Services is provided to CCDMH on an annual basis and will be ongoing until OASAS funds are depleted or unavailable; and

WHEREAS, CCDMH distributes the full balance on a quarterly basis to identified agencies within Chautauqua County for the provision of substance use disorder prevention and treatment; and

WHEREAS, these funds are included in the 2025 Adopted Budget therefore an amendment is not needed; now therefore be it

RESOLVED, That the Chautauqua County Legislature accepts this State funding to continue the Services for so long as such funding is available and included in the County's budget; and be it further

RESOLVED, That the County Executive be and hereby is authorized to execute necessary agreements with New York State OASAS to accept these state aid funds for so long as such funds are available to the County.

Signed: Proctor, Vanstrom, Landy, Pavlock, Dickey, Johnson, Scudder

RES. NO. 111-25

Authorizing Standardization of Viken Detection
Pb200e XRF Lead Paint Analyzer

By Human Services Committee and Audit & Control Committees:

At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, the Chautauqua County Health Department (CCHD) currently has three Viken Detection Pb200e XRF Lead Paint Analyzers to complete lead based paint inspections for all Lead Poisoning Prevention Programs and HUD Lead Hazard Reduction grants; and

WHEREAS, the XRF analyzers used for residential housing inspections must be HUD approved devices, of which there are currently two on the market; and

WHEREAS, the CCHD is now in need of an additional five XRF Lead Paint analyzers due to the addition of the NYS Lead Rental Registry Program and the addition of lead program staff; and

WHEREAS, the CCHD Lead Program personnel are familiar with the Viken Detection product and software system to create inspection reports, which will create an effective means of training new staff and continuity among inspection reports across all programs; and

WHEREAS, the CCHD Lead grant programs will reimburse the County for the initial purchase and all maintenance of the Viken Detection Pb200e XRF Lead Paint Analyzers; now therefore be it

RESOLVED, That the Legislature of the County of Chautauqua finds that, for reasons of efficiency and economy, standardization of lead paint analyzers for use in the CCHD Lead Program is in the best interest of the County; and be it further

RESOLVED, That Viken Detection Pb200e XRF Lead Paint Analyzer be the standardized lead paint analyzer for the CCHD Lead Program.

Signed: Proctor, Vanstrom, Landy, Pavlock, Dickey, Johnson, Scudder, Nelson

CHAUTAUQUA COUNTY LEGISLATURE
03/26/2025

RES. NO. 112-25

Designate Chautauqua County as Lead Agency Responsible for State
Environmental Quality Review (SEQR) of State Funded
Snowmobile Trail Modifications for 2025

By Planning and Economic Development Committee:

At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, pursuant to Resolution No. 185-12, Chautauqua County acts as the local sponsor for the New York State Office of Parks, Recreation, and Historic Preservations (NYS OPRHP) New York State Snowmobile Trails Grant-in-Aid Program (Program); and

WHEREAS, the Program requires individual participating snowmobile clubs to collect global positioning system (GPS) data of their trails at a minimum of every three years; and

WHEREAS, the Program recommends that snowmobile clubs stagger their GPS data collection efforts, resulting in reroutes/changes every year to be processed by the Department of Planning and Development; and

WHEREAS, the State Environmental Quality Review Act (SEQR) requires reroutes or expansions of the existing trail system to have an environmental assessment; and

WHEREAS, the following trails are being updated, with anticipated SEQR completion if modifications are being made to the existing trails or clubs are applying for new trail funding;

Trail	Snowmobile Club	Municipality
C1	Cherry Creek Sno-Goers, Inc.	Arkwright, Charlotte, Cherry Creek, Hanover, Sheridan, Villenova
C1A	Cherry Creek Sno-Goers, Inc.	Cherry Creek, Ellington, Hanover, Villenova
C4	Cherry Creek Sno-Goers, Inc.	Arkwright
S11	Cherry Creek Sno-Goers, Inc.	Hanover, Sheridan
S11A	Cherry Creek Sno-Goers, Inc.	Hanover
S12	Cherry Creek Sno-Goers, Inc.	Cherry Creek
S14	Cherry Creek Sno-Goers, Inc.	Hanover
S19	Cherry Creek Sno-Goers, Inc.	Charlotte
S19A*	Cherry Creek Sno-Goers, Inc.	Charlotte
S19B*	Cherry Creek Sno-Goers, Inc.	Charlotte
C1D	Lake Effect Trail Breakers, Inc.	Ellicott, Ellington, Gerry
S13* addition	Lake Effect Trail Breakers, Inc.	Poland
S17	Lake Effect Trail Breakers, Inc.	Ellington
S18A*	Lake Effect Trail Breakers, Inc.	Ellington, Gerry
S18B*	Lake Effect Trail Breakers, Inc.	Charlotte
TBA – Conti*	Lake Effect Trail Breakers, Inc.	Poland
TBA – Country Fair*	Lake Effect Trail Breakers, Inc.	Gerry
TBA – Ellington Rod & Gun*	Lake Effect Trail Breakers, Inc.	Ellington
TBA – Grandview*	Lake Effect Trail Breakers, Inc.	Ellington
C1B	Southern Tier Snowdrifters, Inc.	Hanover
S11B	Southern Tier Snowdrifters, Inc.	Villenova

* new trails - applying for funding
; and

CHAUTAUQUA COUNTY LEGISLATURE

03/26/2025

WHEREAS, NYS OPRHP recommends obtaining a SEQR determination prior to receiving approval for trails submitted as part of Phase I of the Program, to avoid delays or rejection; and

WHEREAS, the environmental assessment is the responsibility of the agency which undertakes to be the lead agency in the SEQR process; and

WHEREAS, final SEQR determination(s) are required to be reviewed by the Chautauqua County Legislature prior to authorization by the County Executive for specific proposed action; therefore be it

RESOLVED, That Chautauqua County hereby agrees to act as the SEQR Lead Agency for the 2025-2026 program year and as such is authorized to comply with all SEQR requirements for all snowmobile trails within Chautauqua County applying for State funding, including any reroutes or changes to existing trails receiving State funding.

(3-19-25 PED – Amended by substitution)

Signed: Harmon, Johnson, Larson, Dickey

RES. NO. 113-25

Urging the New York State Department of Environmental Conservation
to Pause Implementation and Reverse the Freshwater Wetlands Regulations

By Planning & Economic Development Committee:

At the Request of County Executive Paul M. Wendel, Jr. and Legislature Chairman Pierre E. Chagnon:

WHEREAS, the New York State Department of Environmental Conservation (DEC) has adopted significant amendments to the Freshwater Wetlands Regulations under 6 NYCRR Part 664, which expands state jurisdiction over wetlands, reduces the acreage threshold for regulation, and creates new classifications such as “Wetlands of Unusual Importance;” and

WHEREAS, these regulations were developed without a thorough analysis of their economic and operational impacts on counties, rural communities, and local governments, including their potential to delay or prevent essential public works projects, housing development, agricultural best-management practices, and other infrastructure improvements; and

WHEREAS, the New York State Association of Counties (NYSAC) submitted a letter to the DEC highlighting objections to the proposed regulations, including concerns over increased permitting delays, additional financial burdens on homeowners and municipalities, and the undermining of recent state investments in economic development, such as the \$500 million allocated for shovel-ready sites through FAST NY and Restore New York; and

WHEREAS, NYSAC further recommended pausing the implementation of these regulations for 12 months to allow for comprehensive analysis of their impacts and the formation of a working group with representatives from local governments to develop balanced and practical solutions; and

WHEREAS, NYSAC adopted a resolution at their 2025 legislative conference in February urging the New York State Department of Environmental Conservation to Pause Implementation and Reverse the Freshwater Wetlands Regulations; and

WHEREAS, other stakeholders, including the New York State Economic Development Council and The Business Council of New York State raised similar concerns, emphasizing the

adverse effects of these regulations on economic development, rural property values, and the timely completion of affordable housing and renewable energy projects; and

WHEREAS, these changes could impose significant permitting challenges for municipalities managing critical infrastructure projects, such as water and sewer systems, and exacerbate already strained municipal budgets due to increased compliance costs and project delays; and

WHEREAS, while the protection of New York's freshwater wetlands is an essential goal, it must be balanced with the need to support local governments, economic development, and affordable housing in a manner that does not disproportionately burden communities and taxpayers; now therefore be it

RESOLVED, we call on the DEC to immediately reverse the proposed regulations under 6 NYCRR Part 664 and allow for a more thorough and thoughtful analysis of their potential impacts on counties, that does not usurp local land control or home rule, local governments, and economic development; and be it further

RESOLVED That Chautauqua County urges the DEC to establish a collaborative working group with representatives from counties, local governments, and other key stakeholders to address concerns and identify practical solutions that protect wetlands without imposing undue burdens on communities; and

BE IT FURTHER RESOLVED a copy of this resolution be sent to the Governor of the State of New York, the Commissioner of the New York State Department of Environmental Conservation, New York State Senator Borrello, New York State Assemblyman Molitor, and all others deemed necessary and proper.

Signed: Harmon, Johnson, Larson, Dickey

RES. NO. 114-25

Opposition to Executive Order 47.3 Regarding NYS Corrections Employees and
Authorize Necessary Steps to Protect the County's Interest

By Public Safety Committee:

At the Request of Legislators Robert Bankoski and Terry Niebel:

WHEREAS, the Governor's office has issued Executive Order 47.3 that suspends municipal home rule authority and County Law provisions to bar counties from hiring terminated NYS corrections employees; and

WHEREAS, Executive Order 47.3 is unnecessarily punitive and unfair in the context of NYS corrections employees facing an unprecedented lack of safety and unreasonable work shift mandates that severely impacted their mental and physical health, which were in part due to the implementation of the HALT Act; and

WHEREAS, Executive Order 47.3 inappropriately curtails the home rule powers of the County of Chautauqua and its ability to act in the best interests of its constituents, including its right to recruit and retain in its own discretion qualified employees in County government, including in the County jail; now therefore be it

RESOLVED, That the County of Chautauqua joins with other New York counties in expressing opposition to Executive Order 47.3, and opposition to the unsafe and ineffective provisions of the HALT Act; and be it further

RESOLVED, That the County Executive and County Law Department are hereby authorized and empowered to take any necessary steps to protect the County's interest relating to

CHAUTAUQUA COUNTY LEGISLATURE

03/26/2025

its home rule powers and hiring authority, including joint efforts with other counties in New York State; and be it further

RESOLVED, That the Clerk of the Legislature shall forward a certified copy of this resolution to Honorable Governor Kathy Hochul, Honorable New York State Senator George Borrello, and Honorable New York State Assemblyman Andrew Molitor.

Signed: Niebel, Landy, Carle, Proctor

RES. NO. 115-25

Setting the Salary for Senior Legal Secretary

By Administrative Services and Audit & Control Committees:

At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, Chautauqua County's County Attorney has requested that the salary be set for a new position involving responsibilities that will include independent complex clerical work designed to support the operation of a government law office; and

WHEREAS, this title differs from Legal Secretary by virtue of requiring frequent exercise of independent judgment and decision making, supervision of other clerical employees, when assigned, and processing more difficult and technical documents; and

WHEREAS, the Human Resources Department has classified the position as Senior Legal Secretary and supports the request that the salary be set at Grade 14; now therefore, be it

RESOLVED, That the title of Senior Legal Secretary be added to the Chautauqua County CSEA Unit 6300 Salary Plan at Grade 14.

Grade 14 2025: (\$25.03 - \$32.57) per hour

Signed: Scudder, Buchanan, Heiser, Vanstrom, Anthony, Dickey, Johnson, Pavlock, Nelson

RES. NO. 116-25

Reallocating Salary Grade for Resource Assistant (Crime Analyst)

By Administrative Services, Public Safety and Audit & Control Committees:

At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, the Chautauqua County Sheriff requested a review of the Resource Assistant (Crime Analyst) salary grade; and

WHEREAS, Human Resources staff reviewed the salary grade and duties currently being performed by Resource Assistant (Crime Analyst) position as compared to similar positions in that department; and

WHEREAS, the position of Resource Assistant (Crime Analyst) is covered by the terms of the CSEA 6300 Agreement and is allocated to Grade 12 of the CSEA 6300 salary schedule; and

WHEREAS, Human Resources staff recommended that the Resource Assistant (Crime Analyst) position be increased by five (5) grades on the CSEA 6300 salary schedule; and

WHEREAS, the Reallocation Committee, as defined by the CSEA Unit 6300 Collective Bargaining Agreement, comprised of the County Executive, Director of Human Resources, and President of CSEA Unit 6300, met and approved the recommended grade change; now therefore be it

CHAUTAUQUA COUNTY LEGISLATURE
03/26/2025

RESOLVED, That the title of Resource Assistant (Crime Analyst) currently allocated to salary grade 12 shall be reallocated to salary grade 17.

2025 CSEA 6300 SALARY SCHEDULE									
3% increase over 2024 Salary Schedule									
Grade	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10	Step 11
12	\$ 23.59	\$ 24.61	\$ 25.28	\$ 26.10	\$ 27.00	\$ 27.85	\$ 28.69	\$ 29.55	\$ 30.44
17	\$ 27.61	\$ 28.78	\$ 29.81	\$ 30.89	\$ 31.91	\$ 33.07	\$ 34.06	\$ 35.08	\$ 36.13

Signed: Scudder, Niebel, Pavlock, Buchanan, Heiser, Vanstrom, Anthony, Landy, Carle, Proctor, Dickey, Johnson

RES. NO. 117-25
Reallocating Salary Grade for Network Infrastructure Supervisor

By Administrative Services and Audit & Control Committees:
At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, Chautauqua County's Chief Information Officer requested a review of the Network Infrastructure Supervisor salary grade; and

WHEREAS, Human Resources staff reviewed the salary grade and duties currently being performed by the Network Infrastructure Supervisor position as compared to similar positions in that department; and

WHEREAS, the position of Network Infrastructure Supervisor is covered by the terms of the CSEA 6300 Agreement and is allocated to Grade 23 of the CSEA 6300 salary schedule; and

WHEREAS, Human Resources staff recommended that the Network Infrastructure Supervisor position be increased by three (3) grades on the CSEA 6300 salary schedule; and

WHEREAS, the Reallocation Committee, as defined by the CSEA Unit 6300 Collective Bargaining Agreement, comprised of the County Executive, Director of Human Resources, and President of CSEA Unit 6300, met and approved the recommended grade change; now therefore be it

RESOLVED, That the title of Network Infrastructure Supervisor currently allocated to salary grade 23 shall be reallocated to salary grade 26.

2025 CSEA 6300 SALARY SCHEDULE											
3% increase over 2024 Salary Schedule											
Grade	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10	Step 11
23			\$ 33.96	\$ 35.56	\$ 36.84	\$ 38.25	\$ 39.79	\$ 41.30	\$ 42.54	\$ 43.82	\$ 45.13
26			\$ 38.01	\$ 39.79	\$ 41.30	\$ 42.87	\$ 44.56	\$ 46.36	\$ 47.75	\$ 49.18	\$ 50.66

Signed: Scudder, Buchanan, Heiser, Vanstrom, Anthony, Dickey, Johnson, Pavlock, Nelson

CHAUTAUQUA COUNTY LEGISLATURE
03/26/2025

RES. NO. 118-25
Reallocating Salary Grades for Storekeeper I,
Storekeeper II and Storekeeper III

By Public Facilities, Administrative Services and Audit & Control Committees:
At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, the Director of Public Facilities requested a review of the Storekeeper I, Storekeeper II and Storekeeper III salary grades; and

WHEREAS, Human Resources staff reviewed the salary grades and duties currently being performed by Storekeeper I, Storekeeper II and Storekeeper III positions as compared to similar positions in that department; and

WHEREAS, the positions of Storekeeper I, Storekeeper II and Storekeeper III are covered by the terms of the CSEA 6300 Agreement and are allocated to Grade 6, Grade 8 and Grade 11, respectively, of the CSEA 6300 salary schedule; and

WHEREAS, Human Resources staff recommended that the Storekeeper I and Storekeeper II positions be increased by two (2) grades on the CSEA 6300 salary schedule; and

WHEREAS, Human Resources staff recommended that the Storekeeper III position be increased one (1) grade on the CSEA 6300 salary schedule; and

WHEREAS, the Reallocation Committee, as defined by the CSEA Unit 6300 Collective Bargaining Agreement, comprised of the County Executive, Director of Human Resources, and President of CSEA Unit 6300, met and approved the recommended grade changes; now therefore be it

RESOLVED, That the title of Storekeeper I currently allocated to salary grade 6 be reallocated to salary grade 8; and be it further

RESOLVED, That the title of Storekeeper II currently allocated to salary grade 8 be reallocated to salary grade 10; and be it further

RESOLVED, That the title of Storekeeper III currently allocated to salary grade 11 be reallocated to salary grade 12.

2025 CSEA 6300 SALARY SCHEDULE											
3% increase over 2024 Salary Schedule											
Grade	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10	Step 11
6			\$ 19.82	\$ 20.65	\$ 21.24	\$ 21.72	\$ 22.47	\$ 23.18	\$ 23.88	\$ 24.60	\$ 25.34
8			\$ 20.91	\$ 21.72	\$ 22.47	\$ 23.18	\$ 23.74	\$ 24.61	\$ 25.35	\$ 26.11	\$ 26.89
10			\$ 22.16	\$ 23.18	\$ 23.74	\$ 24.61	\$ 25.28	\$ 26.10	\$ 26.88	\$ 27.69	\$ 28.52
11			\$ 22.81	\$ 23.74	\$ 24.61	\$ 25.28	\$ 26.10	\$ 27.00	\$ 27.81	\$ 28.64	\$ 29.50
12			\$ 23.59	\$ 24.61	\$ 25.28	\$ 26.10	\$ 27.00	\$ 27.85	\$ 28.69	\$ 29.55	\$ 30.44

Signed: Heiser, Dickey, Johnson, Pavlock, Buchanan, Nelson, Anthony, Scudder, Vanstrom