

Agenda

Audit & Control Committee

May 22, 2025, 8:35 a.m., Legislative Chambers

Livestreamed on YouTube

Gerace Office Building, Mayville, NY

- A. Call to Order
- B. Approval of Minutes (4/17/25)
- C. Privilege of the Floor
- 1. Renew and Amend Resolution 179-24 – Authorize Agreement with NY State DOT for Performance of Project PIN 5764.99
- 2. Local Law Intro 3-25 – A Local Law Continuing an Additional Mortgage Tax
- 3. Local Law Intro 4-25 – Residency Requirements for Assistant Attorney Titles in Chautauqua County Government
- 4. Proposed Resolution – Amend 2025 Budget for Repairs to and Replacement of Fire Damaged Equipment Environment – Landfill
- 5. Proposed Resolution – Authorize Extension of Lease Agreement with Town of Chautauqua for Office Space for Chautauqua County Department of Mental Hygiene
- 6. Proposed Resolution – Authorize Renewal of Lease Agreement with Jamestown’s Rental Properties, LLC for Office Space at 333 East 5th Street in Jamestown, New York
- 7. Proposed Resolution – Authorize Lease Agreement with Jamestown’s Rental Properties, LLC for Office Space for the Jamestown DMV
- 8. Proposed Resolution – Authorize Public Hearing on Ground Lease with The Aerie JHW LLC at Chautauqua County Airport Jamestown
- 9. Proposed Resolution – Distribution of Mortgage Taxes
- 10. Proposed Resolution – Amend 2024 Budget for Year End Reconciliations – Various General Fund Departments
- 11. Proposed Resolution – Amend 2024 Budget for Year End Reconciliations – Various Enterprise Fund Departments

12. Proposed Resolution – Amend 2024 Budget for Year End Reconciliations – Workers Compensation Fund
13. Proposed Resolution – Authorize Payment of \$132,500 for Settlement of Claim of the Estate of Gregory Gallaway
14. Proposed Resolution – Authorize Acceptance of Criminal Justice Discovery and Bail Reform Funding FY 2025
15. Proposed Resolution – Authorize Agreement with Chautauqua-Cattaraugus Erie II BOCES for Culinary Arts Instruction 2025-2026
16. Proposed Resolution – Authorize Agreement with Various School Districts for School Resource Officer Services 2025-2026
17. Proposed Resolution – Authorize Agreement with Clymer Central School District for Special Patrol Officer Services 2025-2026
18. Proposed Resolution – Authorize Acceptance of Health Equity Innovation Grant from Univera Healthcare for Local Roots Program
19. Proposed Resolution – Amend 2025 Budget – Enhance Programming for the Chautauqua County Visitors Bureau
20. Other –
Presentation – Jail Needs Study

RENEW AND AMEND
CHAUTAUQUA COUNTY
RESOLUTION NO. 179-24

TITLE: Authorize Agreement with NY State DOT for Performance of Project
PIN 5764.99

BY: Public Facilities and Audit & Control Committees:

AT THE REQUEST OF: County Executive Paul M. Wendel, Jr.:

WHEREAS, a Project for the Replacement of the Central Avenue bridge, County Bridge 382 over Crooked Brook in the City of Dunkirk, Chautauqua County, PIN 5764.99 (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 \$561,335 to be borne at the ratio of 100% State Bridge NY 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 Project PIN 5764.99 cost; 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 Project cost or portions thereof; and be it further

RESOLVED, That in the event the Project cost exceeds 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 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 within appropriations therefore that are not so eligible; and be it further

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

Resolution No. 179-24 Originally Adopted – June 26, 2024 (Unanimously Carried)

(2/26/25 Leg – Renewed & Amended (Unanimously Carried)

(Potential changes to be renewed and amended at the May 28, 2025 Legislature Meeting are shown by strikethrough and new text in bold)

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 that the Director of Finance is directed to make the following changes to the Capital Budget:

INCREASE CAPITAL APPROPRIATION ACCOUNT:

D.5112.389.4 Contractual – Capital Improvements, Funded Bridge Program \$561,335

~~INCREASE CAPITAL REVENUE ACCOUNT:~~

~~D.5112.389.R458.9002 Federal Aid – Surface Transp Program \$561,335~~

INCREASE CAPITAL REVENUE ACCOUNT:

D.5112.389.R359.7000 State Aid – Transp Capital \$561,335

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

Resolution No. 179-24 Originally Adopted – June 26, 2024 (Unanimously Carried)

(2/26/25 Leg – Renewed & Amended (Unanimously Carried)

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LOCAL LAW
INTRODUCTORY NO. 3-25
CHAUTAUQUA COUNTY

A LOCAL LAW CONTINUING AN ADDITIONAL MORTGAGE TAX

BE IT ENACTED, by the County Legislature of the County of Chautauqua, New York, as follows:

1. Purpose. The purpose of this Local Law is to continue without interruption the additional mortgage tax previously imposed and continued pursuant to Local Laws 6-05, 8-08, 3-11, 4-14, 1-17, 7-19, and 8-22 of the County of Chautauqua.
2. Additional Mortgage Tax. Pursuant to Section 253-o of New York State Tax Law and other applicable law, there is hereby continued an additional tax of twenty-five cents for each one hundred dollars and each remaining major fraction thereof of principal debt or obligation which is or under any contingency may be secured at the date of execution thereof, or at any time thereafter, by a mortgage on real property situated within the County of Chautauqua and recorded on or after the date upon which such tax takes effect and a tax of twenty-five cents on such mortgage if the principal debt or obligation which is or by any contingency may be, secured by such mortgage is less than one hundred dollars.
3. Administration, Collection, and Payment of Additional Mortgage Tax. The additional mortgage tax continued pursuant to this Local Law shall be administered, collected, and paid over to the County of Chautauqua in the manner provided in Section 253-o of New York State Tax Law and other applicable law.
4. Effective Date. This local law shall take effect August 1, 2025, and applies to the period beginning August 1, 2025, and continuing through, and including, April 30, 2028. A certified copy of this local law shall be mailed by certified mail to the New York State Commissioner of Taxation and Finance, and shall be filed with the County Clerk, the Secretary of State, and the Office of State Comptroller.

Sponsor: Legislator Scudder

LOCAL LAW
INTRODUCTORY NO. 4-25
CHAUTAUQUA COUNTY

RESIDENCY REQUIREMENTS FOR ASSISTANT ATTORNEY TITLES
IN CHAUTAUQUA COUNTY GOVERNMENT

BE IT ENACTED, by the County Legislature of the County of Chautauqua, New York, as follows:

1. Purpose and Intent. Similar to many other counties in upstate New York, the heads of the County's legal departments, including the County Attorney, District Attorney, Public Defender, and Social Services Attorney, have in recent years faced difficulties in recruiting and retaining qualified attorneys for vacant positions within their offices. The purpose of this Local Law is to confirm that eligible attorneys for appointment to assistant attorney titles in Chautauqua County government shall include attorneys residing in adjoining counties within the State of New York, except for assistant attorneys designated to act as the head of a County legal department in the event of a vacancy or absence or inability of the head of a legal department to perform their duties. This Local Law adopted by the County of Chautauqua as a charter county is intended to supersede New York Public Officers Law § 3 and New York County Law §§ 401 and 502.

2. Residency Requirements for Assistant Attorney Titles. A person residing in a county within the State of New York adjoining Chautauqua County shall be eligible for appointment to any assistant attorney titles, including first assistant attorney and second assistant attorney titles, set forth in Local Law 13-22, "Providing for a Management Salary Plan for County Officers and Employees," as may be amended from time to time; provided, however, that the provisions of this section shall not apply to assistant attorneys designated to act as the head of a County legal department in the event of a vacancy or absence or inability of the head of a County legal department to perform their duties.

3. Severability. If any provision, clause, sentence, or paragraph of this Local Law or the application thereof to any person or circumstance shall be held invalid, such invalidity shall not affect the other provisions of this Local Law which can be given effect without the valid provision or application, and to this end the provisions of this Local Law are declared to be severable.

4. Effective Date. This local law shall take effect upon filing with the Secretary of State.

Sponsor: Chairman Chagnon

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

TITLE: Amend 2025 Budget for Repairs to and Replacement of Fire-Damaged Equipment
Environment - Landfill

BY: Public Facilities and Audit & Control Committees:

AT THE REQUEST OF: County Executive Paul M. Wendel, Jr.:

WHEREAS, the Landfill had two separate instances of equipment being damaged by fire in 2024; and

WHEREAS, the Landfill received insurance claim payments due to these damages totaling \$244,634.17 in 2024; and

WHEREAS, it is desired to utilize \$149,428 from the insurance payment to cover repairs to the Landfill Compactor damaged by fire, and \$95,207 to purchase a new Slope Mower destroyed by fire; now therefore be it

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

INCREASE APPROPRIATION ACCOUNT:

EL.8160.1000.4	Contractual – Environment; Landfill	\$149,428
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INCREASE REVENUE ACCOUNT:

EL.8160.1000.R268.0000	Sale of Property/Compensa-Insurance Recoveries	\$149,428
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and be it also

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

INCREASE APPROPRIATION ACCOUNT:

EL.8160.022.4	Contractual- Environment; Vehicle & Equip Purch (Annual)	\$95,207
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ESTABLISH & INCREASE REVENUE ACCOUNT:

EL.8160.022.R268.0000	Sale of Property/Compensa-Insurance Recoveries	\$95,207
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APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

TITLE: Authorize Extension of Lease Agreement with Town of Chautauqua for Office Space for Chautauqua County Department of Mental Hygiene

BY: Public Facilities, Human Services and Audit & Control Committees:

AT THE REQUEST OF: County Executive Paul M. Wendel, Jr.:

WHEREAS, the County desires to request an extension of the lease with the Town of Chautauqua, approximately 2,894 square feet, located at 2 Academy Street, Mayville, in the County of Chautauqua, State of New York, for use by the Chautauqua County Department of Mental Hygiene; and

WHEREAS, it would be desirable for the County to enter into an extension of the lease agreement with the Town of Chautauqua through July 31, 2025, so the County may continue using this space, during which time the County may continue negotiating terms for a renewed agreement; and

WHEREAS, Town of Chautauqua is willing to continue to lease to the County for the currently occupied space in the Municipal Building under the same terms and conditions as the current lease, which expired in March 2025; and

WHEREAS, expenses associated with this lease are already approved in the 2025 Adopted Budget for Chautauqua County Department of Mental Hygiene; now therefore be it

RESOLVED, That the County Executive is hereby authorized and empowered to execute an extension of the lease agreement with the Town of Chautauqua upon the following terms and conditions:

- 1) Premises. Approximately 2,894 square feet (Rooms 201-1, 202-1, 203-1, and public space including the stairways and hallways needed for access thereto) of office space on the 2nd floor of 2 Academy Street, Mayville, New York.
- 2) Term. April 1, 2023 through July 31, 2025
- 3) Rent. \$1,843.25 per month
- 4) Utilities. Landlord shall be responsible for all utilities, including heat and electric. County is responsible for the cost of the phone and computer lines, including installation fees.
- 5) Other. As negotiated by the County Executive.

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date _____

CHAUTAUQUA COUNTY
RESOLUTION NO. _____

TITLE: Authorize Renewal of Lease Agreement with Jamestown's Rental Properties, LLC for Office Space at 333 East 5th Street in Jamestown, New York

BY: Public Facilities, Human Services, and Audit & Control Committees:

AT THE REQUEST OF: County Executive Paul J. Wendel, Jr.:

WHEREAS, the County desires renew its lease with Jamestown's Rental Properties, LLC for approximately 4,080 square feet of office space located at 333 East 5th Street in Jamestown, New York, for use as a Chautauqua County Mental Hygiene office; and

WHEREAS, negotiations have been undertaken to obtain a renewed lease agreement mutually beneficial to the County and Jamestown's Rental Properties, LLC; and

WHEREAS, this expense is included in the 2025 Adopted Budget so an amendment is not needed; 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 upon the following terms and conditions:

- 1) Premises: Approximately 4,080 square feet of office space located at 333 East 5th Street, Jamestown, New York.
- 2) Term: October 1, 2025 through September 30, 2027.
- 3) Rent: \$18.50 per square foot for the first year with a 4% increase every year thereafter.
- 4) Utilities: Landlord shall be responsible for all utilities, including heat and electric. County is responsible for the cost of the phone and computer lines, including installation fees.
- 5) Other: As negotiated by the County Executive.

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

TITLE: Authorize Lease Agreement with Jamestown’s Rental Properties, LLC
for Office Space for the Jamestown DMV

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

AT THE REQUEST OF: County Executive Paul J. Wendel, Jr.:

WHEREAS, negotiations have been undertaken and the parties have arrived at tentative lease terms mutually agreeable to the County and Jamestown's Rental Properties, LLC; now therefore be it

- 1) Premises: Approximately 3,085 square feet of office space located at 512 West Third Street, Suite 2, Jamestown, New York.
- 2) Term: June 1, 2025 through May 31, 2027.
- 3) Rent: \$17.76 per square foot for the first year with a 4% increase every year thereafter.
- 4) Utilities: Landlord shall be responsible for all utilities, including heat and electric. County is responsible for the cost of the phone and computer lines, including installation fees.
- 5) Other: As negotiated by the County Executive.

VETOES (VETO MESSAGE ATTACHED)

Date _____

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

TITLE: Authorize Public Hearing on Ground Lease with The Aerie JHW LLC at Chautauqua County Airport Jamestown

BY: Public Facilities and Audit & Control Committees:

AT THE REQUEST OF: County Executive Paul M. Wendel, Jr.:

WHEREAS, the County owns and operates the Chautauqua County Airport Jamestown in the Town of Ellicott in a manner that provides services and facilities on a non-exclusive basis for the general use of the public and to enhance current and future economic development in the County; and

WHEREAS, The Aerie JHW LLC, is interested in a long-term ground lease for their corporate hangar located at Jamestown Airport; and

WHEREAS, the Airport Commission has considered and recommends the acceptance of the negotiated lease; and

WHEREAS, a public hearing pursuant to Article 14 of the General Municipal Law is required prior to approval of a lease of airport facilities; now therefore be it

RESOLVED, that pursuant to General Municipal Law, a public hearing on the proposed lease agreement with The Aerie JHW LLC, to include substantially the following terms and conditions, shall be held at 6:35 p.m. during the meeting of the Chautauqua County Legislature to occur on Wednesday, June 25, 2025, in the Legislative Chambers, Gerace Office Building, Mayville, New York 14757:

1. Term. Commencing July 1, 2025 and terminating June 30, 2035 with two (2) options to renew for additional ten (10) year terms, and a ninety (90) day cancellation notice by either party.
2. Premises. Ground lease for area owned by County, improved by Lessee's hangar, located in the western portion of the property.
3. Payment. Tenant shall pay rent to County annually, as follows, on or before July 1st of each year for the full calendar year: First year (2025) \$2,000. Beginning in 2026 through the end of the lease term; a two percent (2%) increase per year, compounded annually, shall apply.
4. Other. As negotiated by the County Executive.

; and be it further

RESOLVED, That the Clerk of the Legislature is authorized and directed to publish notice of this hearing at least ten (10) days prior thereto in the official newspapers of the County of Chautauqua.

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

CHAUTAUQUA COUNTY
RESOLUTION NO. _____

TITLE: Distribution of Mortgage Taxes

BY: Administrative Services and Audit & Control Committees:

AT THE REQUEST OF: County Executive Paul M. Wendel, Jr.:

RESOLVED, That the Clerk of the County Legislature of Chautauqua County be and hereby is authorized and directed to compute the amount of Mortgage Tax Monies due the various municipalities under Section 261 of the Tax Law and to draw the warrant or order on the Director of Finance for the distribution to said municipalities of all monies due pursuant to said act and to do all things required to be done by the Board of Legislators as required by Law:

<u>Town</u>		<u>City</u>		<u>Village</u>	
Arkwright	\$9,576.53	Dunkirk	\$39,068.75	Bemus Point	\$3,279.23
Busti	\$55,878.06	Jamestown	<u>\$92,040.62</u>	Brocton	\$1,825.15
Carroll	\$14,812.13	<i>City Total:</i>	\$131,109.37	Cassadaga	\$1,503.51
Charlotte	\$2,802.21			Celoron	\$3,690.87
Chautauqua	\$51,554.55			Falconer	\$5,332.90
Cherry Creek	\$3,699.15			Fredonia	\$22,758.65
Clymer	\$6,843.43			Lakewood	\$16,310.76
Dunkirk	\$10,773.53			Mayville	\$4,118.14
Ellery	\$49,097.24			Panama	\$972.88
Ellicott	\$48,355.05			Sherman	\$1,070.51
Ellington	\$4,184.44			Silver Creek	\$4,129.95
French Creek	\$8,062.40			Sinclairville	\$543.70
Gerry	\$7,266.09			Westfield	<u>\$4,464.18</u>
Hanover	\$34,764.52			<i>Village Total:</i>	\$70,000.42
Harmony	\$8,294.41				
Kiantone	\$9,260.98				
Mina	\$9,183.31				
North Harmony	\$25,667.77			Grand Total:	\$682,024.21
Poland	\$6,041.62				
Pomfret	\$46,362.33				
Portland	\$20,161.00				
Ripley	\$8,849.32				
Sheridan	\$6,460.41				
Sherman	\$5,638.93				
Stockton	\$9,445.25				
Villanova	\$5,656.01				
Westfield	<u>\$12,223.74</u>				
<i>Town Total:</i>	\$480,914.42				

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

CHAUTAUQUA COUNTY
RESOLUTION NO. _____

TITLE: Amend 2024 Budget for Year End Reconciliations –
Various General Fund Departments

BY: Administrative Services and Audit & Control Committees:

AT THE REQUEST OF: County Executive Paul M. Wendel, Jr.:

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

WHEREAS, some revenues are in excess of budget; now therefore be it

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.1310.----.4	Contractual - Department of Finance	\$ 3,597
A.3989.EMS.2	Equipment - EMS-Fly Car & Ambulance Services	10,000
A.6010.----.8	Employee Benefits - Social Services Admin	27
A.9950.----.4	Contractual - Transfer to Capital	<u>51,111</u>
	Total	\$64,735

DECREASE APPROPRIATION ACCOUNTS:

A.1330.----.8	Employee Benefits - Real Property Tax	\$ 3,597
A.6101.----.4	Contractual - Medical Assistance	<u>27</u>
	Total	\$ 3,624

INCREASE REVENUE ACCOUNTS:

A.3989.EMS.R348.9000	New York State Aid-Other Health	\$10,000
A.9950.----.R408.9ARP	Federal Aid-ARPA Funds	<u>51,111</u>
	Total	\$61,111

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

CHAUTAUQUA COUNTY
RESOLUTION NO. _____

TITLE: Amend 2024 Budget for Year End Reconciliations –
Various Enterprise Fund Departments

BY: Administrative Services and Audit & Control Committees:

AT THE REQUEST OF: County Executive Paul M. Wendel, Jr.:

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

WHEREAS, some revenues are in excess of budget; now therefore be it

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

INCREASE APPROPRIATION ACCOUNTS:

EL.8160.1000.4	Contractual - Environment-Landfill	\$ 10,404
ESP.9901.----.9	Interfund Transfers - Transfer to Other Funds	33,851
ESS.9710.----.7	Interest - Debt Service/Serial Bonds	9,954
EWN.8310.----.4	Contractual - Water District	95,183
EWN.8310.----.8	Employee Benefits - Water District	4
EWN.9730.----.7	Interest - Debt Service/BANS	3,912
EWN.9740.----.7	Interest - Debt Service/Capital Notes	<u>1,148</u>
Total		\$154,456

DECREASE APPROPRIATION ACCOUNTS:

EL.8160.1000.2	Equipment - Environment-Landfill	\$ 10,404
ESP.8130.----.4	Contractual - Sewage Treatment	33,851
ESS.8130.----.4	Contractual - Sewage Treatment	<u>9,954</u>
Total		\$ 54,209

INCREASE REVENUE ACCOUNTS:

EWN.8310.----.R214.8000	Dept. Income-Interest & Penalties: Water Charges	\$100,247
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APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

TITLE: Amend 2024 Budget for Year End Reconciliations – Workers Compensation Fund

BY: Administrative Services and Audit & Control Committees:

AT THE REQUEST OF: County Executive Paul M. Wendel, Jr.:

WHEREAS, some Workers Compensation Fund expenditures have exceeded initial budgetary estimates, as well as some appropriations have a surplus; and

WHEREAS, the Workers Compensation Fund has received revenues in excess of budget;
now therefore be it

RESOLVED, That MS Fund Balance is appropriated as follows:

INCREASE THE USE OF APPROPRIATED FUND BALANCE:

MS.---.---.917.0000	Unassigned Fund Balance – Unassigned Fund Balance	\$675,441
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; be it also

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

INCREASE APPROPRIATION ACCOUNTS:

MS.1720.----.4	Contractual - Benefits & Awards	\$1,821,185
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INCREASE REVENUE ACCOUNTS:

MS.1710.9999.R240.1000	Use of Money & Property-Interest& Earnings	\$435,090
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MS.1710.9999.R270.9000	Miscellaneous-Participant Assessments	\$710,654
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APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

CHAUTAUQUA COUNTY
RESOLUTION NO. _____

TITLE: Authorize Payment of \$132,500 for Settlement of Claim of the Estate of Gregory Gallaway

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

AT THE REQUEST OF: County Executive Paul M. Wendel, Jr.:

WHEREAS, payment for the settlement of claims for amounts equal to or greater than \$25,000 require approval of the County Legislature pursuant to General Municipal Law § 6-n and Local Law 4-86 of the County of Chautauqua, as amended; and

WHEREAS, the County's Law Department has recommended settlement of the claim of the Estate of Gregory Gallaway for the sum of \$132,500, of which the County will be responsible for \$66,250 pursuant to the County’s insurance deductible, with the remaining half of the settlement sum expected to be paid by the County’s insurance carrier; now therefore be it

RESOLVED, That the Chautauqua County Legislature approves the payment of \$132,500 to the Estate of Gregory Gallaway, to be paid out of the County's Liability and Casualty Reserve Fund for the settlement of the claim of the Estate of Gregory Gallaway; and be it further

RESOLVED, That CS Fund Balance is appropriated as follows:

INCREASE THE USE OF FUND BALANCE:
CS.----.----.863.0000 Fund Balance, Reserved Fund Balance – Insurance Reserve \$66,250

; and be it further

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

INCREASE APPROPRIATION ACCOUNT:
CS.1930.----.4 Contractual – Judgments & Claims \$66,250

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive **Date**

CHAUTAUQUA COUNTY
RESOLUTION NO. _____

TITLE: Authorize Acceptance of Criminal Justice Discovery and Bail Reform Funding FY 2025

BY: Public Safety and Audit & Control Committees:

AT THE REQUEST OF: County Executive Paul M. Wendel, Jr.:

WHEREAS, the New York State Legislature passed Discovery and Bail Reform legislation in 2020 under Criminal Procedure Law (CPL) Chapter 11-A, Part 2, Title J, Article 245 (Legislation), which Legislation requires prosecutors to share evidence in their possession soon after arraignment and well in advance of trial; and

WHEREAS, the Legislation, which affords defendants the opportunity to review evidence prior to pleading guilty, requires prosecutors to share names and contact information of victims and witnesses to the defense, but also provides for the ability to protect victims and witnesses from intimidation and coercion; and

WHEREAS, Bail Reform eliminated bail for many non-violent and low-level offenses to reduce the number of people held in jail prior to trial; and

WHEREAS, the Discovery and Bail Reform laws were enacted on January 1, 2020, resulting in increased expenses for District Attorney’s offices, Probation Departments, and law enforcement agencies statewide to implement these laws; and

WHEREAS, the Division of Criminal Justice Services (DCJS) has again awarded each county outside of New York City a sum of money to be used to offset the increased expenses associated with implementing the Discovery and Bail Reform laws, with the award amount determined according to each County’s average criminal court arraignments; and

WHEREAS, Chautauqua County has been awarded a total of \$945,058 to be shared between the District Attorney’s office, Probation Department, Sheriff’s Office, and local police agencies in the County to assist with Discovery and Bail Reform, with priority given to the District Attorney and police agencies; and

WHEREAS, upon completion of the DCJS Discovery Reform Funding Plan by the County and approval of the plan by DCJS, the County will receive the entire award in one payment; and

WHEREAS, Funds can be used until they are spent in entirety, with no specified end date; and

WHEREAS, it is necessary for the effective implementation of the Criminal Justice Discovery Reform funding for Chautauqua County to enter into contracts and agreements with the Probation Department, Chautauqua County Sheriff’s Office and the following police agencies: Village of Fredonia, Village of Westfield, Village of Lakewood/Busti, Town of Ellicott, City of Dunkirk and City of Jamestown Police Department; and

WHEREAS, the funding for such contracts and agreements will be derived from the sum of the total award, and the contracts and agreements will amount to a total of \$286,000; and

WHEREAS, the revenue for these police contracts and equipment was not included in the 2025 Adopted Budget for the District Attorney; and

WHEREAS, the revenue was not included in the 2025 Adopted Budget for the Probation Department and Sheriff’s Office; and

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

WHEREAS, the revenue will be included in the 2026, 2027, and 2028 Budgets for the District Attoreny; now therefore be it

RESOLVED, The Chautauqua County Legislature accepts the total award and authorizes the County Executive to execute the Criminal Justice Discovery Reform Funding contract and associated documents for the grant from the New York State Division of Criminal Justice Services for a total of \$945,058; and be it further

RESOLVED, That the County Executive is hereby authorized and empowered to execute contracts and agreements between and among the District Attorney’s office and the Chautauqua County Probation Department, the Chautauqua County Sheriff’s Department and the municipal police departments in Chautauqua County identified above for the purposes of implementing the Criminal Justice Discovery Reform Funding; 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:

District Attorney:			
<u>INCREASE APPROPRIATION ACCOUNTS:</u>			
A.1165.----.2	Equipment - District Attorney		\$12,000
A.1165.----.4	Contractual - District Attorney		<u>\$228,000</u>
		Total	\$240,000
<u>INCREASE REVENUE ACCOUNT:</u>			
A.1165.----.R308.9000	New York State Aid-OTH STATE AID		\$240,000

Probation:			
<u>INCREASE APPROPRIATION ACCOUNT:</u>			
A.3140.----.4	Contractual - Probation		\$20,000
<u>INCREASE REVENUE ACCOUNT:</u>			
A.3140.----.R158.9000	New York State Aid-OTH PUBLIC SAFTEY SUPERVISION FEES		\$20,000

Sheriff’s Office:			
<u>INCREASE APPROPRIATION ACCOUNT:</u>			
A.3110.GRNT.2	Equipment - Sheriff - Grants		\$40,000
<u>INCREASE REVENUE ACCOUNT:</u>			
A.3110.GRNT.R338.9000	New York State Aid-OTHER PUBLIC SAFETY		\$40,000

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

CHAUTAUQUA COUNTY
RESOLUTION NO. _____

TITLE: Authorize Agreement with Chautauqua-Cattaraugus Erie II BOCES for Culinary Arts Instruction 2025-2026

BY: Public Safety and Audit & Control Committees:

AT THE REQUEST OF: County Executive Paul M. Wendel, Jr.:

WHEREAS, Chautauqua County is required pursuant to the New York State Correction Law and Education Law to provide appropriate educational services to eligible inmates housed at the County Jail; and

WHEREAS, Chautauqua-Cattaraugus Erie II BOCES has successfully administered various education programs at the jail, and has the ability to oversee a culinary arts program; and

WHEREAS, Chautauqua County desires to offer a culinary arts program to eligible inmates in an effort to assist such inmates in obtaining gainful employment when released from jail, and has negotiated a tentative agreement with BOCES for the period of July 1, 2025 through June 30, 2026, with payments to be made by BOCES to the County of Chautauqua for a total sum not to exceed \$40,000; and

WHEREAS, this revenue has already been included in the 2025 Budget, hence an amendment is not needed; now therefore be it

RESOLVED, That the County Executive is hereby authorized and empowered to execute an agreement with Chautauqua-Cattaraugus Erie II BOCES for a culinary arts instruction program.

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date _____

CHAUTAUQUA COUNTY
RESOLUTION NO. _____

TITLE: Authorize Agreement with Various School Districts for School Resource Officer Services 2025-2026

BY: Public Safety and Audit & Control Committees:

AT THE REQUEST OF: County Executive Paul M. Wendel, Jr.:

WHEREAS, various school districts have requested the Chautauqua County Office of the Sheriff provide a School Resource Officer during the term of July 1, 2025 through June 30, 2026 school year; and

WHEREAS, the Chautauqua County Sheriff has negotiated a tentative agreement with these entities for the period of July 1, 2025 through June 30, 2026 for an estimated cost not to exceed amounts listed, based on a per deputy rate of \$117,899.93:

Brocton Central School \$117,899.93
 Frewsburg Central School \$117,899.93
 Pine Valley Central School \$117,899.93
 Silver Creek Central School \$117,899.93
 Forestville Central School \$117,899.93
 Panama Central School \$117,899.93
 BOCES Chau-Catt Erie II \$235,799.86* (1 deputy for each of 2 locations)

; and

WHEREAS, this revenue is included in the 2025 Budget so no budget amendments are needed; now therefore be it

RESOLVED, That the County Executive is hereby authorized and empowered to execute an agreement with these entities for enhanced police services as set forth above with revenues to be credited to revenue account A.3110.R226.0000.

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date _____

CHAUTAUQUA COUNTY
RESOLUTION NO. _____

TITLE: Authorize Agreement with Clymer Central School District for Special Patrol Officer Services 2025-2026

BY: Public Safety and Audit & Control Committees:

AT THE REQUEST OF: County Executive Paul M. Wendel, Jr.:

WHEREAS, Clymer Central School District (the District) has requested that the Chautauqua County Office of the Sheriff provide a Special Patrol Officer during the July 1, 2025 through June 30, 2026 school year; and

WHEREAS, the Chautauqua County Sheriff has negotiated a tentative agreement with the District for the period of July 1, 2025 through June 30, 2026 for an estimated cost not to exceed an hourly rate of \$34.00; and

WHEREAS, this revenue is included in the 2025 Budget so no budget amendments are needed; now therefore be it

RESOLVED, That the County Executive is hereby authorized and empowered to execute an agreement with the District for enhanced police services as set forth above, with revenues to be credited to revenue account A.3110.R226.0000.

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date _____

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

TITLE: Authorize Acceptance of Health Equity Innovation Grant from Univera
Healthcare for Local Roots Program

BY: Human Services and Audit & Control Committees:

AT THE REQUEST OF: County Executive Paul M. Wendel, Jr.:

WHEREAS, the Chautauqua County Office for Aging Services strives to provide nutrition services, programs, education and opportunities to improve the nutritional status of Chautauqua County older adults; and

WHEREAS, the Chautauqua County Office for Aging Services has a 5-year established program, the Local Roots Program, utilizing local farms to provide produce for older adult participants, in furtherance of the purposes outlined above; and

WHEREAS, Univera Healthcare has approved \$15,000 of funding to offset expenses associated with the Local Roots Program; and

WHEREAS, funding for the program is included in the 2025 Adopted Budget so an amendment is not needed; now therefore be it

RESOLVED, That the County Executive is hereby authorized to execute all necessary documents to accept this award.

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

CHAUTAUQUA COUNTY
RESOLUTION NO. _____

TITLE: Amend 2025 Budget – Enhance Programming for the Chautauqua County Visitors Bureau

BY: Planning & Economic Development and Audit & Control Committees:

AT THE REQUEST OF: County Executive Paul M. Wendel, Jr.:

WHEREAS, pursuant to Resolution 326-23 the Chautauqua County Legislature approved use of the 3% Occupancy Tax totaling \$100,000 by the Chautauqua County Visitors Bureau for special Tourism projects in 2024; and

WHEREAS, expenditures associated with the total project costs are not included in the 2025 Operating Budget; and

WHEREAS, payments totaling \$50,000 were made in Fiscal Year 2024; and

WHEREAS, Final Reports were approved in Fiscal Year 2025, requiring a budget amendment in the amount of \$50,000; now therefore be it

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

<u>INCREASE THE USE OF APPROPRIATED FUND BALANCE:</u>		
A.----.----.883.0000	Reserved Fund Bal-Reserve for Occupancy Tax	\$50,000

; and be it further

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

<u>INCREASE APPROPRIATION ACCOUNT:</u>		
A.6420.TOUR.4	Contractual-Promotion of Industry, Tourism	\$50,000

_____	APPROVED
_____	VETOES (VETO MESSAGE ATTACHED)

_____	_____
County Executive	Date