

CHAUTAUQUA COUNTY LEGISLATURE

06/25/2025

RES. NO. 167-25

Confirm Re-Appointment – Jamestown Community
College Board of Trustees

By Administrative Services Committee:

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

WHEREAS, resolution 129-95 authorized regional sponsorship of Jamestown Community College; and

WHEREAS, Resolution 129-95 created a community college region by the City of Jamestown, County of Chautauqua and County of Cattaraugus, with two appointments to the Board of Trustees to be made by the County Executive; therefore be it

RESOLVED, That the Chautauqua County Legislature does hereby confirm the following re-appointment to the Jamestown Community College Board of Trustees as follows:

Louis DiPalma

78 Lambert Avenue

Fredonia, NY 14063

Term Expires: 6/30/32

(Re-Appointment)

Signed: Scudder, Vanstrom, Heiser, Buchanan, Anthony

RES. NO. 168-25

Confirm Appointment – 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 appointment for action by the Chautauqua County Legislature; therefore be it

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

Matthew Bentley

20 W. Summit Ave.

Lakewood, NY 14750

Term Expires: 7/31/25

(Replacing Christopher Deponceau)

Signed: Niebel, Carle, Proctor, Bankoski

RES. NO. 169-25

Confirm Appointment to Chautauqua County Planning Board

By Planning & Economic Development Committee:

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

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

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RESOLVED, That the Chautauqua County Legislature does hereby confirm the following appointment to the Chautauqua County Planning Board:

Patrick Smeraldo
5 Westwood Drive
Jamestown, New York 14701
Term Expires: 12/31/2026
(Replacing Courtney Curatolo)
(6/18/25 – P.E.D. - *Typo Correction*)
Signed: Harmon, Larson, Johnson, Penhollow, Dickey, Gustafson

RES. NO. 170-25

Confirm Appointments – Southern Tier Extension Railroad
Authority (STERA) Board of Directors

By Planning & Economic Development Committee:

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

WHEREAS, County Executive Paul M. Wendel, Jr. 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 Southern Tier Extension Railroad Authority (STERA) Board of Directors.

Rosie Strandburg
320 Maplecrest Ave.
Lakewood, NY 14750
Term Expires: 12/31/26
(Replacing Richard Dixon)

Thomas Harmon
72 Lake Ave Ext,
Silver Creek, New York 14136
Term Expires: 12/31/27
(New Appointment)
(6/18/25 P.E.D. – *Amended by Substitution*)
Signed: Harmon, Larson, Penhollow, Dickey, Gustafson

RES. NO. 171-25

Confirm Re-Appointments - Chautauqua County
Land Bank Board of Directors

By Planning & Economic Development Committee:

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

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

RESOLVED, That the Chautauqua County Legislature does hereby confirm the following re-appointments to the Chautauqua County Land Bank Board of Directors.

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Robert Scudder
248 W. Main Street
Fredonia, NY 14063
Term Expires: 3/31/27
(Re-Appointment)

John Hemmer
7539 East Route 20
Westfield, NY 14787
Term Expires: 3/31/27
(Re-Appointment)

Diane E. Hannum
10435 Bay Shore Drive
Dunkirk, NY 14048
Term Expires: 3/31/27
(Re-Appointment)

Bonnie Rae Strickland
8267 Sixth St.
Westfield, NY, 14787
Term Expires: 3/31/27
(Re-Appointment)

Shelley Lincoln
6749 Main St.
Cherry Creek, NY 14063
Term Expires: 3/31/27
(Re-Appointment)

Hugh Butler
36 Hurst Ave.
P.O. Box 615
Chautauqua, NY 14722
Term Expires: 3/31/27
(Re-Appointment)

Todd Hnatyszyn
57 Nottingham Circle
Jamestown, NY 14701
Term Expires: 3/31/27
(Re-Appointment)

Rebecca Meeder
4811 Route 76
Ripley, NY 14775
Term Expires: 3/31/27
(Re-Appointment)

Charles Cornell
4393 Mahanna Rd.
Bemus Point, N.Y. 14712
Term Expires: 3/31/27
(Re-Appointment)

Louis Drago, Jr.
9 Brook St.
Lakewood, NY 14750
Term Expires: 3/31/27
(Re-Appointment)

Mark Giese
121 Hamlet Street
Fredonia, NY 14063
Term Expires: 3/31/27
(Re-Appointment)

(6/18/25 P.E.D. – Carried with Legislators Johnson and Larson voting “No”)
Signed: Harmon, Penhollow, Dickey, Gustafson

RES. NO. 172-25

Authorize the Renewal of Lease Agreement with the Town of Chautauqua

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

WHEREAS, pursuant to County Resolutions 91-06, 154-10, and 215-20 the County has been leasing office space from the Town of Chautauqua for the County Office of Emergency Services, and

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WHEREAS, with the expiration of the existing lease, the County would like to enter into a new lease agreement with the Town of Chautauqua so the County may continue using the space; and

WHEREAS, it is appropriate for the County to lease such space from the Town of Chautauqua in order to continue Emergency Services in Chautauqua County; and

WHEREAS, the Town of Chautauqua is willing to continue to lease to the County the currently occupied space in its Municipal Building; and

WHEREAS, based on year-to-date performance, the Department is confident they can remain within budget without an amendment at this time; now therefore be it

RESOLVED, That the County Executive is hereby authorized and empowered to execute a lease agreement with the Town of Chautauqua, 2 Academy St, Mayville, in accordance with the following:

1. Premises: Approximately 6,978 square feet at 2 Academy Street, Mayville, NY
2. Term: One 10-year term.
3. Rent: 7/2025 thru 6/2027 - \$1,744.50 per month (\$20,934.00 annually)
7/2027 thru 6/2029 - \$2,326.00 per month (\$27,912.00 annually)
7/2029 thru 6/2031 - \$2,907.50 per month (\$34,890.00 annually)
7/2031 thru 6/2033 - \$3,489.00 per month (\$41,868.00 annually)
7/2033 thru 6/2035 - \$4,070.50 per month (\$48,846.00 annually)
4. Utilities: Water, sewer, gas, electricity and other services and utilities used by the Tenant on the Leased Premises are included as part of the rent.
5. Other: As negotiated by the County Executive.
Signed: Heiser, Pavlock, Nelson, Buchanan, Anthony, Scudder

RES. NO. 173-25

Authorize Lease Agreement at the Chautauqua County-Jamestown Airport (JHW) for parking lot space with Federal Express Corporation, A Delaware Corporation

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 Jamestown Airport 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 County has received a request to lease parking lot space at the Jamestown Airport in the large parking lot in front of the main terminal building for the purpose of employee parking; and

WHEREAS, pursuant to Local Law 6-2000 a public hearing is not required for airport leases that have a term of less than one (1) year; now therefore be it

RESOLVED, That the A Fund be appropriated as follows:

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DECREASE THE USE OF FUND BALANCE:

A.----,----.917.0000 Unassigned Fund Balance – Unassigned Fund Balance \$3,000

; 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 REVENUE ACCOUNT:

A.5610.5610.R177.0000 Departmental Income- Fees & Rental: Airport \$3,000

; and be it further

RESOLVED, That the County Executive is authorized and empowered to execute an agreement to lease parking lot space with Federal Express Corporation, A Delaware Company in front of the Jamestown Airport main terminal building in conformance with FAA regulations and to include substantially the following terms and conditions:

1. Term. Six months commencing on July 1, 2025, and terminating on December 31, 2025 with option to renew.
2. Premises. Forty-four (44) parking spaces in the large parking lot in front of the Terminal Building.
3. Payment. Tenant shall pay County a monthly fixed rental fee of Five Hundred and No/100 Dollars (\$500.00).
4. Other. As negotiated by the County Executive.

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

RES. NO. 174-25

Authorize 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, pursuant to New York State General Municipal Law §352(5), a public hearing authorized by Resolution 153-25 was held on June 25, 2025, and all persons appearing thereat were heard; and

WHEREAS, this revenue is included in the 2025 Budget so an amendment is not needed; now therefore be it

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RESOLVED, That the County Executive is authorized and empowered to execute an agreement with The Aerie JHW LLC., to lease ground space at the Chautauqua County Airport Jamestown improved by Lessee's hangar, located in the western portion of the property in conformance with FAA regulations and to include substantially the following terms and conditions:

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, there will be a two percent (2%) increase per year, compounded annually.
4. Other. As negotiated by the County Executive.

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

RES. NO. 175-25

Authorize Acceptance of 2025 Crimes Against
Revenue Program ("CARP") Funds

By Public Safety and Audit & Control Committees:

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

WHEREAS, the District Attorney's Office has been awarded a grant in the amount of \$65,000 from the New York State Department of Taxation and Finance ("DTF") pursuant to its Crimes Against Revenue Program ("CARP") for the period of January 1, 2025 through December 31, 2025; and

WHEREAS, such funds are to be utilized to develop and implement effective enforcement strategy ("strategic plan") in collaboration with the New York State DTF and other governmental agencies as appropriate in order to detect, investigate, prosecute and deter revenue crimes; and

WHEREAS, the CARP funds are used to fund a part-time Senior Investigator and the partial salary of an Assistant District Attorney; and

WHEREAS, the CARP funds are administered by the New York State Division of Criminal Justice Services (DJCS); and

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

RESOLVED, That the County of Chautauqua accepts this State grant to provide additional resources to the Office of the District Attorney to detect, investigate, prosecute, and deter revenue crime; and be it further

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RESOLVED, That the County Executive be and hereby is authorized and directed to execute necessary agreements with the State of New York DCJS to obtain these funds; and be it further

RESOLVED, That any staff positions created and funded pursuant to this State program will not be continued if said program is abolished.

Signed: Niebel, Carle, Proctor, Bankoski, Nelson, Scudder, Pavlock

RES. NO. 176-25

Authorize Acceptance of the Statewide Targeted Reductions to Intimate Partner Violence ("STRIVE") Grant funds for 2025-2026

By Public Safety and Audit & Control Committees:

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

WHEREAS, the New York State Division of Criminal Justice Services (DCJS) has awarded \$847,225 to Chautauqua County through multiple agencies for the Statewide Targeted Response to Intimate Partner Violence ("STRIVE") initiative; and

WHEREAS, the agencies involved in STRIVE are to reduce intimate partner violence throughout Chautauqua County, more specifically in the City of Jamestown; and

WHEREAS, the funded STRIVE partnership consists of the City of Jamestown Police Department, the Salvation Army of Jamestown, and the Chautauqua County Departments of the District Attorney, Sheriff, and Probation; and

WHEREAS, the City of Jamestown Police Department has been awarded \$309,815 and the Salvation Army of Jamestown has been awarded \$88,624 of the total STRIVE funding and each of these entities will sign and administer a separate contract with New York State DCJS for its portion of said funding; and

WHEREAS, Chautauqua County's portion of the funding is \$448,786 and the applicable County Departments will share the remaining funds as follows: \$272,400 to the District Attorney's Office; \$27,500 to the Chautauqua County Office of the Sheriff; and \$148,886 to the Probation Department; and

WHEREAS, the Departments of the District Attorney, Sheriff, and Probation have not included these grant funds in their 2025 Budget; and

WHEREAS, the Departments of the District Attorney, Sheriff, and Probation will include the balance to be spent in 2026 in their proposed 2026 budgets; and

WHEREAS, this program will run from March 1, 2025 through March 31, 2026; now, therefore be it

RESOLVED, That the County of Chautauqua accepts the grant funds and authorizes the County Executive to execute the STRIVE Grant contracts with the New York State DCJS in the total amount of \$448,786 for the term of March 1, 2025 through March 31, 2026; 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:

INCREASE APPROPRIATION ACCOUNTS:

A.1165.----.1	Personal Services - District Attorney	\$101,250
A.1165.----.2	Equipment - District Attorney	\$6,500
A.1165.----.4	Contractual - District Attorney	\$36,000

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A.1165.----.8	Employee Benefits - District Attorney	<u>\$33,750</u>
	Total	\$177,500
<u>INCREASE REVENUE ACCOUNT:</u>		
A.1165.----.R308.9000	New York State Aid-OTHER STATE AID	\$177,500
Probation:		
<u>INCREASE APPROPRIATION ACCOUNT:</u>		
A.3140.----.1	Personnel Services - Probation	\$89,254
A.3140.----.4	Contractual - Probation	\$16,500
A.3140.----.8	Employee Benefits - Probation	<u>\$43,132</u>
	Total	\$148,886
<u>INCREASE REVENUE ACCOUNT:</u>		
A.3140.----.R308.9000	New York State Aid-OTH STATE AID	\$148,886
Sheriff's Office:		
<u>INCREASE APPROPRIATION ACCOUNT:</u>		
A.3110.GRNT.1	Personal Services - Sheriff - Grants	\$25,000
A.3110.GRNT.4	Contractual - Sheriff - Grants	<u>\$2,500</u>
	Total	\$27,500
<u>INCREASE REVENUE ACCOUNT:</u>		
A.3110.GRNT.R338.9000	New York State Aid-OTHER PUBLIC SAFETY	\$27,500
Signed: Niebel, Pavlock, Carle, Bankoski, Proctor, Nelson, Scudder		

RES. NO. 177-25

Authorizing Agreement for the Children and Youth with
Special Health Care Needs Program

By Human Services and Audit & Control Committees:

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

WHEREAS, the Chautauqua County Health Department strives to promote and protect the health of children and youth by providing assistance through the Children and Youth with Special Health Care Needs (CYSHCN) Program; and

WHEREAS, according to the New York State Profile of Children and Youth with Special Health Care Needs 2022 Report, 18% of children ages 0-17 years in New York State had a special health care need; and

WHEREAS, only 39.2% of children and youth with special health care needs have a medical home, and fewer than one in five children and youth with special health care needs ages 12-17 received services needed for transition to adult health care in New York State; and

WHEREAS, the New York State Department of Health (NYSDOH) CYSHCN Program seeks to improve the system of care for children and youth with special health care needs from birth and up to 21 years of age and their families; and

WHEREAS, the CYSHCN Program is administered by local health departments in New York State; and

WHEREAS, the NYSDOH has awarded \$334,340.00 to the Chautauqua County Health Department to support the CYSHCN Program for the period of 10/1/25-09/30/30, to be distributed in annual installments of \$66,868.00; and

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WHEREAS, Chautauqua County has accepted funds in the past for the CYSHCN Program through approved Resolution No. 217-20; and

WHEREAS, this funding will not be used during 2025 but will be included in the 2026 budget; now therefore be it

RESOLVED, That the County Executive is hereby authorized to enter into agreements with the NYSDOH for CYSHCN Program funding for as long as the Chautauqua County Health Department continues to be eligible for program funds; and be it further

RESOLVED, That the County Executive is hereby authorized to execute any additional documentation, amendments, or addenda necessary to effectuate the County's receipt of such funds.

Signed: Proctor, Vanstrom, Gustafson, Pavlock, Nelson, Scudder

RES. NO. 178-25

Authorizing Agreement for the Children and Youth with Special Health Care
Needs Program Community Accessibility and Inclusion Component

By Human Services and Audit & Control Committees:

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

WHEREAS, the Chautauqua County Health Department strives to promote and protect the health of children and youth by providing assistance through the Children and Youth with Special Health Care Needs (CYSHCN) Program; and

WHEREAS, according to the New York State Profile of Children and Youth with Special Health Care Needs 2022 Report, 18% of children ages 0-17 years in New York State had a special health care need; and

WHEREAS, only 39.2% of children and youth with special health care needs have a medical home, and fewer than one in five children and youth with special health care needs ages 12-17 received services needed for transition to adult health care in New York State; and

WHEREAS, the New York State Department of Health (NYSDOH) CYSHCN Program seeks to improve the system of care for children and youth with special health care needs from birth and up to 21 years of age and their families; and

WHEREAS the CYSHCN Program is administered by local health departments in New York State; and

WHEREAS, the NYSDOH has awarded \$38,740 to the Chautauqua County Health Department to promote their newly developed Community Accessibility and Inclusion component for the CYSHCN Program for the period of 10/1/25-09/30/26; and

WHEREAS, Chautauqua County has accepted funds in the past for the CYSHCN Program through approved Resolution No. 217-20; and

WHEREAS, this funding will not be used during 2025 but will be included in the 2026 budget; now therefore be it

RESOLVED, That the County Executive is hereby authorized to enter into an agreement with the NYSDOH for administrative funding for the CYSHCN Program for additional, one-year funding, under the newly developed Community Accessibility and Inclusion component; and be it further

RESOLVED, That the County Executive is hereby authorized to enter into agreements with local schools and municipalities in furtherance of CYSHCN Program purposes and objectives.

Signed: Proctor, Vanstrom, Gustafson, Pavlock, Nelson, Scudder

RES. NO. 179-25

Transfer American Rescue Plan Act (ARPA) Spending Plan Budgets from
2024 to 2025 (Interfund Transfers to Capital Projects)

By Administrative Services and Audit & Control Committees:

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

WHEREAS, the 2024 Adopted Budget was amended to include appropriations and revenues for a number of capital projects funded by the American Rescue Plan Act (ARPA); and

WHEREAS, some of these projects were not completed in 2024 and continue to be active capital projects in 2025; and

WHEREAS, ARPA project funding is to be recorded as revenue as project costs are incurred; and

WHEREAS, the 2025 Adopted Budget for Interfund Transfers does not include provisions for funding the costs of projects appropriated in 2024 and funds now need to be transferred from the general fund to the capital fund for those projects; 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:

A.9950.----.9	Interfund Transfers—Transfer to Capital	\$3,400,000
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INCREASE REVENUE ACCOUNT:

A.9950.----.R408.9ARP	Interfund Transfers—Oth Fed Aid ARPA Funds	\$3,400,000
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Signed: Scudder, Vanstrom, Heiser, Buchanan, Anthony, Nelson, Pavlock

RES. NO. 180-25

Amend Department of Finance 2025 Budget for Equipment Purchases

By Administrative Services and Audit & Control Committees:

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

WHEREAS, various equipment purchases are needed to replace existing furnishings; and

WHEREAS, funds for these furnishings need to be reallocated from the Contractual classification to the Equipment classification; 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 APPROPRAITION ACCOUNTS:

A.1310.----.2	Equipment-Department of Finance	\$7,500
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DECREASE APPROPRAITION ACCOUNTS:

A.1310.----.4	Contractual-Department of Finance	\$7,500
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Signed: Scudder, Pavlock, Vanstrom, Heiser, Buchanan, Anthony, Nelson

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RES. NO. 181-25

Investment Policy for the County of Chautauqua

By Audit & Control Committee:

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

WHEREAS, pursuant to Local Law 4-04 of the County of Chautauqua, the Chautauqua County Charter was amended to provide that the County Legislature shall annually adopt by resolution an investment policy prior to the County Executive's preparation of the tentative budget; and

WHEREAS, New York State General Municipal Law §39 also requires the County to adopt a comprehensive investment policy; and

WHEREAS, the current Investment Policy was last amended pursuant to Resolution 70-22; and

WHEREAS, there are no additional amendments to the existing policy proposed at this time; now therefore be it

RESOLVED, That the existing Investment Policy is hereby reconfirmed.

Signed: Pavlock, Nelson, Scudder

RES. NO. 182-25

Financial Management Policy for the County of Chautauqua

By Audit & Control Committee:

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

WHEREAS, pursuant to Local Law 4-04 of the County of Chautauqua, the Chautauqua County Charter was amended to provide that the County Legislature shall annually adopt by resolution a comprehensive financial management policy prior to the County Executive's preparation of the tentative budget; and

WHEREAS, the current Financial Management Policy was adopted pursuant to Resolution 231-24; and

WHEREAS, there are no additional amendments to the existing policy proposed at this time; now therefore be it

RESOLVED, That the existing Financial Management Policy is hereby reconfirmed.

Signed: Pavlock, Nelson, Scudder

RES. NO. 183-25

Setting Transportation Stipend - Chautauqua County Coroners

By Human Services and Audit & Control Committees:

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

WHEREAS, Resolution 304-18 established the compensation for each County Coroner shall be set on the Management Salary Plan at the Non-Scheduled Salary Range; and

WHEREAS, Resolution 31-20 amended Resolution 304-18 to provide a salary range of \$2,500 - \$15,000 with the sum of \$150 per Coroner case paid in addition to the fixed salary; and

WHEREAS, the Chief Medical Officer is requesting a Coroner Transport Stipend, in addition to per Coroner case, be available to Coroners to perform transportation to Erie County Medical Examiner's Office or other destination; and

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WHEREAS, Coroners will be paid \$250 per transport to the Erie County Medical Examiner's Office or other destination located outside of Chautauqua County and \$175 for any transport to a location within Chautauqua County; and

WHEREAS, this change was included in the 2025 Adopted Budget so no amendment is needed; now therefore be it

RESOLVED, That Resolution 31-20 is amended to provide that a Transport Stipend be available to each County Coroner and shall be paid \$250 per transport to the Erie County Medical Examiner's Office or other destination located outside of Chautauqua County and Coroners will be paid \$175 for any transport to a location within Chautauqua County.

Signed: Proctor, Vanstrom, Gustafson, Pavlock, Nelson, Scudder