

Chautauqua County Legislature
Live Streamed on YouTube
Wednesday, August 27, 2025 6:30 p.m.
Mayville, N.Y. 14757

Chairman Chagnon called the meeting to order at 6:30 p.m.

Chairman Chagnon: Good evening. I will call to order the meeting of the Chautauqua County Legislature on August 27, 2025. Would the Clerk please call the roll?

Clerk Lee called the roll and announced a quorum present. (Absent: Bankoski)

Legislator Gustafson delivered the prayer and pledge of allegiance.

Chairman Chagnon: I will now entertain a motion for approval of the minutes from the July 23, 2025 Legislative meeting. Do I have a motion to approve the minutes?

MOVED by Legislator Nelson, SECONDED by Legislator Gustafson and duly carried the minutes were approved. (7/23/25)

1st Privilege of the Floor

Chairman Chagnon: Next on the agenda, we will have the privilege of the floor. Members of the public may comment on any subject relating to any local law, resolution or motion appearing on tonight's agenda. Individual comments are limited to three minutes and comments representing a group shall be limited to five minutes. Is there anyone wishing to address the first privilege of the floor? Anyone for the first privilege of the floor? Seeing no one, I will close the first privilege of the floor. And I'll turn it over to Olivia.

No one chose to speak.

PROCLAMATIONS:

100th Anniversary of NYSAC
By
County Executive Paul M. Wendel, Jr.

Declaring the Month of September as
“Childhood Cancer Awareness Month”

By

Legislator Marty Proctor &
County Executive Paul M. Wendel, Jr.

COMMENDATION:

Rick Carlson & John Munson

Frewsburg Fire Department

By

Legislator Dalton Anthony &
County Executive Paul M. Wendel, Jr.

VETO MESSAGES FROM COUNTY EXECUTIVE WENDEL
NO VETOES FROM 07/23/2025

Clerk Lee: There are 4 communications listed on the agenda. We have also received an additional communication after the agenda was finalized. This will be #5, a letter from the Chautauqua County Law Department titled “Designation of order of Succession”. If you would like a copy of any of these items, please let our office know.

COMMUNICATIONS:

1. Report – NYS Department of Taxation and Finance re: Certified 2025 State Equalization Rates
2. Letter – Genesee County Legislature re: Opposition to Solar Development on Genesee County Farmland
3. Minutes – Conewango Watershed Commission – August 13, 2025 Meeting
4. Affidavit of Publication (2) – Legal Notice – Public Hearing re: Potential Application for 2025 CDBG Funding through the NYS Office of Community Renewal (Post Journal and Observer)
5. *Letter – Chautauqua County Law Department re: Designation of order of Succession*

Legislator Larson: Madam Clerk, have we yet had an acknowledgement from Congressman Langworthy or the White House on our motion supporting the continuation of Job Corps here in Chautauqua County?

Clerk Lee: Our office has not received anything.

Legislator Larson: Mr. Chairman, could the Clerk try sending those again in case they got lost in the mail or lost in the shuffles somewhere.

Chairman Chagnon: That's a reasonable request and we'll ask the Clerk to do that.

Legislator Larson: Thank you, Mr. Chairman.

Chairman Chagnon: And that brings us to our Public Hearing. A Public Hearing regarding a potential application for 2025 CDBG funding through the New York State Office of Community Renewal. Jessica, please join us.

6:35 P.M.

PUBLIC HEARING

**A Public Hearing Regarding a Potential Application for 2025 CDBG
Funding through NYS Office of Community Renewal**

Opened - 6:52 PM

Jessica Wuerstle, Director of Environmental Health Services: Hello folks. Thank you for hearing us tonight. I'm bringing up Josh Freifeld from the Chautauqua Home Rehabilitation and Improvement Corp. and Josh, you have with you –

Josh Freifeld: I have Hanna Crossley with me. She's our grant writer and administrator for our organization.

Jessica Wuerstle: So, we're holding this public hearing tonight in advance of our intent to apply for some community development block grant funding to assist Chautauqua County residents with well and septic system replacement. The New York State Office of Community Renewal Community Development Block Grant Program is a federally funded program authorized by Title I of the Housing and Community Development Act of 1974. The Program is administered by the Office for Community Renewal. The CDBG program provides funding to eligible communities for the development of projects that provide decent and hazard-free affordable housing, access to safe drinking water, proper disposal of household wastewater, access to community-needed services in local facilities, foster microenterprise activities and economic opportunities through the support of projects that create and/or retain permanent employment opportunities that principally benefit low and moderate-income persons. In New York State, the application process is separated by the type of activity, with requests for grants to assist with community planning, microenterprise, public facilities, and public infrastructure proposals falling under the consolidated funding application that is awarded through the Western New York Regional Economic Development Council. Economic Development and Small Business Assistance applications are accepted year-round. Funding Opportunities for Housing activities for the state's 2025 funding allocation were announced July 17, 2025, with applications due September 19, 2025.

Activities funded under the CDBG Program must meet the National Objectives and therefore must benefit low and moderate- income persons, aid in the prevention or elimination of slums or blight or meet community development needs having a particular urgency. Income limits are categorized by the household size for example, in 2025 the income limits for a 1-person household are \$49,600. For a 2-person household, \$56,650 and so on. Cities, Towns and Villages with populations under 50,000 and counties with populations under 200,000 are eligible to apply. In 2025 there is approximately 100 million dollars in funding available for all eligible types of activities. With a county available amount of \$1,500,000. Chautauqua County is seeking public input, especially from low-income residents, whom this program would benefit on whether to apply for CDBG funding under the 2025 funding allocation and, if so, what type of program we should pursue. Again, eligible uses for the funding includes decent and hazard-free affordable housing, access to safe drinking water, proper disposal of household wastewater, access to community-needed services in local facilities, foster microenterprise activities and economic opportunities through the support of projects that create and/or retain permanent employment opportunities that principally benefit low and moderate-income persons. Citizen participation in the planning and implementation process is critical. Therefore, there must be public interest in seeking these funds and agreement on the proposed use of said funds. The applications for this Program are extremely competitive and there is no guarantee that our application will be successful. However, we will prepare and submit the strongest proposal possible. We expect awards to be announced sometime in December 2025 and, if Chautauqua County is awarded funding through this program, we would begin the program in late winter/early spring with most of the construction of these systems occurring in Spring 2026 through Fall of 2027. This is a program that we have successfully run before with CRIC as a subgrantee and its been a very successful partnership between the County Health Department and the CRIC organization so we are certainly hopeful in our application and we do have experience running this program. Anything?

Josh Freifeld: So, the last project that we ran with the County, there were 17 projects that were completed. 12 of them were septic system basically upgrades and 5 wells that were replaced. All of these test and fail with the County Health Department and then what we come in and administer and make sure that the systems are replaced with certified contractors here in the County. And that was just the most recent grant program which was \$238,000. This grant proposal that we're trying to pursue is \$300,000.

Chairman Chagnon: Thank you. Is there anyone wishing to address the public hearing.

Legislator Larson: This sounds like it involves New York States 2025 fiscal year which I think runs April 1 of this year through March 31 of 2026. Any of you aware of what's happened to the community development block grant funding at the National level for the federal governments next fiscal year in that 800 and some page bill that the Congress passed and the President signed.

Josh Freifeld: As of now, at the Federal level – well let me go back a little bit. New York State has told us that funding for this cycle is anticipated to continue. They are planning on a

fiscal year 26 CDBG allocation coming to the state as well. There will, I'm sure be some reduction in funds across the board. We've heard that as a non profit in the field dealing with community development block grant funds and other funding sources that could potentially be on the chopping block. We don't anticipate anything being completely removed and that's why we stress that these are very competitive funds. There was a lot of counties, municipalities going for this funding and so it is challenging. It's a challenging time especially in the nonprofit world trying to administer programs on behalf of municipalities. So, there will be I'm sure some reductions but as of now, we're told by the State to continue applying for these funds because they have allocations coming to them.

Legislator Larson: Thank you.

Chairman Chagnon: Anyone else wishing to address the public hearing? Anyone else for the public hearing. Seeing no one, I will close the public hearing.

Closed – 6:59 PM

RESOLUTIONS:

194-25 Confirm Reappointments - Chautauqua Opportunities Board of Directors, by Human Services Committee – UNANIMOUSLY ADOPTED

195-25 Amend 2025 Budget – North Chautauqua Lake Sewer District, by Public Facilities and Audit & Control Committees – UNANIMOUSLY ADOPTED

196-25 Amend 2025 Budget for Portland-Pomfret-Dunkirk Sewer District, by Public Facilities and Audit & Control Committees – UNANIMOUSLY ADOPTED

197-25 Amend 2025 Budget for Payroll Allocations– Portland, Pomfret, Dunkirk Sewer District, by Public Facilities and Audit & Control Committees – UNANIMOUSLY ADOPTED

198-25 North Chautauqua County Water District - Maintenance of Pump Stations, Public Facilities Committee – UNANIMOUSLY ADOPTED

199-25 Authorize Municipal Cooperation Agreements with Fire Departments, Fire Companies and Fire Districts in Chautauqua County for Cleaning County Bridges, by Public Facilities Committee – UNANIMOUSLY ADOPTED

200-25 Acceptance of Funds from the FAA and DOT for the Design Phase of the Project for the Reconstruction of the Terminal Apron at the Chautauqua County Jamestown Airport, Public Facilities and Audit & Control Committees

Legislator Johnson: Mr. Chairman, there are 4 of these coming up, including this one and in Audit and Control I found the estimates to be just very high so I'd like to know where the estimates came from? Did we hire, we as the County hire the consultant who made those or did the feds hire them? I understand of course this is largely a federal expenditure.

Chairman Chagnon: I believe the Airport Manager is in attendance so John can you answer the question that Legislator Johnson posed?

John Machemer, Airport Manager: *(Inaudible)* the County hired the consultant *(inaudible)* fees.

Legislator Johnson: So, in that case, I will be voting against all 4 of them. It's just too much money for us to be signing off on this easily.

Chairman Chagnon: Any other comments or question on the resolution?

RES. NO. 200-25 - ADOPTED with Legislators Carle, Johnson, Pavlock and Scudder voting "No"

201-25 Acceptance of Funds from the FAA and DOT for the Construction Phase of the Project for the Replacement of Thirty-Four (34) Airfield Guidance Signs at the Chautauqua County Jamestown Airport, by Public Facilities and Audit & Control Committees

ADOPTED with Legislators Carle, Johnson, Pavlock and Scudder voting "No"

202-25 Acceptance of Funds from the FAA and DOT for the Design Phase of the Project for the Rehabilitation of Taxiway A West at Chautauqua County Dunkirk Airport, by Public Facilities and Audit & Control Committees

ADOPTED with Legislators Carle, Johnson, Pavlock and Scudder voting "No"

203-25 Acceptance of Funds from the FAA and DOT for the Design Phase of the Project for the Removal of Obstructions from RW 7/25 and 13/31 Approaches, by Public Facilities and Audit & Control Committees

ADOPTED with Legislators Carle, Johnson, Pavlock and Scudder voting "No"

204-25 Authorize Lease Agreement with SUNY Fredonia for 2026 Senior Expo Event, by Human Services Committee – UNANIMOUSLY ADOPTED

205-25 Authorize of Lease Agreement with Town of Chautauqua for Office Space for Chautauqua County Department of Mental Hygiene, Public Facilities, Human Services and Audit & Control Committees

Legislator Gustafson: Mr. Chairman, I'd like to make a motion that we amend by substitution and the new resolution is on our desks.

MOVED by Legislator Gustafson, SECONDED by Legislator Nelson to Amend by Substitution – Unanimously Carried to Amend (shown below)

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

TITLE: Authorize 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 continuance of a lease from Town of Chautauqua approximately 4,962 square feet on the 2nd floor 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, negotiations have been undertaken to obtain a renewed lease agreement mutually beneficial to the County and Town of Chautauqua in which the rate will remain the same; and

WHEREAS, since the lease rate will remain the same, this expense is included in the 2025 Budget and an amendment is not needed at this time; now therefore be it

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

- 1) Premises. Approximately 4,962 square feet (Rooms 200,201,202 and public space including the stairways and hallways needed for access thereto) of office space on the 2nd floor of the 2 Academy Street, Mayville, New York.
- 2) Term. August 1, 2025 through July 31, 2028.
- 3) Rent. ~~\$3,743.25~~ **\$2,933.25** per month, at the rate of approximately ~~\$.754~~ **\$0.5911** per square foot.
- 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.

Unanimously Carried as Amended

206-25 Authorize of Lease Agreement with City of Jamestown for Office Space for Chautauqua County Department of Mental Hygiene and Social Services, by Public Facilities, Human Services and Audit & Control Committees

Legislator Nelson: Mr. Chairman, I'd like to make a motion to withdraw the resolution at the request of the Finance Department.

MOVED by Legislator Nelson, SECONDED by Legislator Gustafson to withdraw – Unanimously Carried to withdraw

RES. NO. 206-25 – WITHDRAWN

207-25 Authorize Public Hearing on Lease with the Federal Aviation Administration for Antenna and Equipment space within Terminal Building at Chautauqua County Jamestown Airport, by Public Facilities and Audit & Control Committees – UNANIMOUSLY ADOPTED

208-25 Authorize Grant Application for 2025 CDBG Funding through the New York State Office of Community Renewal – Septic and Wells Program, by Human Services and Audit & Control Committees – UNANIMOUSLY ADOPTED

209-25 Authorize Acceptance of 2025 Exhale Grant Award, by Human Services and Audit & Control Committees – UNANIMOUSLY ADOPTED

210-25 Authorize Office for Aging Services and Department of Social Services to Submit Application for NY Connects Funding on an Annual Basis, by Human Services Committee – UNANIMOUSLY ADOPTED

211-25 Authorize Agreements with Governmental Entities for Emergency Assistance, Facilities and Training, by Human Services Committee – UNANIMOUSLY ADOPTED

212-25 FY2023 Hazardous Materials Emergency Preparedness (FY23HMEP) Grant Program, by Public Safety and Audit & Control Committees – UNANIMOUSLY ADOPTED

213-25 Authorize Acceptance of the Gun Involved Violence Elimination (“GIVE”) Grant funds for 2025-2026, by Public Safety and Audit & Control Committees – UNANIMOUSLY ADOPTED

Legislator Gustafson: I would like to make a motion that we block 214-25 through 216-25.

MOVED by Legislator Gustafson, SECONDED by Legislator Nelson to block resolutions 214-25 through 216-25 – Unanimously Carried to block

214-25 Amend 2025 Budget for Office of the Sheriff, by Public Safety and Audit & Control Committees – UNANIMOUSLY ADOPTED

215-25 Amend 2025 Budget for Office of the Sheriff – E911, by Public Safety and Audit & Control Committees – UNANIMOUSLY ADOPTED

216-25 Amend 2025 Budget for Office of the Sheriff – W911, by Public Safety and Audit & Control Committees – UNANIMOUSLY ADOPTED

Chairman Chagnon: In honor of blocking Bob Bankoski who's not able to be with us tonight, is there any discussion on any of the 3 resolutions as blocked? Hearing none, all those in favor of resolutions 214-25 through 216-25 please say "aye", opposed? They are carried.

217-25 Authorizing 2026 Levy of Participant's Share of Chautauqua County Self Insurance Plan (Workers' Compensation) Costs, by Administrative Services and Audit & Control Committees – UNANIMOUSLY ADOPTED

218-25 Standard Workday and Reporting Resolution, by Administrative Services Committee – UNANIMOUSLY ADOPTED

219-25 Authorizing and Approving Settlement Agreement in Action Relating to the Opioid Crisis (Sandoz Inc.), by Human Services Committee – UNANIMOUSLY ADOPTED

220-25 Authorizing and Approving Settlement Agreement in Actions Relating to the Opioid Crisis (Alvogen, Inc., Amneal Pharmaceuticals, Inc., Apotex Inc., Hikma Pharmaceuticals USA Inc., Indivior Inc., Mylan Pharmaceuticals Inc., Sun Pharmaceutical Industries, Inc., and Zydus Pharmaceuticals (USA), Inc.), by Human Services Committee – UNANIMOUSLY ADOPTED

221-25 A Resolution Authorizing the Issuance of \$8,200,000 Bonds of the County of Chautauqua, New York, to Pay the Cost of certain North Chautauqua Water District Improvements, by Public Facilities and Audit & Control Committees

Legislator Johnson: I asked this question in committee but I think we mean to say we're not going to pay the cost but we're going to finance it but the cost is eventually going to be past onto the users, is it not?

Chairman Chagnon: Yes. The users will pay the cost of redeeming the bonds, yes.

Legislator Johnson: Correct. And interest so we're really just financing them and –

Chairman Chagnon: Right, the County is providing the financing for the district.

Legislator Johnson: Thank you.

Chairman Chagnon: Good question. Thank you for the catch. Now would the Clerk please call the roll?

RES. NO. 221-25 - R/C Vote: 18 Yes; 0 No; 1 absent (Bankoski) – Unanimously Adopted

222-25 Approving Labor Contract with DSACC, by Administrative Services, Public Safety and Audit & Control Committees

RES. NO. 222-25 - R/C Vote: 18 Yes; 0 No; 1 absent (Bankoski) – Unanimously Adopted

223-25 Approving Labor Contract with CCSSA, by Administrative Services, Public Safety and Audit & Control Committees

RES. NO. 223-25 - R/C Vote: 18 Yes; 0 No; 1 absent (Bankoski) – Unanimously Adopted

224-25 Approving Labor Contract with CSEA Unit 6322, by Administrative Services, Public Safety and Audit & Control Committees

Legislator Johnson: My apologies, I'm going to vote for this but I wanted to note that this is well above inflation but as a part of information, that's okay because during the COVID times, the raises were below inflation so we're catching up.

Chairman Chagnon: Thank you for the clarification. Any other questions or comments on the resolution? Hearing none, would the clerk please call the roll?

RES. NO. 223-25 - R/C Vote: 18 Yes; 0 No; 1 absent (Bankoski) – Unanimously Adopted

225-25 Declaring Job Growth as the Number One Goal of County Economic Development Efforts for 2026-2029

Legislator Harmon: Yes, I would like to amend by substitution resolution 225-25.

Chairman Chagnon: Okay and do you have an amendment?

Legislator Harmon: The amendment, yes, we have the amendment and I believe Olivia has the amendments that she can hand out.

Chairman Chagnon: Okay so we have a motion to amend by substitution and the amendment will be handed out. Do I have a second to the motion to amend by substitution?

MOVED by Legislator Harmon, SECONDED by Legislator Vanstrom to Amend by Substitution

Chairman Chagnon: We will await your opportunity to review the proposed amendment by substitution before we have discussion and vote on the motion to amend by substitution.

Chairman Chagnon: I'm seeing that many have apparently completed their review of the proposed amendment by substitution. So now I will open the floor for discussion on the motion to amend by substitution.

Legislator Larson: I speak against the motion. The resolution by Legislator Bankoski states a simple goal. That job creation over the next 4 years should be our county government. Its not limited to the Planning and Economic Development Department or Planning and Development Department, it's a whole County government. And since we name or confirm every single member of the County Industrial Development Agency Board, sending a message to them, that we want job creation to be the #1 goal of our IDA in the next 4 years, not raising fees by giving taxes benefits to solar farms. This amendment by substitution is nothing more than propaganda. Its not a statement of a goal, its remarkable 2 months in a row there are those in the Legislature that are afraid to publicly commit themselves that our #1 goal is job creation. It's not clear what the heck the #1 goal is. We didn't get an answer to that last month and we're not getting an answer so far tonight. I did see a big news story since last month's meeting on the – somehow the effort to have 4 big murals painted around the County survived this bipartisan Legislature tabling the use of County hundred thousand dollars earlier this year, I think. Somehow that didn't kill the idea. By the way, those 4 murals are going to be done by 4 out of County artists with the help of an out of County consultant. What's so hard about saying that job creation's our #1 goal? This is propaganda and that it is the normal let's blame New York State. Well, by almost any measurement, if this County was in the top half of Counties in job retention or creation, maybe you could make that argument. By any, almost any economic measure, out of the 62 Counties in New York, on economic matters we're generally down to the last 2, 3, 4, 5, we're pathetic and we've been pathetic for close to 20 years now. Our job loss is 14,000 from around 2010. 68,000 down to 54,000 employed. Nobody makes up those numbers, they're right there in front of you. So, then I introduce myself as the only lawyer legislator, I take it you're Mr. Harp?

Mr. Harp: Yes sir.

Legislator Larson: I want to welcome you as the only lawyer legislator to serve this body. Chairman Chagnon I think will confirm that I fought for this body to have its own independent legal advisor. When you dig into the County Charter, Mr. Harp, Attorney Harp, you will find that the last 2 WHEREAS'S are legally not true. I'm amazed a year and a half more in my most recent time on this Legislature, the allegation over and over and over again from the administration, that it's the IDA that has all these powers to do things and the County is a cheerleader. You will find under New York municipal law in our own Charter, this County can buy land for industrials parks and over the years it has. The IDA often did not buy the land, the

County bought the land. Turned to the IDA to help develop it. So, the last RESOLVED in particular is incredibly not true. RESOLVED that the CCIDA and the County would continue to make job creation and retention by business a top priority with the understanding that the CCIDA, not the County's Department of Planning and Development as the tools and resources and uniquely qualified to fulfill this objective. I was County Attorney for 8 years from 98 to 2005 when the County government built a number of Industrial Parks and our Department of Public Facilities by a large built the roads into those Industrial Parks, not the IDA. The County provided funds to build a couple of spec buildings directly. So, I just think it's amazing the – with our horrendous record of job loss, that the reluctance to declare that as our #1 objective in the next 4 years and ask the CCI to focus on job creation instead of 10-million-dollar solar farms getting a payment in lieu of taxes in return for \$100,000 fee to the IDA to make payroll. Now the reluctance to focus on jobs – our children and grandchildren will not find work opportunity here with a half a job at a solar farm. The priority should be on projects that are going to create jobs. Wells is a great example; Cummins is a great example. But we could go down 5 or 10 significant employers that have left this area in the last 10-15 years. So, sighting examples of a couple great successes, doesn't prove much. I wish Legislator Bankoski were here tonight to defend his own but, I'm happy to try and fill in for him and I'm happy to tell you as a former County Attorney, this is a ridiculous, inaccurate, legally not true document. Thank you.

Legislator Nelson: Thank you Mr. Chairman. I will also oppose this amendment. A coaching principle attributed to John Wooden was its not what you teach, it's what you emphasize and I think job growth should be our emphasis. Our counties median income is among the lowest in the State. We have a poverty rate of 17%. We have a 4 year population decline while other parts of the State have grown. We've lost 8% of our jobs over the past 10 years. We employ roughly 54,000 people. Why not set the goal to improve on that? Why not have that – that should be all of our emphasis should be on that so I think that should be our highest priority so I will oppose the amended resolution. Thank you, Mr. Chairman.

Legislator Johnson: Mr. Chairman, I would have voted against the declaring job growth as the #1 goal. If someone had called it declaring job filling the #1 goal, I might have thought a little differently. The fact of the matter is, that there are somewhere between 1,000 and 500 really good paying jobs open in Chautauqua County right now. And if we can't fill those then why should somebody come here and spend hundreds and hundreds of thousands of dollars per job in capital expenditure to create more jobs we can't fill? Now, should the timeline in the next 3 years, if we don't get these jobs filled, why after that should employers come here? Now long term, of course we want more employment of good paying jobs in this County but to do that we have to attract capital and the first step is to get the positions that are open, filled.

Legislator Dickey: Mr. Chairman, thank you. I have listened to and read each of them. I'm going to be voting for the amended one as an economist and the emphasis on this should be there for us but it should not be the one thing, the one emphasis for us and I believe that we have other responsibilities to our tax payers. Thank you, Mr. Chairman.

Legislator Gustafson: I'd like to point out that the purpose of the resolution, the amended resolution, is to ensure that Chautauqua Counties economic development priorities are both job retention as well as job creation rather than merrily focusing on job growth alone. Chautauqua County has experienced long term population and workforce decline mirroring State trends. Since 2005 the County has lost over 14,000 employed persons. While more than 1,000 job openings remain unfilled locally. This demonstrates the population decline and workforce availability not simply job creation are the primary limiting factors in economic recovery in Chautauqua County.

Legislator Pavlock: Thank you, Mr. Chairman. I'd just like to say I think that it is important to have job creation. It's a really great goal, target, objective whatever it may be but to list it as our #1, I just I don't see it – I see it as another egg in the basket. We need to promote a lot of things. One is like Mr. Johnson pointed out; we already have a lot of unfilled positions currently. Lets have a lot of goals that include the desire for families to move here, come here to stay here, whatever the situation may be and you do that through a multiple different amount of ways and I think the County is currently working toward some of those and I think that to pick out one in particular thing as our #1 goal is difficult because it's 1 part of many goals that we need to strive for so 1 picking out this is a particular – now next month I could come up with a motion disguised as a resolution as well. That could say our #1 goal for Chautauqua County should be promotion tourism or promoting some other form of things. So, I really will have a hard time voting for either of these resolutions that is moved forward so thank you.

Legislator Larson: Mr. Chairman, the mention of a hypothetical resolution or motion indicating building up the tourism industry is the #1 goal. Actually, I paid enough attention to the news of County government over the past 15 years to know that we've had County Executives who have said that publicly. And while tourism is nice, the reality in this County is most tourism is Memorial Day to Labor Day. If you don't believe it, talk to some of the business owners I ran into the last week who are already getting plans to end their ice cream purchases because after Labor Day, there is no business anymore. I don't know how many of you want your children or grand children to come back here to work in the seasonal tourism business. That's not where we build a strong economy and the issue of my goodness, we're have a number of County Executive's now that report over and over again that gee you know I've visited with factory owner and this business owner and they're got 3 openings they can't fill. This one has 10 openings they can't fill. Happily, our Chairman who was very important person in saving MRC Bearings for our South County. The notion that because there is 1,100 job openings or whatever, even out of our depressed 54,000 employment level, you're talking about a 2% vacancy rate. 2% of 54,000 is 1,080. I would suspect that MRC Bearing's Mr. Chairman, when there were roughly 500 employees there, you wouldn't be surprised at any given day, month, week that 2% of your 500 might have left you because they're sick, they're retiring and you got 2% of your openings. You have 10 openings at any given time. That would be a fairly healthy thing. If you had 500 employees and not a – you weren't looking for a single new employee, that would be really weird.

Legislator Chairman: We were really weird.

Legislator Larson: Population follows jobs, not the other way around. We're not going to keep high school grads and college grads sit here waiting for something good to happen and the typical knee jerk pass the buck to New York State oh my goodness we can't really do much here because we're in New York State. Well, as a lawyer and 8 years of Judge, I look for evidence rather than propaganda. Right next door to us is Erie County, New York and the City of Buffalo. As we lost I think 7,000 people in the last census, 10 years, Erie County population grew and even the City of Buffalo's population grew. The last I knew; they were in New York State. We are near the bottom of the barrel in every measure and I'm amazed that the majority has had 2 months now to come up with an answer to a simple question "If job growth from our depressed level is not our #1 economic development goal, what is it"? I don't think it's tourism development but that's my opinion. I haven't heard an answer and I think the people of Chautauqua County, the mothers, fathers, grandparents who hate to see their children leave here seeking a better economic life. I hate for them to have no answer to the simple question, if job growth is not the #1 economic goal over the next 4 years of this County Government and its IDA, what is? Thank you, Mr. Chairman.

Legislator Scudder: I'd like to go on record, first of all saying I'm all for job development, job growth, job retention and I will make a verbal commitment right here that that will be my number goal. What I don't like is I personally see in front of me, 2 motions. We have 1 motion and then we're amending it to another motion. What happens with motions is, it's almost an "I dare you to vote against this time". It becomes very divisive. We went through 30 resolutions and about the same time that we've spent arguing whether job growth is our #1 thing in Chautauqua County. Whichever one of these goes through, if I violate that tomorrow and job growth is not my #1, what's the bite in that? How do we enforce that? How do we make Legislators have that as their #1 goal because to some, it's not? I find it interesting in the original one too, it's for a 4-year period. So after – we only have to do this for 4 years so we're off the hook. I see them both as motions disguised – thank you Dan for stealing my thunder there, disguised as resolutions. I made a promise in a previous meeting that I wouldn't write up for a motion and I would not vote in favor of a motion. I view these as motions and I will be voting against whichever way we go, thank you.

Legislator Larson: Hopefully the last time I have to answer something. This is not masquerading as a motion. Resolutions are when this Legislature deals with our own County Government. Motions are when we're telling Governor what to do, telling President Trump what to do; those are motions. Things we have no control over. A motion indicating we're against heart disease, that's not our authority over County Government. These resolutions, just like the policy resolutions our charter calls for us to do, only 1 committee attempted to do a policy resolution. The other committees of this legislature are still violating the charter, Attorney Harp. They're not offering up any policy resolutions for the County Executive to consider in his budget in September of this year. This resolution says our County Government, our Department of Public Facilities, our Probation Department, all of our County Government is being told that our #1 economic development goal is job creation. So, if Cummins engine needs a new access road in order to accommodate their \$450,000,000 investment, that resolution says our DPF even, Department of Public Facilities, should cooperate with Cummins and make sure they have the

access road they need to have these 200 new jobs. So, this is not masquerading as a resolution. It is a legitimate resolution from this Legislature telling our own County Government what this Legislature says for the next 4 years and we're electing a County Executive this fall. So, I think Legislature Bankoski had a logic to the 4-year period, it's the next County Executive's turn. That would go on record that job creations our #1 economic development goal. Nobody else seems to know what #1 goal is if this isn't, thank you.

Legislator Scudder: I appreciate that explanation and I still view these as motions, thank you.

Legislator Niebel: Yes, Mr. Chairman. Earlier there was a reference to the employment level of Chautauqua County comparing it to the employment level of Erie County. As I recall, over the past few years, New York State has vested over a billion dollars in Erie County. Chautauqua County has seen no such investment so any comparison to our employment level with Erie Counties I think is not accurate, thank you.

Legislator Vanstrom: I appreciate the words of my colleague, Mr. Niebel. He hit the nail on the head. We haven't been treated fairly and it's not because of our actions that we've had this exodus out of the State from our County. I've talked to a lot of people that have good careers, they're employable anywhere and the Governor's not making this easier for us. What they think is good for New York City, is not good for Chautauqua County, thank you.

Legislator Dickey: Mr. Chairman, thank you. Again, I keep saying as an economist, statements are being made that's comparing us, Chautauqua County, to urban areas such as Erie County. There is no comparison. Its apples and oranges. And what's happening in our County is happening everywhere in rural areas in the United States, not just in particularly in New York State. So, if you compare us to any urban areas in New York State then its not a good comparison. Thank you, Mr. Chairman.

Legislator Pavlock: I apologize, Mr. Chairman for taking up anymore of our time for this matter but a question was raised and I want to answer it the best way I can is what is the #1 goal? The #1 goal in my eyes isn't one specific #1 goal its for everything to benefit Chautauqua County A through Z, not just A so thank you.

Chairman Chagnon: Thank you. Any other comments or questions on the motion to amend. Okay then I'm going to ask the Clerk to call the roll on the motion to amend by substitution resolution 225-25.

RES. NO. 225-25 - R/C Vote: 14 Yes; 4 No (Carle, Larson, Nelson, Scudder); 1 absent (Bankoski) – Carried to Amend by Substitution

Chairman Chagnon: Okay, so now we are onto discussion of resolution 225-25 as amended by substitution so all those in favor of the amended version, we will be calling the roll

to see who is in favor of the amended version now that we have amended it. So, would the clerk please call the roll?

RES. NO. 225-25 - R/C Vote: 13 Yes; 5 No (Carle, Larson, Nelson, Pavlock, Scudder); 1 absent (Bankoski) – Adopted as Amended

ANNOUNCEMENTS

Chairman Chagnon: And that brings us to announcements. Are there any announcements in this wonderful season of the year for the good of the order?

2nd PRIVILEGE OF THE FLOOR

Members of the public may comment on any subject.

A member of the legislature may speak on any subject.

Individual comments are limited to 3 minutes and
comments representing a group shall be limited to 5 minutes.

Undersheriff Baideme: Good Evening, Nate Baideme, Chautauqua County Undersheriff. I'm here to deliver a statement from Sheriff Quattrone who is on a long-planned family vacation. Ladies and gentleman, I stand before you today, well, he's actually 900 miles away, filled with gratitude and appreciation for the tremendous support you have shown to our Deputy Sheriffs and Supervisors through the recent approval of the collective bargaining agreements. Your overwhelming and unanimous support speaks volumes about your commitment to our law enforcement community and the values we hold dear in our society. As you are all aware, our Deputy Sheriff's are the backbone of public safety in our county. They work tirelessly often under challenging and dangerous conditions to protect our residents and uphold the law. Their dedication and bravery is commendable and it is essential that recognize their hard work and sacrifice. By approving these collective bargaining agreements, you have not only acknowledged the vital role our deputies play, but also taken a significant step toward ensuring they receive fair compensation and benefits. This support is not just about numbers on a paycheck, its about valuing the lives and families of those who serve us daily. It is about sending a clear message that we stand behind our law enforcement officers providing them with the resources they need to preform their duties effectively and safely. Your unanimous decision reflects a shared understanding of the importance of investing in our Deputy Sheriffs. It demonstrates a commitment to fostering a strong and supportive relationship between the County and those who protect us. This partnership is crucial as it enhances morale, builds trust within the community and ultimately leads to more and effective law enforcement. I would also like to take a moment to recognize the hard work and dedication of everyone involved in the negotiation process. The collaborative efforts of the Deputies unions, County officials and your leadership have resulted in an agreement that benefits not only our Deputies but also and more importantly, the community that they serve. As we move forward, let us continue to work together to ensure that our Deputies have the support and resources they need to keep our County safe. Your

unwavering support is a testament to the values we share and the respect we have for those who put themselves on the line for our safety. Thank you once again for your overwhelming support and for recognizing the importance of our Deputy Sheriffs. Together we are building a stronger, safer community for all. Thank you.

Good evening, my name is Kathy O'Brien. I've had a seasonal home for 30 years in Maple Springs in the Town of Ellery and I am currently a Director on the Board of the Chautauqua Lake Property Owner's Association, the CLPOA. On Labor Day, Monday, September 1st, we'll be holding our 12th Wetlands public meeting from 9:30 to 11 at the Bemus Point Golf Club and Tap House. We'll be sharing updates including where things stand with our litigation. This will actually be our 14th meeting since last April – that's how important this is to so many of us. I hope you'll join us. This past July 4th weekend was heartbreaking for many lake families and visitors. Those in Burtis Bay, Sherman Bay, Ellicott and Fluvanna lived it firsthand. The weeds were out of control, resulting in some case, a recreationally unusable lake. The story spread all across Western New York with up to 10 Buffalo news segments covering it. What used to be a time and joy and celebration turned into frustration and a lot of that comes back on the new wetland's regulations. Instead of helping, they're protecting the weeds and making the situation worse. I have to ask – why hasn't the County stood with the CLPOA, the Chautauqua Lake Partnership, and other in challenging these regulations? Right now, it's small volunteer run, nonprofits, powered by donations, who are left trying to carry this fight for everyone. That just doesn't feel right. Some people say the lake groups can't get along, but that misses the point. The real problem is years of neglect of our lake by New York State and a lack of meaningful, effective management here at home. Even the New York State DEC has admitted they're "building a plane while flying it" when it comes to rolling out these wetlands' rules. Unfortunately, it feels like the County is doing this doing the same thing with lake management. We keep circling year after year and nothing really improves. Meanwhile the lake suffers, our way of life suffers, and so does our economy. As Jim Wehrfritz said at the July Legislature meeting "no one is managing Chautauqua Lake and there is no real management plan". The alliance is on auto pilot, doing the same thing year after year with no results. Its board is a jumble of organizations but with no real authority and now there's talk of doubling its size. That's not a fix. That just more window dressing. The truth is, no one is flying the plane. We do actually have a science-based management plan, the long-term plan for submerged aquatic vegetation created by North Carolina State University last year. It was funded by the Alliance, but for reasons I do not understand, they won't adopt it. So here we are, with no real plan and no one really in charge. Its time for that to change. We need a Centralized Lake Authority, a formal New York State entity made up of lake-side Town Supervisors, Village Mayors, and County Legislators. People elected by the community, accountable to both full-time and seasonal residents, and required to operate openly and transparently. That's the only way forward. So tonight, I'm asking for 2 things, #1, please stand behind the ongoing and future litigation against these wetlands' regulations. Not just with words but with real support. #2, please take seriously the idea of a Centralized Lake Authority or something similar to finally give Chautauqua Lake the management it deserves, using the excellent 2024 North Carolina plan we already have. Thank you for listening and for caring about this lake that means so much to all of us, thank you.

Legislator Larson: Just a suggestion, whoever's here the next 2 years, whoever Chairman the next 2 years, my memory is 40 years ago when I first came onto this body under the Glenzer administration, collective bargaining agreements were always discussed by the whole Legislature in executive session which is a very clear permissible thing under New York's freedom of information law, public meetings law. And my 8 years as County Attorney, I know that I participated in any number of executive sessions of this Legislature regarding collective bargaining agreements. As legislators, the 18 of us tonight I believe and the press here tonight, about all we know about these particular agreements is wages. Typically, in an executive session of the whole legislature, we would have been able to ask the County – in the future you will be able to ask the County's negotiating team what were the County's priorities in going into a negotiation regardless of the bargaining unit. What were the county's priorities? How did those work out in the negotiations? What were the unions priorities? How did that get modified, negotiated, compromised through the negotiations? We and the press and therefore the public, really seem to know nothing about these 3 contracts other than the money and typically there's a lot more to a collective bargaining agreement than just the money. The working condition, how much time do you have off, how much personal leave, how much notice do you have to give? And again, the Chairman was involved in a major manufacture with the United Autoworkers representing a lot of the employees and I'm sure over the years, Mr. Chairman, when you're negotiated with the UAW, it wasn't just on money. So, I would request on behalf on whosovers here the next 2 years, that you bare in mind ask for an executive session, expect an executive session of the Legislature so you get a full picture of what it is your voting on, thank you.

Good evening, my name is Susan Baldwin. I live in Villanova, New York in Chautauqua County. I'm here again, to complain about my electric bill. I wasn't even home for a whole week last month. I got my bill down to \$198. Still, my use was only 75. \$115 for delivery fees again and that is because the nice green giant energy that put the turbines right next door to me has to have our new lines hooked up and all this other stuff that incorporated into delivery fees and mandatory fees for the green new deal. Now, I'm going to replace my furnace before December. It is propane and I want to make sure it runs really well because pretty soon we won't be able to do that and I'll be stuck with additional electric costs if my furnace fails. Right now, \$200 and I wasn't even home in the summer and I don't have air conditioning. I'm glad you voted for everybody else to get a raise in Chautauqua County because they're going to have to spend it on their electric bill and that's solar, jobs – oh I don't care if there are 500 of them. When they got done doing those turbines, those jobs were gone. Just saying, if you want real job growth, don't hire the solar people because they're out of Tennessee, Kentucky – Oh I've found several of them from Texas having lunch, that's where they're from. So, job growth is just – they're taking our jobs to put solar up because you can't do that with the Amish people. They don't know how but they are working now with putting up roofs because all of those vibrations that I've been telling you about and I make videos of them and send them all over the world by the way. Those vibrations are shaking the roofs right off of the houses and you can see tin roofs all over Villanova now, just saying they're tearing down our entire County with these vibrations and these green energy deals. Nobody can live here. Thank you.

Tammy Schack: Good Evening, as you may know or guess, I am here to advocate for a program to help support retail businesses -

Chairman Chagnon: Excuse me, please introduce yourself.

Tammy Schack: Tammy Schack, Bemus Point, sorry about that.

Chairman Chagnon: Thank you, Tammy

Tammy Schack: You know me by now, right?

Chairman Chagnon: Yes.

Tammy Schack: To help retail businesses who have been financially harmed through no fault of their own due to the government such as the NYSDOT bridge project or lack of County oversight. Enter Nurture Chautauqua. Its my goal Nurture Chautauqua would be a County funded relief program for only retail businesses who can prove documented revenue loss with financial records. It would have structured oversight with the Legislature controlling the appropriation and Mark Geise and Planning staff designing the framework to ensure fairness and compliance. The County Executive asks "Where do you draw the line?" You draw the line right here. With a fixed appropriation, strict criteria, and a clear process. This is not a bailout. This is a targeted, disciplined response to a documented gap that currently leaves retail businesses without any recourse. With your leadership, we can ensure no business ever again is left stranded by government caused crises. Hence, you talking about business retention. I haven't done this before, and I'm trying to run a family, a business prior to a holiday and be involved in my own community, so I am deferring to your knowledge of the process. So, #1, I'd like to request Legislator Harmon, Chair of the Planning and Economic Development Committee to place Nurture Chautauqua on the next committee agenda and sponsor a resolution to move the program forward. I'd very much appreciate any Legislator willing to co-sponsor the resolution and step up as well. I'd like to ask the support of Legislator Pavlock, Chair of the Audit & Control for his support in moving it forward. I'd like ask the resolution include direction for the Finance Director, Kitty Lyons Crow to identify what fixed appropriations for the unassigned fund balance can responsibly fund Nurture Chautauqua. Authorize Planning and the CCIDA staff under Mark Geise to structure and administer the program including approved quarterly reporting to the Legislature, with the program to sunset after one year unless its renewed. Lastly, I ask this Legislature to support all retail businesses when the full Legislature will have the opportunity to do so on funding. Let's not just run-on Main Street America, let's truly stand with Main Street America, thank you.

Chairman Chagnon: Anyone else wishing to address the second privilege of the floor? Seeing no one, I have a motion to adjourn by Legislator Larson.

MOVED by Legislator Larson SECONDED by Legislator Nelson to adjourn.

Unanimously Carried (8:04 p.m.)

Respectfully submitted and transcribed,
Kristi Zink, Deputy Clerk & Olivia L. Lee, Clerk of the Legislature