2021

JOURNAL OF PROCEEDINGS

OF THE

CHAUTAUQUA COUNTY LEGISLATURE

MAYVILLE, NEW YORK

2020 Census Population
for
Chautauqua County 126,807

******

Pierre E. Chagnon, Chairman……..……Bemus Point, NY
Katherine K. Tampio, Clerk..……..Silver Creek, NY

TABLE OF CONTENTS

I. INTRODUCTION
Roster of Legislators iii & iv
Standing Committees v
Directory of County Officers & Officials vi, vii, viii
Listing of Local Laws ix, x

II. SESSIONS OF THE LEGISLATURE
Organizational January 1
Regular January 6
Regular February 23
Regular March 58
Regular April 82
Regular May 104
Regular June 124
Regular July 171
Regular August 199
Regular September 221
Regular October 252
Regular November 293
Regular December 328

III. COUNTY BUDGET – 2020 375

IV. INDEX OF RESOLUTIONS
Numerical 376
Alphabetical 384

CHAUTAUQUA COUNTY LEGISLATURE

#1	(West Tn. of Dunkirk & Part of City)	Kevin Muldowney	10 Beach Rd. Dunkirk, N.Y. 14048
#2	(East Tn of Dunkirk & Part of City)	Robert K. Bankoski	407 Lake Shore Dr. E. Dunkirk, N.Y. 14048
#3	(Parts of Pomfret & Village of Fredonia)	Robert Scudder	348 W. Main St. Fredonia, N.Y. 14063
#4	(East Village of Fredonia)	Christine Starks	100 Central Ave. Fredonia, N.Y. 14063
#5	(Sheridan, Arkwright Villenova, East Pomfret & Tn. & Village Cherry Creek)	Terry Niebel	3199 E. Main St. Dunkirk, N.Y. 14048
#6	(Tn. of Hanover & Villages of Forestville & Silver Creek)	Tom Harmon	72 Lake Ave. Ext., Silver Creek, N.Y. 14081
#7	(NE Tn of Chautauqua & Tns. of Stockton & Portland & Villages of Brocton & Cassadaga)	Mark Odell (resigned 8/19/21)	90 Old Mill Rd. Brocton, N.Y. 14716
		John Penhollow Appointed 8/25/21	5575 Fenner Rd. Sinclairville, NY 14782
#8	(Tns. of Ellery & N. Harmony & Village of Bemus Point	Pierre Chagnon	3714 Westman Rd. Bemus Point, N.Y. 14712
#9	(NE City of Jmstn.)	Chuck Nazzaro	236 Springdale Ave. Jamestown, N.Y. 14701
#10	(SW City of Jmstn. Village of Lakewood & Part Tn. Of Busti)	Kenneth Lawton	30 Sunset Ave., Lakewood, N.Y. 14750
#11	(NW City of Jmstn.)	Robert Whitney	41 Hallock St. Jamestown, N.Y. 14701
#12	(North City of Jmstn.)	Elisabeth Rankin	4 Arlington Ave. Jamestown, N.Y. 14701
#13	(Center City of Jamestown)	Paul D. Whitford	58 Harris Ave. Jamestown, N.Y. 14701

#14	(Tns. Of Charlotte, Gerry, Ellington & N. Ellicott & Village of Sinclairville)	Daniel W. Pavlock	2 Main Street Sinclairville, N.Y. 14782
#15	(Tn. S. Ellicott & Villages of Celoron & Falconer)	Lisa Vanstrom	55 Plummer Ave. Jamestown, N.Y. 14701
#16	(Tns. of Poland, Carroll & Kiantone)	John Davis	1214 Oak Hill Rd. Frewsburg, N.Y. 14738
#17	(Tns. of French Creek, Clymer, Harmony &) SW Busti & Village of Panama)	Frank Jay Gould	70 Hoag Road Ashville, N.Y. 14710
#18	(Tns. Mina & Sherman, Most of Chautauqua & Villages of Mayville & Sherman)	William Ward	89 Elm Street Mayville, NY 14757
#19	Tns, of Ripley & Westfield & Village of Westfield)	John Hemmer	7539 E. Rt. 20 Westfield, N.Y. 14787

2021 COMMITTEE ASSIGNMENTS

Public Facilities
3rd Monday at 4:00 p.m.

John Hemmer
Bob Scudder
Chuck Nazzaro **
Jay Gould
John Davis

Administrative Services
3rd Monday at 5:00 p.m.

Bob Scudder
Kevin Muldowney
Christine Starks **
John Davis
Lisa Vanstrom

Public Safety
3rd Wednesday at 4:15 p.m.

Terry Niebel
Dan Pavlock
Bob Bankoski **
Paul Whitford
John Hemmer

Human Services
3rd Wednesday at 5:15 p.m.

Dan Pavlock
Elisabeth Rankin
Paul Whitford **
Bob Whitney
Ken Lawton

Planning & Econ. Development
3rd Wednesday at 6:00 p.m.

~~Mark Odell~~ (resigned: 8/19/21)
Christine Starks **
Kevin Muldowney
Tom Harmon
Bill Ward
Elisabeth Rankin
Ken Lawton
John Penhollow (appointed: 8/25/21)

Audit & Control
3rd Thursday at 8:35 a.m.

Chuck Nazzaro **
Jay Gould
Terry Niebel
Tom Harmon
~~Mark Odell~~ (resigned: 8/19/21) Open Seat

Committee Chairs Listed First
Vice Chair Listed Second
Ranking Member **

DIRECTORY

CHAUTAUQUA COUNTY DIRECTORY
For the Year 2021
COUNTY GENERAL

COUNTY LEGISLATURE	
Pierre E. Chagnon, Chairman	Mayville
Katherine K. Tampio, Clerk	Mayville
Olivia L. Ames, Secretary to Legislature	Mayville
COUNTY EXECUTIVE	
Paul M. Wendel Jr., County Executive	Mayville
LAW	
Stephen Abdella, County Attorney	Mayville
Kristen Wright, 1st County Attorney	Mayville
Allison B. Carrow, 1st Assistant Attorney	Mayville
Thomas Rankin, Assistant County Attorney	Mayville
AGING	
Mary Ann Spanos, Director	Mayville
COUNTY CLERK	
Larry Barmore, County Clerk	Mayville
Kie Mihalko, Deputy County Clerk	Mayville
CORONERS	
Richard Mackowiak	Mayville
Daniel Tyler	Mayville
Eugene Steele	Mayville
Doug Sanderson	Mayville
Kenneth Haley	Mayville
ELECTION BOARD	
Brian Abram, Commissioner (Republican)	Mayville
Luz Torres, Commissioner (Democrat)	Mayville
EMERGENCY SERVICES	
Noel Guttman, Director	Mayville

DIRECTORY

FINANCE	
Kathleen Dennison, Budget	Mayville
Tracy France, Purchasing Manager	Mayville
Kitty Crow, Director	Mayville
Kim Meleen, Director of Real Property Tax Services	Mayville
HEALTH & HUMAN SERVICES	
Christine Schuyler, Director	Mayville
HISTORIAN	
Michelle Henry	Mayville
HUMAN RESOURCES	
Jean Riley, Director	Mayville
INSURANCE	
Kitty Crow, Director	Mayville
MENTAL HYGIENE SERVICES	
Patricia Brinkman, Director	Mayville
DEPUTY COUNTY EXECUTIVE OF ECONOMIC DEVELOPMENT	
Mark Geise	Jamestown
INDUSTRIAL DEVELOPMENT	
Mark Geise, Director	Jamestown
PLANNING & DEVELOPMENT	
Nate Aldrich, Special Projects Coordinator	Westfield
PUBLIC FACILITIES	
Brad Bentley, Director	Falconer
SHERIFF	
James Quattrone, Sheriff	Mayville
Darryl Braley, Under Sheriff	Mayville
VETERANS SERVICES	
Greg Carlson, Director	Jamestown

DIRECTORY

JUDICIAL

COUNTY COURT	
Hon. David Foley, Judge	Mayville
FAMILY COURT	
Hon. Jeffrey A. Piazza	Mayville
Hon Michael Sullivan	Mayville
SUPREME COURT	
Hon. James Dillon	Mayville
SURROGATE COURT	
Hon. Stephen W. Cass, Judge	Mayville
COMMISSIONER OF JURORS	
Mary Alice Petrella, Commissioner	Mayville
DISTRICT ATTORNEY	
Jason Schmidt	Mayville
PROBATION	
Gilbert Taylor	Jamestown
PUBLIC DEFENDER	
Nathaniel L. Barone	Mayville

LOCAL LAWS

LOCAL LAW
INTRODUCTORY NO. 1-21
CHAUTAUQUA COUNTY

A LOCAL LAW AMENDING THE CHAUTAUQUA COUNTY CODE OF ETHICS

Emailed: 04/16/2021
Adopted by Legislature: 04/28/2021 — R/C Vote: 19 Yes
Public Hearing by County Executive: 05/17/2021 — Date State Filed: 05/26/21
Adopted As Local Law 3-21

See text on page 84 in 2021 Journal

LOCAL LAW
INTRODUCTORY NO. 2-21
CHAUTAUQUA COUNTY

A LOCAL LAW ADOPTING A PILOT YOUTH DEER HUNTING PROGRAM

Emailed: N/A – LL Intro 2-21 - **Letter of Necessity** from County Executive Wendel was presented at the Legislature meeting on 5/26/2021 — R/C Vote: 18 Yes; 1 No
Adopted by the Legislature: 5/26/2021 — Date State Filed: 6/25/21
Adopted as Local Law 4-21

See text on page 105 in 2021 Journal

LOCAL LAW
INTRODUCTORY NO. 3-21
CHAUTAUQUA COUNTY

AMENDING LOCAL LAW 7-90 PROVIDING FOR A MANAGEMENT SALARY PLAN FOR COUNTY OFFICERS AND EMPLOYEES

Emailed: 11/5/21 – LL Intro 3-21 — R/C Vote: 19 Yes;
Adopted by the Legislature: 11/17/2021 — Date State Filed: 12/17/21
Public Hearing by County Executive 12/6/21 — Adopted as Local Law 5-21

See text on page 294 in 2021 Journal

LOCAL LAWS

LOCAL LAW
INTRODUCTORY NO. 4-21
CHAUTAUQUA COUNTY

AMENDING LOCAL LAW 7-90 PROVIDING FOR A MANAGEMENT SALARY PLAN FOR COUNTY OFFICERS AND EMPLOYEES (Re: UNDERSHERIFF, CAPTAIN, WARDEN AND CORRECTIONS LIEUTENANT)

Emailed: 12/2/2021
Adopted by Legislature: 12/15/2021 R/C Vote: 18 Yes; 1 Absent
Public Hearing by County Executive: 01/03/2022 Date State Filed: 01/12/22
Adopted As Local Law 1-22

See text on page 330 in 2021 Journal

JOURNAL OF PROCEEDINGS

Chautauqua County Legislature
Organizational Meeting
Meeting was Held Virtually due to Social Distancing Guidelines
And Live Streamed on Social Media
Wednesday, January 4, 2021, 4:00 p.m.
Legislative Chambers, Mayville, New York

Clerk Tampio called the Organizational Meeting to order at 4:01 p.m. and announced a quorum present. (Absent: Odell)

Legislator Whitford delivered the prayer followed by the Pledge of Allegiance.

Swearing in New Legislators
Kevin Muldowney,
Ken Lawton
By
County Attorney Steve Abdella

Nominations, Second and Roll Call Vote for Chairman of the Legislature

Clerk Tampio: We will now accept nominations for Chairman of the Legislature.

Legislator Vanstrom: I would like nominate my esteemed colleague Pierre Chagnon. He has a proven track record of doing a good job and dedicating to the entire group and I think he would be our best choice to continue on in that roll. Thank you.

Legislator Whitford: I'll second it.

Clerk Tampio: Thank you. Are there any other nominations? Are there any other nominations? Are there any other nominations? Hearing none, I will entertain a motion to close the nominations.

Legislator Niebel: So moved.

Legislator Gould: Second.

Clerk Tampio: All those in favor? Opposed?

Unanimously Carried to Close Nominations

Clerk Tampio: The nominee is Pierre Chagnon. We will now have a roll call vote. Please indicate your vote by stating the name of the nominee.

18 – Pierre Chagnon
1 – Absent

Clerk Tampio: By a vote of 18 for Mr. Chagnon and no other nominations, with a majority of votes indicated for Mr. Chagnon I declare that Mr. Chagnon is your newly elected Chairman of the Chautauqua County Legislature for 2021. Congratulations.

Applause

ACCEPTANCE SPEECH BY CHAIRMAN

Chairman Chagnon: I am honored to continue in the position of Chairman of the Chautauqua County Legislature. In this role I will continue to do my very best to demonstrate servant leadership.

The extraordinary challenges our county faces in these unprecedented times requires us to continuously demonstrate persistence, nimbleness, and creativity. I am privileged to contribute to the leadership of this wonderful county.

I will continue to make the following commitments to my fellow legislators:

- To listen aggressively and effectively
- To ask probing, expansive, and thought-provoking questions
- To define the big picture from the constituent details
- To convey a vision that others can clearly understand and willingly support the pursuit of
- Dogged determination to stay the course toward the vision, and to achieve the goals that support the mission
- To repress my own ego and support the Legislature
- To be the best example of servant leadership that I can be

Thank you.

Applause

1st Privilege of the Floor

Chairman Chagnon: Kathy, are there any communications for the first privilege of the floor?

Clerk Tampio: We have received no communications for the first privilege of the floor.

Chairman Chagnon: Thank you.

(REPUBLICAN) DESIGNATE NEWSPAPER

We, the undersigned members of the Chautauqua County Legislature, and representing the Republican party, one of the two principal parties into which the people of Chautauqua County are divided, do hereby designate for the year 2021 the POST JOURNAL as the Republican newspaper to publish the concurrent resolutions, election notices and official canvas, all pursuant to Section 214, paragraph 1, of the County Law.
Signed: Muldowney, Scudder, Niebel, Harmon, Odell, Chagnon, Lawton, Rankin, Pavlock, Vanstrom, Davis, Gould, Ward, Hemmer

---

(DEMOCRATIC) DESIGNATE NEWSPAPER

We, the undersigned members of the Chautauqua County Legislature, and representing the Democratic party, one of the two principal parties into which the people of Chautauqua County are divided, do hereby designate for the year 2021 the OBSERVER as the Democratic newspaper to publish

the concurrent resolutions, election notices and official canvas, all pursuant to Section 214, paragraph 1, of the County Law.
Signed: Nazzaro, Bankoski, Whitford, Starks, Whitney

APPOINTMENT OF MAJORITY LEADER AND ASSISTANT

We, the undersigned being the Republican members of the Chautauqua County Legislature hereby designate Legislator Frank "Jay" Gould as the Leader of the Chautauqua County Legislature for the year 2021 in accordance with Local Law No. 6-1969 adopted on the 2nd day of January 1970. And appoint, as the Assistant Leader, Legislator Lisa Vanstrom
Signed: Chagnon, Odell, Vanstrom, Scudder, Muldowney, Hemmer, Niebel, Gould, Pavlock, Davis, Rankin, Lawton, Ward, Harmon

---

APPOINTMENT OF MINORITY LEADER AND ASSISTANT

We, the undersigned being the Democratic members of the Chautauqua County Legislature hereby designate Legislator Chuck Nazzaro as the Leader of the Chautauqua County Legislature for the year 2021 in accordance with Local Law No. 6-1969 adopted on the 2nd day of January 1970. And appoint, as the Assistant Leader, Legislator Robert K. Bankoski
Signed: Nazzaro, Bankoski, Starks, Whitford, Whitney

RES. NO. 1-21
Appointing Clerk of the Legislature

At the Request of Chairman Pierre E. Chagnon, Legislators Muldowney, Scudder, Niebel, Harmon, Odell, Lawton, Rankin, Pavlock, Vanstrom, Davis, Gould, Ward, Hemmer, Starks, Nazzaro, Bankoski, Whitford and Whitney:

WHEREAS, pursuant to Resolution 179-14, the hours of the Clerk of the County Legislature were expanded to perform the duties of the Financial Analyst; and

WHEREAS, it would be advantageous to continue having the Clerk perform the duties of the Financial Analyst in 2021; therefore be it

RESOLVED, That Katherine K. Tampio, 39 Hanover Street, Silver Creek, New York, is hereby appointed Clerk of the Chautauqua County Legislature effective January 1, 2021, to serve at the pleasure of the Chairman of the Legislature at an annual salary of $42,464 for 100% time.

Signed: Chagnon

Unanimously Adopted – R/C Vote: 18 Yes; 1 Absent – January 4, 2021

RES. NO. 2-21
Appointing Deputy Clerk/Secretary to the Legislature

At the Request of Chairman Pierre E. Chagnon, Legislators Muldowney, Scudder, Niebel, Harmon, Odell, Lawton, Rankin, Pavlock, Vanstrom, Davis, Gould, Ward, Hemmer, Starks, Nazzaro, Bankoski, Whitford and Whitney:

RESOLVED, That Olivia L. Ames, 55 North Main St., Cassadaga, New York, is hereby appointed Secretary to the Chautauqua County Legislature for the year 2021 at a salary of $18.91 per hour; and be it further

RESOLVED, That in addition to Secretary to the Legislature, Olivia L. Ames be, and hereby is, appointed Deputy Clerk for the Chautauqua County Legislature for the year 2021, and shall be additionally compensated for her duties as Deputy Clerk at an annual salary of $4,000, effective January 1, 2021.

Signed: Chagnon

Unanimously Adopted – R/C Vote: 18 Yes; 1 Absent – January 4, 2021

RES. NO. 3-21
Designation of Official Newspapers – 2021

At the Request of Chairman Pierre E. Chagnon:

RESOLVED, That the Post Journal, 15 West Second Street, Jamestown, NY and the Observer, 10 East Second Street, Dunkirk, NY be and hereby are designated, pursuant to Section 214, paragraph 2 of the County Law, to be the official newspapers of Chautauqua County during the year 2021 for the publication of all local laws, notices, and other matters required by law to be published.

Signed: Chagnon

Unanimously Adopted – January 4, 2021

RES. NO. 4-21
Delegate Authority to Chairman of Legislature to Correct Errors on Tax Rolls and to Provide Refunds and Credits of Taxes Pursuant to Section 554 and 556 of the Real Property Tax Law

At the Request of Chairman Pierre E. Chagnon:

WHEREAS, Sections 554 and 556 of the Real Property Tax Law authorize a tax levying body to delegate its authority to correct errors on tax rolls and to provide refunds and credits of taxes where the recommended correction, refund, or credit is Twenty Five Hundred Dollars ($2.500.00) or less; and

WHEREAS, such delegation would only apply when the County's Director of Real Property Tax Services has investigated an application for correction, refund, or credit and recommended approval based upon that investigation; and

WHEREAS, the delegation of authority would afford the taxpayers of Chautauqua County a mechanism for prompt approval of such applications for correction, refund, or credit; now therefore be it

RESOLVED, That pursuant to Sections 554 and 556 of the Real Property Tax Law, the County Legislature hereby delegates to the Chairman of the Legislature its authority to correct errors on tax rolls and to provide refunds and credits of taxes where the recommended correction, refund, or credit is Twenty Five Hundred Dollars ($2,500.00) or less; and be it further

RESOLVED, That pursuant to the delegation of authority granted herein, the Chairman of the Legislature is hereby empowered to authorize such correction of errors on tax rolls and to provide refunds and credits of taxes where the recommended correction, refund, or credit is Twenty Five Hundred Dollars ($2,500.00) or less, without prior audit by the County Legislature; and be it further

RESOLVED, That this resolution will be in effect from this date until December 31, 2021.

Signed: Chagnon

Unanimously Adopted – January 4, 2021

2nd Privilege of the Floor

Chairman Chagnon: Kathy, are there any communications for the second privilege of the floor?

Clerk Tampio: I have received no communications.

Chairman Chagnon: O.k. I see County Executive Wendel has his hand up.

County Executive Wendel: Thank you. I would just like to thank everybody in the Legislature for the last year. It has been nothing less than amazing. What we have undertaken has been challenging, but every one of you met the challenge and worked diligently for your constituents. As we embark on 2021, we're going to be facing some of the same issues. We have some uncertainties as we move forward, but I know the teamwork, the collaboration, the unity of effort that you have provided and the support you've given me has been vital as we move forward. I just want to let you know a couple of things. Over the weekend we had 400 plus cases of COVID-19. We've added 4 more fatalities to our list. My video came out today for many of us- remembering the old forest fires with Smokey the Bear- only you can prevent forest fires. Well, that's what I've told to our residents today. Only you, the residents, can prevent the spread of this. It's not the Governor, it's not the County Executive, and it's every one of us. As the Bills have had a phenomenal season, for those of us that are Bills fans, we can't get out and celebrate. That doesn't mean we should have 30-40 people in our house celebrating. We need to continue the hard work. The vaccine is here. The vaccine will take a long process to get it in the arms of our residents, but I'm very confident that the plans we have to vaccinate our residents are well established and will be very efficient as we move forward. I would just like to take the time to thank everyone here for all you have done this last year. I appreciate the work you've given your residents and the support you've given me in this first year. As we embark on year number two I'm looking forward to that same continued effort. So, thank you for everything, but as you see, the numbers are startling and we need to do as much as we can reminding our residents that this is in our hands. We can control this. Thank you.

Chairman Chagnon: Thank you. Anyone else?

MOVED by Legislator Gould, SECONDED by Legislator Scudder and duly carried the meeting was adjourned. *(4:25 p.m.)*

Regular Meeting
Chautauqua County Legislature
Meeting was Held Virtually due to Social Distancing Guidelines
And Live Streamed on Social Media
Wednesday, January 27, 2021 6:30 p.m.
Mayville, N.Y. 14757

Chairman Chagnon called the meeting to order at 6:32 p.m.

Clerk Tampio called the roll and announced a quorum present.

Chairman Chagnon: At this time I will recognize Legislator Harmon.

Legislator Harmon: Good evening. I would like to take this time to have a moment of silence for Mac Crowe, who was a four-term legislator in my area of Silver Creek. So, if we could just take a moment to remember Mac that would be fantastic. Thank you.

(Moment of Silence)

Legislator Whitney delivered the prayer and pledge of allegiance.

MOVED by Legislator Bankoski, SECONDED by Legislator Whitford and duly carried the minutes were approved. (12/16/20 & 01/04/21)

1st Privilege of the Floor

Chairman Chagnon: That brings us to the first privilege of the floor. Is there anyone wishing to address the first privilege of the floor? Kathy, did we receive any correspondence for the first privilege of the floor?

Clerk Tampio: We have not received any correspondence relative to the first privilege of the floor.

Chairman Chagnon: Thank you.

VETO MESSAGES FROM COUNTY EXECUTIVE WENDEL
NO VETOES FROM 12/16/20 & 01/04/21

COMMUNICATIONS:

1. Certification – Election Commissioner Certification – Norman P. Green
2. Letter – Bob Bentley – Re: Support for South Ripley Solar Project
3. Report – Finance Director Crow – November 2020 Investment Report
4. Report & Proof of Publication – NYS Comptroller, Thomas P. DiNapoli – Ethics Oversight
5. Letters (4)– County Executive Wendel – Appointments to various Boards
6. Letter – NYS Department of State – Acknowledgement of Local Laws 1-21 & 2-21
7. Minutes – Conewango Watershed Commission – January 6, 2021 Meeting
8. Letter – District Attorney – Appointment of Assistant District Attorneys

---

RES. NO. 5-21
Confirm Appointment and Re-Appointments – New York Fish & Wildlife Management Board

By Public Facilities Committee:
At the Request of County Executive Paul M. Wendel, Jr.:

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

RESOLVED, That the Chautauqua County Legislature does hereby confirm the following appointment and re-appointments to the New York State Fish and Wildlife Management Board.

New Appointment	Re-Appointments	
Legislator Tom Harmon	Zenon Olow	Andrew Joy
72 Lake Ave. Ext.	23 Bernett Drive	4619 Berry Rd.
Silver Creek, N.Y. 14136	Fredonia, N.Y. 14063	Fredonia, N.Y. 14063
Term Expires: 12/31/21	Term Expires: 12/31/21	Term Expires: 12/31/22

Signed: Hemmer, Nazzaro, Gould, Davis (Voted "yes" by Video Conference)

Unanimously Adopted – January 27, 2021

RES. NO. 6-21
Confirm Appointments and Re-Appointments-Chautauqua County Fire Advisory Board

By Public Safety Committee:
At the Request of County Executive Paul M. Wendel Jr.:

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

RESOLVED, That the Chautauqua County Legislature hereby confirms the following appointments and re-appointments to the Chautauqua County Fire Advisory Board.

1st Battalion

Lawrence Barter	Mike Edwards	Christopher Wichlacz
9 Pine Dr.	143 West 4th St.	3381 Tarbox Rd.
Fredonia, NY 14063	Dunkirk, NY 14048	Cassadaga, NY 14718
Term Expires: 1/31/22	Term Expires: 1/31/22	Term Expires: 1/31/22
Reappointment	Reappointment	Reappointment
Brandon Mahle	Brian Purol	Adam Reisenweber
1990 Route 39	3681 New Road	8470 Chautauqua Rd
Forestville, NY 14062	Dunkirk, NY 14048	Fredonia, NY 14063
Term Expires: 1/31/22	Term Expires: 1/31/22	Term Expires: 1/31/22
Reappointment	Reappointment	Reappointment

2nd Battalion

Rusty Hardenburg
12 Maple Dr. West
Mayville, NY 14757
Term Expires: 1/31/22
New Appointment

Matthew Oehlbeck
159 Park St.
Sherman, NY 14781
Term Expires: 1/31/22
Reappointment

Ronald H. Trippy
6755 S. Portage Rd.
Westfield, NY 14787
Term Expires: 1/31/22
Reappointment

Lyle Holland
47 Clinton St.
Westfield, NY 14787
Term Expires: 1/31/22
Reappointment

Mark Smith
9437 E. Main Rd.
Ripley, NY 14775
Term Expires: 1/31/22
Reappointment

Burl Swanson
6168 Wright Road
Dewittville, NY 14728
Term Expires: 1/31/22
Reappointment

3rd Battalion

Ronald V. Johnson
1265 Norby Rd.
Jamestown, N.Y. 14701
Term Expires: 1/31/22
Reappointment

Sam Salemme
217 Dearing Avenue
Jamestown, NY 14701
Term Expires: 1/31/22
Reappointment

Dan Sisson
1514 Bunce Rd.
Frewsburg, NY 14738
Term Expires: 1/31/22
Reappointment

Jackson Knowlton
2141 Shadyside Rd
Lakewood, NY 14750
Term Expires: 1/31/22
Reappointment

Nick Niles
15 Howard St.
Frewsburg, NY 14738
Term Expires: 1/31/22
Reappointment

4th Battalion

Lance Hedlund
14 Dunn Avenue
Jamestown, NY 14701
Term Expires: 1/31/22
Reappointment

Jeff Molnar
30 Main Street
Bemus Point, NY 14712
Term Expires: 1/31/22
Reappointment

Barry Swanson
4870 Bayview Road
Bemus Point, NY 14712
Term Expires: 1/31/22
Reappointment

Garrett Yager
16 Waldemeere Ave
Falconer, NY 14733
Term Expires: 1/31/22
New Appointment

Peter Samuelson
4696 Maple Grove Road
Bemus Point, NY 14712
Term Expires: 1/31/22
Reappointment

Ryan Delahoy
205 N. Dow St.
Falconer, NY 14733
Term Expires: 1/31/22
Reappointment

Signed: Niebel, Pavlock, Bankoski, Hemmer (Voted “yes” by Video Conference)

Unanimously Adopted – January 27, 2021

RES. NO. 7-21
Confirm Appointments - Chautauqua County Community Services Board

By Human Services Committee:
At the Request of County Executive Paul M. Wendel, Jr.:

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

RESOLVED, That the Chautauqua County Legislature does hereby confirm the following appointments to the Chautauqua County Community Service Board:

Amanda Gesing
7 East Summit St.
Lakewood, N.Y. 14750
Term Expires: 12/31/24

Christine Schuyler
163 Sanbury Rd.
Jamestown, N.Y. 14701
Term Expires: 12/31/24

Alicia Snow
1451 Big Tree Rd.
Lakewood, N.Y. 14750
Term Expires: 12/31/24

Signed: Pavlock, Rankin, Whitney, Lawton (Voted "yes" by Video Conference)

Unanimously Adopted – January 27, 2021

RES. NO. 8-21
Confirm Appointment and Re-Appointments – 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 and re-appointments for action by the Chautauqua County Legislature, therefore be it

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

<u>Appointment</u>
Courtney Curatolo
11 Maple St.
Bemus Point, NY 14712
Term Expires: 12/31/2023

<u>Re-Appointments</u>
Bernhard Auer
72 Center St.
Bemus Point, N.Y. 14712
Term Expires: 12/31/2023

Charles Patton
7316 Bailey Hill Rd.
Sherman, N.Y. 14781
Term Expires: 12/31/2023

Signed: Odell, Starks, Muldowney, Harmon, Ward, Rankin, Lawton (Voted "yes" by Video Conference)

Unanimously Adopted – January 27, 2021

RES. NO. 9-21
Confirm Appointments and Re-Appointments – Agriculture & Farmland Protection Board

By Planning & Economic Development Committee:
At the Request of Chairman Pierre E. Chagnon:

WHEREAS, Chairman Pierre E. Chagnon, has submitted the following appointments and re-appointments for action by the Chautauqua County Legislature; now therefore be it

RESOLVED, That the Chautauqua County Legislature confirms the following appointments and re-appointments to the Agriculture & Farmland Protection Board:

James Joy
Farmland Preservation Organization
9825 Farel Road
Fredonia, NY 14063
Term Expires: 12/31/2023

Fred Croscut
Chmn. Soil & Water Board
3375 Waits Corner Road
Sherman, NY 14781
Term Co-Terminus with Title

Stephen Kimball
3456 Drybrook Road
Falconer, NY 14733
Term Expires: 12/31/2023

Mark Geise
Planning & Development Director
BWB Building, 201 W 3rd Street
Jamestown, NY 14701
Term Co-Terminus with Title

Brian Aldrich
3146 E. Main Road
Dunkirk, NY 14048
Term Expires: 12/31/2024

Todd Button
Interim Real Property Tax Director
3 N. Erie Street
Mayville, NY 14757

Daniel Steward
Term Co-Terminus with Title
4401 Leach Hill Road
Kennedy, NY 14747
Term Expires: 12/31/2024

Lisa Kempisty
Cornell Cooperative Extension Agent
9875 North Otto Road
Cattaraugus, NY 14719
Term Expires: 12/31/2022

Adam Rak
10277 Christy Road
Fredonia, NY 14063
Term Expires 12/31/2024

Heather Woodis
5686 Centralia Hartfield Road
Dewittville, NY 14728
Term Expires: 12/31/2022

Legislator Frank "Jay" Gould
70 Hoag Road
Ashville, NY 14710
Term Expires: 12/31/2021

Signed: Odell, Starks, Muldowney, Harmon, Ward, Rankin, Lawton (Voted "yes" by Video Conference)

Unanimously Adopted – January 27, 2021

RES. NO. 10-21
NCLSD SEQR Determination for Chautauqua Shores and Orchard Terrace I & I Repair

By Public Facilities Committee:
At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, Chautauqua County, by its North Chautauqua Lake Sewer District (District), engaged an engineering firm to study parts of the District's collection system in the Town of Chautauqua, Chautauqua County, New York and has as a result developed a proposed North Chautauqua Lake Sewer District Sanitary System Improvements Project (Project); and

WHEREAS, the Project consists of maintenance or repair involving no substantial changes in an existing structure or facility and replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site; now therefore be it

RESOLVED That the County Legislature of the County of Chautauqua hereby determines that the proposed North Chautauqua Lake Sewer District Sanitary System Improvements Project is a Type II action in accordance with the implementing regulations for Article 8 of the Environmental Conservation Law, New York State Environmental Quality Review Act, 6 NYCRR §617.5(c), and that the Project is therefore not subject to further review under 6 NYCRR Part 617.

Signed: Hemmer, Nazzaro, Gould, Davis (Voted "yes" by Video Conference)

Unanimously Adopted – January 27, 2021

RES. NO. 11-21
Continuation of Interim Funding for North Chautauqua County Water District

By Public Facilities and Audit & Control Committees:
At the Request of County Executive Paul M. Wendel, Jr., Chairman Pierre Chagnon and
Legislator Terry Niebel:

WHEREAS, pursuant to Resolutions 39-16, 81-16, and 231-17, the Chautauqua County Legislature established the North Chautauqua County Water District (the "District"), to comprise an area in Chautauqua County consisting of parts of the towns of Portland, Pomfret, Sheridan and Hanover and all of the town of Dunkirk, and authorized bonding in a maximum amount of $11,750,000 for the cost of the initial capital improvements for the District; and

WHEREAS, pursuant to Resolution 22-18, the County Legislature authorized the advance on an "as needed" basis of up to $1million to the District to be repaid to the County on or before December 31, 2018 at an interest rate to be determined by the Director of Finance equivalent to the County's lost investment earnings rate during the term of the advances; and

WHEREAS, pursuant to Resolution 111-18, the County Legislature authorized a continuation of Interim Funding of up to $3 million to the District to be repaid to the County on or before December 2019

at an interest rate to be determined by the Director of Finance equivalent to the County's lost investment earnings rate during the term of the advances; and

WHEREAS, pursuant to Resolution 236-19, the County Legislature authorized a continuation of Interim Funding of up to $4 million to the District to be repaid to the County on or before December 31, 2020 at an interest rate to be determined by the Director of Finance equivalent to the County's lost investment earnings rate during the term of the advances; and

WHEREAS, it is necessary for the District to extend the interim funding from the County through 2021 until the long-term bonding is completed; therefore be it

RESOLVED, That the County Executive is authorized and empowered to continue to advance on an "as needed" basis up to $4 million to the District that is intended to be repaid to the County on or before December 31, 2021, at an interest rate to be determined by the Director of Finance equivalent to the County's lost investment earnings rate during the term of the advances.

Signed: Hemmer, Nazzaro, Gould, Davis, Niebel, Odell, Harmon (Voted "yes" by Video Conference)

Unanimously Adopted – January 27, 2021

RES. NO. 12-21
Amend Resolution 99-18 Authorizing Sale and Option Agreements for Redevelopment of Roberts Road Properties in the City of Dunkirk

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

WHEREAS, pursuant to Resolution 99-18, the County entered into sale and option agreements with Roberts Road Freezer LLC for the redevelopment of the former Edgewood, Roblin, and Alumax properties in the City of Dunkirk; and

WHEREAS, the sale of the Edgewood property was completed, and Roberts Road Freezer LLC demolished the former Edgewood structure and constructed a large refrigerated warehouse on the site; and

WHEREAS, at the request of Roberts Road Freezer LLC, the option for purchase of the Roblin and Alumax properties, as originally authorized in Resolution 99-18, only included the portion of the properties north of Progress Drive; and

WHEREAS, for purposes of future development, Roberts Road Freezer LLC has now advised the County that if it exercised the option, it would be willing to take the remainder of the property south of Progress Drive to enhance the potential opportunities for a project at the site; and

WHEREAS, it would be beneficial for the County to convey the tax foreclosed remainder of the properties south of Progress Drive to remove County responsibility for the vacant land, facilitate future development, and place the properties back on the tax rolls if the option is exercised; therefore be it

RESOLVED, That Paragraph "B" of the last RESOLVED clause of Resolution 99-18 regarding the option for purchase of the Alumax and Roblin properties is hereby amended as follows:
Option for Purchase of Alumax and Roblin (~~Part of~~ Tax Parcels 79.16-2-5, 79.12-4-29, 79.12-4-30)

Acreage.	Approximately ~~9.92~~ 17.5 acres
Option Term.	10 years
Purchase Price.	$1.00, provided, however, that during years 6 through 10 the Purchaser shall be required to match any other offer received by the County
Environmental.	To be negotiated upon exercise of option
Investment.	To be negotiated upon exercise of option
Other.	As negotiated by the County Executive

Signed: Hemmer, Nazzaro, Gould, Davis, Scudder, Muldowney, Starks, Vanstrom, Niebel, Odell, Harmon (Voted "yes" by Video Conference)

Unanimously Adopted – R/C Vote: 19 Yes – January 27, 2021

RES. NO. 13-21
Denial of Level 3 Applications for Refunds/Credits of Real Property Taxes Form RP 556 for the 2018 Property Tax

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

WHEREAS, Level 3 Communications, LLC ("Level 3") has filed applications for a refund or credit pursuant to Real Property Tax Law Section 556 for the 2018 tax year, and

WHEREAS, the Chautauqua County Real Property Tax Director has investigated the circumstances of the claims of Level 3 in the applications, and

WHEREAS, the Chautauqua County Real Property Tax Director has transmitted a written report of such investigation and his recommendations for action thereon, and

WHEREAS, the Chautauqua County Real Property Tax Director has determined that the applications are without merit and recommends that the applications be denied for multiple reasons, and

WHEREAS, the Chautauqua County Real Property Tax Director has recommended that the applications be denied for the following specific reasons:

1. The fiber optic cables constitute taxable real property under multiple sections of Section 102 of the Real Property Tax Law as follows:
   - A. Fiber optic cable has been interpreted and taxed as real property for more than thirty years, and should continue to be taxed as real property;
   - B. The New York Court of Appeals has ruled that the fiber optic cables meet the definition of real property and constitute lines and wires pursuant to Real Property Tax Law Section 102(12)(i) and are taxable under that section. *T-Mobile v. DeBellis and City of Mount Vernon*, 32 N.Y.3d 594 (2018);
   - C. The fiber optic cables constitute fixtures and are taxable real property pursuant to Section 102 (12)(b) of the Real Property Tax Law;
   - D. The Appellate Division, Fourth Department has specifically upheld the taxability of Level 3's fiber optic installations located in Chautauqua County. *Level 3 Communications v. Chautauqua County*, 174 A.D.3d 1502 (4th Dep't 2019); see also *Level 3 Communications v. Erie County*, 174 A.D.3d 1497 (4th Dep't 2019).

2. The applications are procedurally improper, because the applications fail to establish a clerical error, unlawful entry, or an error in essential fact as those terms are defined by Section 550 of the Real Property Tax Law. Numerous City and Town tax assessors have also analyzed Level 3's claims and concluded that its allegations do not constitute an "unlawful entry" as that term is defined in Real Property Tax Law Section 550(7);

3. The applicant's proper remedy is to bring a tax certiorari proceeding under Article 7 of the Real Property Tax Law challenging the assessments prospectively. No tax grievances or Article 7 proceedings have been filed by Level 3. The applications improperly seek retroactive tax refunds under inapplicable sections of the Real Property Tax Law.

WHEREAS, the Chautauqua County Legislature has carefully considered and fully agrees with the investigation and recommendations of the Chautauqua County Real Property Tax Director, it is hereby

RESOLVED, That all of the **Level 3** Applications For Refunds/Credits of Real Property Taxes Form 556 for the 2018 tax year are hereby rejected and denied in their entirety for the reasons set forth above.

Signed: Scudder, Muldowney, Starks, Davis, Vanstrom, Nazzaro, Gould, Niebel, Odell, Harmon (Voted "yes" by Video Conference)(A.S. Amended by additional text in last RESOLVED clause)

Unanimously Adopted – January 27, 2021

RES. NO. 14-21
Authorize Acceptance of Indigent Legal Services Grant for the Period January 1, 2020 to December 31, 2022

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

WHEREAS, the Chautauqua County Office of the Public Defender has been awarded a grant by the New York State Office of Indigent Legal Services, with a funding level of $269,919 for the operational period of January 1, 2020 through December 31, 2022; and

WHEREAS, the County of Chautauqua has participated in this program in the past and is desirous of accepting such grant; and

WHEREAS, such project funds will assist the County in providing improved quality of services under Article 18-B of the County Law; and

WHEREAS, revenue from this grant is included in the 2020 and 2021 Adopted Budgets so no budget amendments are necessary; now therefore be it

RESOLVED, That the County of Chautauqua hereby authorizes and approves the funding application and confirms acceptance of the funding of the grant for New York State Indigent Legal Services for the period of January 1, 2020 through December 31, 2022 in the amount of $269,919, or as amended; and be it further

RESOLVED, That the County Executive be and hereby is authorized to sign any and all contract documents to confirm the application and acceptance and receipt of such grant; and be it further

RESOLVED, That a certified copy of this resolution be forwarded to the New York State Office of Indigent Legal Services.

Signed: Niebel, Pavlock, Bankoski, Hemmer, Nazzaro, Gould, Odell, Harmon (Voted "yes" by Video Conference)

Unanimously Adopted – January 27, 2021

RES. NO. 15-21

To Authorize Emergency Use Facility and Public Health Mutual Aid Services Agreements with Chautauqua County Municipalities and Other Governmental Entities

By Human Services Committee:
At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, General Municipal Law 119-o authorizes municipalities to cooperate in the performance of their activities; and

WHEREAS, pursuant to Article 2-B of the Executive Law, upon the threat or occurrence of a disaster, the chief executive of any political subdivision is authorized and empowered to provide or accept assistance and share the use of facilities upon such terms and conditions as may be mutually agreed by the chief executives of the requesting and assisting political subdivisions; and

WHEREAS, Article 2-B of the Executive Law defines a disaster as occurrence or imminent, impending or urgent threat of wide spread or severe damage, injury, or loss of life or property resulting from any natural or manmade causes, including, but not limited to, fire, flood, earthquake, hurricane, tornado, high water, landslide, mudslide, wind, storm, wave action, volcanic activity, epidemic, disease outbreak, air contamination, terrorism, cyber event, blight, drought, infestation, explosion, radiological accident, nuclear, chemical, biological, or bacteriological release, water contamination, bridge failure or bridge collapse; and

WHEREAS, it is in the best interest of the County to enter into emergency response agreements with municipalities and other governmental entities in advance so that in the event of the threat or occurrence of a disaster, Chautauqua County will be in a position to render and receive aid under prearranged terms and conditions; and

WHEREAS, it is in the best interest of the County to not only respond to disasters but to also participate in emergency practice drills and training activities to enhance the County's ability to respond to the threat or occurrence of a disaster; and

WHEREAS, municipalities and other governmental entities within Chautauqua County are willing to assist the County by providing appropriate space and/or public health mutual aid services to respond to a disaster or participate in emergency practice drills and training activities; and

WHEREAS, public health mutual aid services may include but are not limited to the following: administering points of dispensing clinics, performing patient triage, dispensing or administering medications, dispensing or administering mass prophylaxis or vaccinations, performing health services in

population shelters, receiving reports of communicable diseases, interviewing contacts of cases of communicable disease, performing health education, supervising patients in isolation or quarantine, assessing environmental problems, collecting environmental samples or directing environmental remediation activities, and staffing emergency operations center or health operations center; now, therefore be it

RESOLVED, That the County Executive be and hereby is authorized to enter into and execute any and all agreements, amendments, addenda, and all other necessary documents with each municipality and governmental entity within Chautauqua County, as an ongoing emergency preparation measure or response for rendering and receipt of emergency aid upon threat or occurrence of a disaster including, but not limited to, addressing an imminent public health threat as declared or approved by the Commissioner of the New York State Department of Health, and addressing the threat or occurrence of disasters as declared or approved by the Governor and/or the federal government.

Signed: Pavlock, Rankin, Whitney, Lawton (Voted "yes" by Video Conference)

Unanimously Adopted – January 27, 2021

RES. NO. 16-21
Amend Capital Project H.6010.31003

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

WHEREAS, Chautauqua County approved Capital Project H.6010.31003 SCOB 1st Floor Reno (2021) in the 2021 Capital Budget; and

WHEREAS, the cost of Project H.6010.31003 was established at $111,500, of which $44,300 of expenditures were scheduled for 2020 and $67,200 in expenditures were scheduled for 2021; and

WHEREAS, the 2020 capital plan was finalized before Project H.6010.31003 was approved so the 2020 expenditures were to be proposed as a use of local funds, but implementation of the project was delayed so no funding was requested in 2020; now therefore be it

RESOLVED, That the Reserve for Capital is adjusted as follows:

INCREASE THE USE OF FUND BALANCE:
A.----.----.878.0000 Reserved Fund Balance – Reserve for Capital $44,300

; and be it further

RESOLVED, That the Director of Finance is authorized and directed to make the following amendments to the 2021 Adopted Budget:

INCREASE APPROPRIATION ACCOUNT:
A.9950.----.9 Interfund Transfers – Transfer to Capital$44,300

INCREASE CAPITAL REVENUE ACCOUNT:
H.6010.31003.R503.1000 Interfund Transfers – Interfund Transfer $44,300

INCREASE CAPITAL APPROPRIATION ACCOUNT:
H.6010.31003.4 Contractual—Social Services Admin,
SCOB 1st Floor Reno (2021) $44,300

Signed: Pavlock, Rankin, Whitney, Lawton, Nazzaro, Gould, Niebel, Odell, Harmon (Voted "yes" by Video Conference)

Unanimously Adopted – January 27, 2021

RES. NO. 17-21
Accept Grant Funding from the Chautauqua Region Community Foundation to Update the Chautauqua County Agriculture and Farmland Protection Plan

By Planning & Economic Development and Audit & Control Committees:
At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, Chautauqua County's agricultural industry and agricultural markets have changed over the past twenty years, creating new and evolving challenges; and

WHEREAS, the current Chautauqua County Farmland Protection Plan was adopted in 2000 and reflects agricultural and economic information that is outdated; and

WHEREAS, the Chautauqua 20/20 Comprehensive Plan prioritizes strategies to protect and support the County's agricultural resources and economy, and to promote agri-tourism and alternative enterprises that support the viability of farms; and

WHEREAS, an updated Chautauqua County Agriculture and Farmland Protection Plan will provide resources and strategies to protect agricultural lands and support economic viability of agriculture and related businesses; and

WHEREAS, pursuant to Resolution 253-19, the Chautauqua County Legislature accepted a $50,000 grant from the New York State Department of Agriculture and Markets to update the Chautauqua County Agriculture and Farmland Protection Plan; and

WHEREAS, the Chautauqua Region Community Foundation has pledged $30,000 towards the required match for this project upon its start; and

WHEREAS, the Cornell Cooperative Extension of Chautauqua County and the Chautauqua County Department of Planning and Development will provide $20,000 in staff time, contributing to the required match; now therefore be it

RESOLVED, That the County Executive is hereby authorized to officially accept a $30,000 grant from the Chautauqua Region Community Foundation and execute all agreements necessary to implement said funding.

Signed: Odell, Starks, Muldowney, Harmon, Ward, Rankin, Lawton, Nazzaro, Gould, Niebel (Voted "yes" by Video Conference)

Unanimously Adopted – January 27, 2021

RES. NO. 18-21
Authorize Chautauqua County State Grant Application and Commitment of Matching Funds for County Complex Green Infrastructure Retrofit Project

By Planning & Economic Development and Audit & Control Committees:
At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, Chautauqua Lake is an invaluable asset to Chautauqua County but has been designated as an impaired water body and its health and usability are threatened; and

WHEREAS, the New York State Consolidated Funding Application (CFA) offers state-wide grant funding programs that provide an opportunity to significantly leverage local resources; however, these grant programs are extremely competitive and require a local match in cash and/or in-kind services; and

WHEREAS, New York State recently announced a CFA opportunity from the New York State Environmental Facilities Corporation Green Innovation Grant Program (GIGP), which offers state grant funding for innovative water quality related projects and requires a local match; and

WHEREAS, the Chautauqua County Department of Planning and Development (CCDPD), the Chautauqua Lake and Watershed Management Alliance (hereinafter called "the Alliance"), the Village of Mayville, and the Town of Chautauqua successfully partnered to procure state funding pursuant to Resolution 194-17, which produced an engineering study identifying stormwater projects located within the Village of Mayville and Town of Chautauqua that can now be pursued for implementation funding and will have a positive impact on the environmental health of Chautauqua Lake; and

WHEREAS, CCDPD, in partnership with the Alliance and the Chautauqua County Department of Public Facilities (DPF), identified the County Complex Green Infrastructure Retrofit Project from the Mayville-Chautauqua Stormwater Engineering Study for application to the GIGP grant program, which provides reimbursement for up to 90% of total project costs as shown in the following table; and

Project Title	**Total Project Costs**	**NYS CFA Funding Requested**	**Commitment of County Cash Matching Funds*** (Chautauqua County DPF Mayville Parking Lot Reconstruct Acct.)	**Commitment of County Cash Matching Funds**** (reallocated Alliance member water quality projects program funds established under Resolution 131-15)
County Complex Green Infrastructure Retrofit Project	$1,396,010.00	$1,256,409.00	**$100,349.00***	**$39,252.00****

**County Cash Match source from already-approved Chautauqua County DPF Mayville Parking Lot Reconstruct Account.*
***County Cash Match source from reallocated Alliance member water quality projects program funds established under Resolution 131-15.*

WHEREAS, pursuant to Resolution 131-15, the County reallocated project program dollars to the Alliance to specifically provide matching funding for grants to undertake the Alliance's member water quality projects to help Chautauqua Lake and its watershed and has $39,252 still available; and

WHEREAS, based on improvements already needed for the County's complex infrastructure, it is in the best interest of the County to apply for such financial assistance when available; therefore be it

RESOLVED, That the County Executive is authorized to apply for a New York State Environmental Facilities Corporation GIGP grant for funding assistance for the County Complex Green Infrastructure Retrofit Project; and be it further

RESOLVED, That the County shall commit a cash match of $139,601 in local funding toward the County Complex Green Infrastructure Retrofit Project.

Signed: Odell, Starks, Muldowney, Harmon, Ward, Rankin, Lawton, Nazzaro, Gould, Niebel (Voted "yes" by Video Conference)

Unanimously Adopted – January 27, 2021

RES. NO. 19-21
Authorizing the Adoption of a Section 3 Participation Plan in Connection With Community Development Block Grant Funding

By Planning & Economic Development Committee:
At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, Chautauqua County (the "County") has been awarded Federal grant assistance from the New York State Housing Trust Fund Corporation (hereinafter the "HTFC") represented by the New York State Office of Community Renewal (hereinafter the "OCR") through the Community Development Block Grant (hereinafter "CDBG") Program for the purpose of assisting Webb Hospitality Group LLC in its plans to develop and operate a restaurant and other commercial operations as part of the "Lodge at Chautauqua Lake" to be located on Route 394, Mayville, New York, including the acquisition and installation of equipment and furnishings (the "Project"), and

WHEREAS, for all projects that would result in CDBG assistance in excess of $200,000, OCR requires that the municipality applying for and receiving the grant adopt a Section 3 Participation Plan, which describes how the municipality will, to the greatest extent possible, provide job training, employment, and contract opportunities for low-or very-low income residents in connection with housing rehabilitation, housing construction or other public construction projects, in accordance with Section 3 of the Housing and Urban Development Act of 1968; and

WHEREAS, the County wishes to adopt the Section 3 Plan in order to meet OCR requirements and permit the grant for funding for the Project to go forward; now therefore be it

RESOLVED, That the Chautauqua County Legislature hereby adopts the Section 3 Participation Plan for Section 3 Covered Contracts, as presented to the Legislature and on file with the Clerk of the County Legislature.

Signed: Odell, Starks, Muldowney, Harmon, Ward, Rankin, Lawton (Voted "yes" by Video Conference)
Unanimously Adopted – January 27, 2021

RES. NO. 20-21
Confirming 2021 Salary of Public Defender

By Public Safety and Audit & Control Committees:
At the Request of Chairman Pierre E. Chagnon:

WHEREAS, Pursuant to Resolution 4-20, the County Legislature established the 2021 salary of the Public Defender to be an annual base salary of $83,618.00, with an additional salary supplement subject to confirmation by the County Legislature to the extent of available grant funds received from the New York State Office of Indigent Legal Services (OILS) with no local share; and

WHEREAS, the County Legislature accepted a $269,919.00 grant from OILS pursuant to Resolution 187-20, which contains $89,973.00 to be utilized for the additional salary supplement for the Public Defender in 2021; and

WHEREAS, the Budget Director has calculated the appropriate allocation of the $89,973.00 between salary and benefits expense; therefore be it

RESOLVED, That the County Legislature hereby confirms the amount of $74,321.00 as the additional 2021 salary supplement for the Public Defender to be funded by the grant from OILS referenced above with no local share.

Signed: Niebel, Pavlock, Bankoski, Hemmer, Nazzaro, Gould, Odell, Harmon (Voted “yes” by Video Conference)

Unanimously Adopted – R/C Vote: 19 Yes – January 27, 2021

MOTION: (On file w/ Legislature Data)
1-21 Proclaiming February Black History Month - Unanimously Adopted

---

PRIVILEGE OF THE FLOOR

Chairman Chagnon: This brings us to the second privilege of the floor. Anyone wishing to address the second privilege of the floor?

Mr. Green: Mr. Chairman?

Chairman Chagnon: Mr. Green please.

Mr. Green: How are you tonight? Greetings everyone. It's been 23 years since I was first appointed Election Commissioner. I came to the job with the experience of 20 years in retail management, where I rose to a regional retail manager for *(inaudible)* in Dunkirk for Brand Names. I hope some of you still remember that. Also time in the United States Army- honorably discharged, served on the Chautauqua County Alcoholic Beverage Control Board with the late Mayor Gilbert Snyder. I also had two terms as an Ellicott Town Councilman where- I'm pretty proud, I was elected against the registration and *(inaudible)* like Councilwoman Vanstrom *(inaudible)* have it, and we were running town wide, so I was with a pretty big *(inaudible.)* I'm happy to remember the days of service with your own County Legislator Terry Niebel where we spent- I always call those the *(inaudible)* years and then- go ahead Terry.

Legislator Niebel: You've got the floor, Norm.

Mr. Green: I heard you rattle over there a little bit. And then Brian Abram came in at the same time the new optical scan voting machines had come in. We've accomplished much. I hear department head come up all the time, tell you what a wonderful department they have, but we think we have- you know, that we have real measurements. Our biggest one is, and all the legislators know it, and that is that our budget is approximately the same amount of money that it was in 2009, which no other department can say that. We took in pay raises- had to redo that and restructured how we do business, we print our own ballots, we make sure that every possible dollar that can be saved and every possible grant that we can get ahold of happens, and we do that quietly. Last year, you know, probably the most proud moment - we never once blamed our troubles on the State of New York, we just did our job. We quietly went about our business. Certainly there was a lot to complain about. Our most proud moment during the year was when the schools in Chautauqua County we're going to be- were forced to mail ballots by mail and we came through to their service, put together a program for them, we counted 20,000 of their absentees in about a 20 hour period. We came in as the polls closed for the schools, we were there, and we continued on the next day and across the state some counties refused to help, some counties offered a little bit of help, but we were all in. You know, we're all in. We were partners, I mean we had no problem helping. One day of the year we are the largest employer- the largest department in Chautauqua County and the fact that nearly 500 people come to work for us on Election Day - it's a difficult task, and you know our process always has been in these optical scan years- has always been a process of customer experience. People talk about different things where we talked about hey what's the experience when you come in and what's the experience that the voter leaves with and how quickly you get in and get out of the polling site? That's so important to us, and while we see failures in New York State, it's sad, we see failures across the United States of America. It's disturbing to all of us and the reason why it doesn't happen here is because you have well-trained, qualified people who work hard to get the job done.

Anyhow, it's been I think five legislatures and this is the first legislature that hasn't approved me for reappointment. I understood that was coming. I mean, February of last year Chuck Nazzaro called me on the phone said the County Legislature will no longer support you. I accepted that. I went to work every day. Worked hard every day I didn't give up I didn't sit down and say hey, listen, this is it, it's done, I'm finished. I did what I was supposed to do and people say why, why is that and I think it goes back to your army years. Your army years- we just you know you get the job done, you have to do what you have to do. In retailing, you know, you get the job done.

Chairman Chagnon: Excuse me, Norm. Could you wrap it up?

Mr. Green: I will, and anyway, I wanted to take a minute to talk about the 22 years- I actually get five minutes, right?

Chairman Chagnon: Yes, you're well beyond five minutes now.

Mr. Green: O.K., anyway, I thank you for the time tonight and I appreciate your past support of Norm Green and what Norm Green works for with Brian Abram and with the Republicans. And we have an office that actually works together. *(Inaudible)* look across the State of New York, look at the 22nd Congressional District and you'll see the disasters that happens when you don't have boards of election for bipartisan board of elections that works hard and works together, thank you.

Chairman Chagnon: Norm, thank you for your comments, thank you for your service to the people of Chautauqua County. Is there anyone else wishing to address the second privilege of the floor?

Chairman Chagnon: Kathy, do we have any correspondence for the second privilege of the floor?

Clerk Tampio: No, I have not received any correspondence.

Chairman Chagnon: Thank you. Anyone else?

MOVED by Legislator Gould, SECONDED by Legislator Scudder and duly carried the meeting was adjourned. *(6:59 p.m.)*

Regular Meeting
Chautauqua County Legislature
Meeting was Held Virtually due to Social Distancing Guidelines
And Live Streamed on Social Media
Wednesday, February 24, 2021 6:30 p.m.
Mayville, N.Y. 14757

Chairman Chagnon called the meeting to order at 6:32 p.m.

Clerk Tampio called the roll and announced a quorum present (Absent: Odell)

Legislator Bankoski delivered the prayer and pledge of allegiance.

MOVED by Legislator Bankoski, SECONDED by Legislator Whitford and duly carried the minutes were approved. (01/27/2021)

1st Privilege of the Floor

Chairman Chagnon: That brings us to the first privilege of the floor. Kathy, are there any communications received for the first privilege of the floor?

Clerk Tampio: No, we have not received any communications for the first privilege of the floor.

Chairman Chagnon: O.K., thank you.

VETO MESSAGES FROM COUNTY EXECUTIVE WENDEL
NO VETOES FROM 01/27/2021

COMMUNICATIONS:

1. Letters (5)– County Executive Wendel – Appointments to various Boards
2. Letters – County Executive Wendel – Appointment of Acting Director of Real Property Tax Services
3. Report – NYS Small Business Development Center - Chautauqua County Quarterly Report
4. Report – NYS Small Business Development Center - Chautauqua County Business Permit Center Quarterly Report
5. Report – NYS Small Business Development Center - Chautauqua County Annual Report
6. Report – NYS Small Business Development Center - Chautauqua County Business Permit Center Annual Report

---

COMMENDATION:

JOHN GRIFFITH
DIRECTOR OF EMERGENCY SERVICES
By
Chairman Pierre E. Chagnon
County Executive Paul M. Wendel, Jr.

STATE OF THE COUNTY ADDRESS
By
COUNTY EXECUTIVE WENDEL

(See link below)
https://chqgov.com/sites/default/files/inline-files/2021%20State%20of%20the%20County%20Address%20-%20Final%20for%20Posting_0.pdf

---

RES. NO. 21-21
Confirm Appointment and Re-Appointments – Parks Commission

By Public Facilities Committee:
At the Request of Chairman Pierre E. Chagnon and Legislator John Hemmer:

WHEREAS, Chairman Pierre E. Chagnon, has submitted the following appointment and re-appointments for action by the Legislature; now therefore be it

RESOLVED, That the Chautauqua County Legislature confirms the following appointment and re-appointments to the Parks Commission.

New Appointment
Jacob Bodway
5446 Crestwood Road
Bemus Point, N.Y. 14712
Term Expires: 12/31/23

Re-Appointments
Steven Sandberg
35 Ellis Ave.
Jamestown, N.Y. 14701
Term Expires: 12/31/2023

Martha Anderson
3615 Belleview Rd.
Bemus Point, N.Y. 14712
Term Expires: 12/31/23

Marla K. Connelly
4476 Lakeside Drive
Bemus Point, N.Y. 14712
Term Expires: 12/31/2023

Tom Erlandson
26 Valley Drive
Frewsburg, N.Y. 14738
Term Expires: 12/31/2023

John Hemmer
7539 E. Route 20
Westfield, N.Y. 14701
Legislative Representative (P.F. Chairman

Signed: Hemmer, Scudder, Nazzaro, Gould, Davis (Voted “yes” by Video Conference)

Unanimously Adopted – February 24, 2021

RES. NO. 22-21
Confirm Appointments and Re-Appointments – Emergency Medical Services Council

By Public Safety Committee:
At the Request of County Executive Paul M. Wendel, Jr.:

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

RESOLVED, That the Chautauqua County Legislature does hereby confirm the following appointments and re-appointments to the Chautauqua County Emergency Medical Services Council.

New Appointments
Ward Raynor
6714 Beech Hill Rd.
Dewittville, NY 14728
Term Expires: 12/31/23
2nd Battalion Representative

Alicia Elderkin
2191 Page Rd.
Kennedy, NY 14747
Term Expires: 12/31/23
4th Battalion Representative

Jay Mease
4562 Johnson Rd.
Bemus Point, NY 14712
Term Expires: 12/31/23
Fire Chiefs Association Representative

Tom Siderits
2830 Garfield Rd.
Jamestown, NY 14701
Term Expires: 12/31/23
CISM Representative

Re-Appointments
Jodelle Shaw
1556 Old Chautauqua Rd.
Gerry, NY 14740
Term Expires: 12/31/23
4th Battalion Representative

Amy Romanik
12600A Alleghany Rd.
Silver Creek, NY 14136
Term Expires: 12/31/23
Brooks Memorial Hospital
Representative

E. Lawrence Barter
9 Pine Dr.
Fredonia, NY 14063
Term Expires: 12/31/23
Fire Advisory Board Representative

Nick Baiter
61 Maple Ave.
Fredonia, NY 14063
Term Expires: 12/31/23
At-Large North Representative

William Johnston
401 Palmer St.
Jamestown, NY 14701
Term Expires: 12/31/23
At-Large South
Representative

Tom Summerville
45 Morris St.
P.O. Box 274
Mayville, NY 14757
Term Expires: 12/31/23
At-Large South Representative

Signed: Niebel, Pavlock, Bankoski, Whitford, Hemmer (Voted "yes" by Video Conference)

Unanimously Adopted – February 24, 2021

RES. NO. 23-21
Confirm Appointment – 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 action by the Chautauqua County Legislature, therefore be it

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

New Appointment
Melissa Meyers
226 Lakeside Dr.
Bemus Point, NY 14712
Term Expires: 12/31/23

Signed: Odell, Starks, Muldowney, Harmon, Ward, Rankin (Voted "yes" by Video Conference)

Unanimously Adopted – February 24, 2021

RES. NO. 24-21
Confirm Appointment and Re-Appointments– Southern Tier Extension Railroad Authority Board of Directors

By Planning & Economic Development Committee:
At the Request of County Executive Paul M. Wendel, Jr.:

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

RESOLVED, That the Chautauqua County Legislature does hereby confirm the following appointment and re-appointments to the Southern Tier Extension Railroad Authority Board of Directors.

Re-Appointments		New Appointment
Jeff Gray	Legislator Frank "Jay" Gould	Richard Dixon
24 Whitehill Ln.	70 Hoag Road	107 Buffalo Street
Russell, PA 16345	Ashville, NY 14710	Jamestown, NY 14701
Term Expired: 2/28/22	Term Expires 2/28/24	Term Expires: 2/28/23

Signed: Odell, Starks, Muldowney, Harmon, Ward, Rankin, Lawton (Voted "yes" by Video Conference)

Unanimously Adopted – February 24, 2021

RES. NO. 25-21
Confirm Re-Appointments – Southern Tier West Regional Planning & Development 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 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 Southern Tier West Regional Planning Board.

Legislator Pierre Chagnon
3714 Westman Road
Bemus Point, NY 14712
Term Expires: 12/31/23

Donald McCord
116 S. Portage St.
Westfield, N.Y. 14787
Term Expires: 12/31/23

Paul M. Wendel, Jr.
20 Hern Ave.
Lakewood, NY 14750
Term Expires: 12/31/23

Signed: Odell, Starks, Muldowney, Harmon, Ward, Rankin (Voted "yes" by Video Conference)

Unanimously Adopted – February 24, 2021

RES. NO. 26-21
Confirm Re- Appointments – Conewango Watershed Commission

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 Conewango Watershed Commission.

Robert Carpenter
1074 28th Creek Road
Kennedy, NY 14747
Term Expires: 12/31/22

Ken Chase
646 Pinner Road
Cherry Creek, NY 14723
Term Expires: 12/31/22

James Dye
8568 Silver Creek Rd.
South Dayton, NY 14138
Term Expires: 12/31/22

Kristopher Ivett
8778 North Hill Rd.
South Dayton, NY 14138
Term Expires: 12/31/22

Carl Pete Smallback
7276 North Road
Cherry Creek, NY 14723
Term Expires: 12/31/22

Signed: Odell, Starks, Muldowney, Harmon, Ward, Rankin (Voted "yes" by Video Conference)

Unanimously Adopted – February 24, 2021

RES. NO. 27-21
Amend 2020 Budget for Year End Reconciliations – South & Center Chautauqua Lake Sewer Districts (SCCLSD)

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

WHEREAS, some South & Center Chautauqua Lake Sewer Districts' department expenses have exceeded initial budgetary estimates, as well as some appropriations have a surplus; now therefore be it

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2020 Adopted Budget:

INCREASE APPROPRIATION ACCOUNTS:		
ESS.8110.----.1 PERSONAL SERVICES – ADMINISTRATION		$6,965
ESS.8110.----.8 EMPLOYEE BENEFITS – ADMINISTRATION		$178,226
ESS.8130.----.1 PERSONAL SERVICES – SEWAGE TREATMENT		$18,466
ESS.8130.----.8 EMPLOYEE BENEFITS – SEWAGE TREATMENT		$13,872
	TOTAL	$217,529

DECREASE APPROPRIATION ACCOUNT:	
ESS.8130.----.4 CONTRACTUAL – SEWAGE TREATMENT	$217,529

Signed: Hemmer, Scudder, Nazzaro, Gould, Davis, Niebel, Odell, Harmon (Voted "yes" by Video Conference)

Unanimously Adopted – February 24, 2021

RES. NO. 28-21
Amend 2020 Budget for Year End Reconciliations – Portland, Pomfret, Dunkirk Sewer District

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

WHEREAS, some Portland, Pomfret, Dunkirk Sewer District expenses have exceeded initial budgetary estimates, as well as some appropriations have a surplus; now therefore be it

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2020 Adopted Budget:

INCREASE APPROPRIATION ACCOUNTS:

ESP.8120.8124.1	Personal Services – Sanitary Sewers, Sanitary Sewers	$3,891
ESP.8120.8124.8	Employee Benefits – Sanitary Sewers, Sanitary Sewers	$1,460
	Total	$5,351

DECREASE APPROPRIATION ACCOUNT:

ESP.8120.8124.4	Contractual - Sanitary Sewers, Sanitary Sewers	$5,351

Signed: Hemmer, Scudder, Nazzaro, Gould, Davis, Niebel, Odell, Harmon (Voted "yes" by Video Conference)

Unanimously Adopted – February 24, 2021

RES. NO. 29-21
Amend 2020 Budget for Year End Reconciliations – North Chautauqua Lake Sewer District

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

WHEREAS, some North Chautauqua Lake Sewer District expenses have exceeded initial budgetary estimates, as well as some appropriations have a surplus; now therefore be it

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2020 Adopted Budget:

INCREASE APPROPRIATION ACCOUNTS:

ESN.8110.8112.8	Employee Benefits - Administration, Administration	$48,500
ESN.8130.8132.1	Personal Services - Sewage Treatment, Sewage Treatment	$7,073
	Total	$55,573

DECREASE APPROPRIATION ACCOUNTS:

ESN.8110.8112.1	Personal Services - Administration, Administration	$7,100
ESN.8110.8112.4	Contractual - Administration, Administration	$6,800
ESN.8120.8122.1	Personal Services - Sanitary Sewers, Sanitary Sewers	$10,600
ESN.8120.8122.4	Contractual - Sanitary Sewers, Sanitary Sewers	$2,860
ESN.8120.8122.8	Employee Benefits - Sanitary Sewers, Sanitary Sewers	$11,180
ESN.8130.8132.4	Contractual - Sewage Treatment, Sewage Treatment	$17,033
	Total	$55,573

Signed: Hemmer, Scudder, Nazzaro, Gould, Davis, Niebel, Odell, Harmon (Voted "yes" by Video Conference)

Unanimously Adopted – February 24, 2021

RES. NO. 30-21
Amend 2020 Budget for Year End Reconciliations – Public Facilities Road Machinery and Debt Service

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

WHEREAS, some Public Facilities-Road Machinery and Debt Service department expenses have exceeded initial budgetary estimates, as well as some appropriations have a surplus; now therefore be it

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2020 Adopted Budget:

INCREASE APPROPRIATION ACCOUNTS:

DM.5130.----.8	Employee Benefits - Road Machinery		$9,875
DM.9730.----.6	Principal - Debt Service		$88,662
DM.9730.----.7	Interest - Debt Service		$18,001
		Total	$116,538

DECREASE APPROPRIATION ACCOUNTS:

DM.5130.----.1	Personal Services - Road Machinery		$52,726
DM.5130.----.4	Contractual - Road Machinery		$63,812
		Total	$116,538

Signed: Hemmer, Scudder, Nazzaro, Gould, Davis, Niebel, Odell, Harmon (Voted “yes” by Video Conference)

Unanimously Adopted – February 24, 2021

RES. NO. 31-21
Amend 2020 Budget for Year End Reconciliations – Public Facilities Admin and Snow Removal: Co Roads (D Fund)

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

WHEREAS, some Public Facilities Admin and Snow Removal: Co Roads (D Fund) department expenses have exceeded initial budgetary estimates; and

WHEREAS, the Public Facilities Admin (D Fund) department has received revenues 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 2020 Adopted Budget:

INCREASE APPROPRIATION ACCOUNTS:

D.5010.----.1	Personal Services - Public Facilities Admin	$26,183
D.5010.----.8	Employee Benefits - Public Facilities Admin	$21,679

D.5142.----.4	Contractual - Snow Removal: Co Roads	$12,224
	Total	$60,086

INCREASE REVENUE ACCOUNT:

D.5010.----.R240.1000	Use of Money & Property-Interest & Earnings	$60,086

Signed: Hemmer, Scudder, Nazzaro, Gould, Davis, Niebel, Odell, Harmon (Voted "yes" by Video Conference)

Unanimously Adopted – February 24, 2021

RES. NO. 32-21

Amend 2020 Budget for Year End Reconciliations – Public Facilities (A Fund)

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

WHEREAS, some Public Facilities (A Fund) department expenses have exceeded initial budgetary estimates, as well as some appropriations have a surplus; and

WHEREAS, Public Facilities (A Fund) has received revenues 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 2020 Adopted Budget:

INCREASE APPROPRIATION ACCOUNTS:

A.1440.----.1	Personal Services - Engineers	$60,566
A.1440.----.8	Employee Benefits - Engineers	$47,470
A.1620.----.1	Personal Services - Buildings & Grounds	$152,409
A.1620.6050.4	Contractual - Buildings & Grounds, DMV Dunkirk	$4,333
A.1620.6080.4	Contractual - Buildings & Grounds, North Co Office Building	$18,799
A.5610.5610.8	Employee Benefits - Chautauqua County Airport, Jamestown Airport	$11,417
A.5630.5625.1	Personal Services – Bus Operations, CARTS	$21,703
A.5630.5625.8	Employee Benefits – Bus Operations, CARTS	$2,579
A.7110.----.1	Personal Services - Parks	$3,151
A.7110.----.8	Employee Benefits - Parks	$11,612
	Total	$334,039

DECREASE APPROPRIATION ACCOUNTS:

A.1440.----.4	Contractual - Engineers	$1,454
A.1620.----.2	Equipment - Buildings & Grounds	$5,469
A.1620.----.4	Contractual - Buildings & Grounds	$4,191
A.1620.----.8	Employee Benefits - Buildings & Grounds	$28,789
A.1620.5020.4	Contractual - Buildings & Grounds, Hall R Clothier Building	$5,169

A.1620.5030.4	Contractual - Buildings & Grounds, Court House		$10,004
A.1620.5060.4	Contractual - Buildings & Grounds, Gerace Office Building		$17,369
A.1620.5070.4	Contractual - Buildings & Grounds, Mayville Municipal Bldg		$3,402
A.1620.5080.4	Contractual - Buildings & Grounds, Jail		$8,291
A.1620.6090.4	Contractual - Buildings & Grounds, DMV Jamestown		$349
A.1620.7010.4	Contractual - Buildings & Grounds, South Co Office Building		$4,326
A.1620.8060.4	Contractual - Buildings & Grounds, AG Center		$12,772
A.5610.5610.4	Contractual - Chautauqua County Airport, Jamestown Airport		$66,860
A.5610.5612.1	Personal Services - Chautauqua County Airport, Dunkirk Airport		$31,324
A.5610.5612.4	Contractual - Chautauqua County Airport, Dunkirk Airport		$38,071
A.5610.5612.8	Employee Benefits - Chautauqua County Airport, Dunkirk Airport		$50,758 ~~$50,793~~
		Total	288,598~~$288,633~~

INCREASE REVENUE ACCOUNTS:

A.1620.----.R265.5000	Sale of Property/Compensate-Minor Sales		$177
A.1620.----.R496.0000	Federal Aid-FEMA Disaster Reimbursement		$27,848 ~~$23,193~~
A.1620.5020.R496.0000	Federal Aid-FEMA Disaster Reimbursement		$736 ~~$5,259~~
A.1620.5030.R496.0000	Federal Aid-FEMA Disaster Reimbursement		$500 ~~$632~~
A.1620.5060.R496.0000	Federal Aid-FEMA Disaster Reimbursement		$831
A.1620.5070.R496.0000	Federal Aid-FEMA Disaster Reimbursement		$510
A.1620.5080.R496.0000	Federal Aid-FEMA Disaster Reimbursement		$2,673
A.1620.6050.R496.0000	Federal Aid-FEMA Disaster Reimbursement		$2,025 ~~$1,642~~
A.1620.6080.R496.0000	Federal Aid-FEMA Disaster Reimbursement		$9,288 ~~$7,946~~
A.1620.7010.R496.0000	Federal Aid-FEMA Disaster Reimbursement		$853 ~~$2,543~~
		Total	$45,441 ~~$45,406~~

Signed: Hemmer, Scudder, Nazzaro, Gould, Davis, Niebel, Odell, Harmon (Voted "yes" by Video Conference) (*A.C. Amended by substitution. Changes are shown by strike through*)

Unanimously Adopted – February 24, 2021

RES. NO. 33-21
Amend 2020 Budget for Year End Reconciliations – Landfill – Environment

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

WHEREAS, some Landfill - Environment department expenses have exceeded initial budgetary estimates, as well as some appropriations have a surplus; and

WHEREAS, the Landfill has received revenues 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 2020 Adopted Budget:

INCREASE APPROPRIATION ACCOUNTS:

EL.8160.1000.8	Employee Benefits - Environment - Landfill		$407,231
EL.8160.6000.4	Contractual - Environment - Closed Landfills		$1,994
EL.8160.7000.1	Personal Services - Environment - Recycling		$8,035
EL.8160.7000.4	Contractual - Environment - Recycling		$21,816
		Total	$439,076

DECREASE APPROPRIATION ACCOUNTS:

EL.8160.1000.1	Personal Services - Environment - Landfill		$8,035
EL.8160.1000.4	Contractual - Environment - Landfill		$23,810
EL.8160.6000.8	Employee Benefits - Environment - Closed Landfills		$15,000
EL.8160.7000.8	Employee Benefits - Environment - Recycling		$20,000
		Total	$66,845

INCREASE REVENUE ACCOUNT:

EL.8160.1000.R237.6000	Shared Services-CHRGS: OCC MUNICIPAL	$372,231

Signed: Hemmer, Scudder, Nazzaro, Gould, Davis, Niebel, Odell, Harmon (Voted “yes” by Video Conference)

Unanimously Adopted – February 24, 2021

RES. NO. 34-21
Amend 2020 Budget for Year End Reconciliations – County Executive

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

WHEREAS, some County Executive department expenses have exceeded initial budgetary estimates, as well as some appropriations have a surplus; and

WHEREAS, the County Executive department has received revenues 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 2020 Adopted Budget:

INCREASE APPROPRIATION ACCOUNT:

A.1230.----.8	Employee Benefits - County Executive	$24,147

DECREASE APPROPRIATION ACCOUNTS:

A.1230.----.1	Personal Services - County Executive	$7,861

A.1230.----.4	Contractual - County Executive	$11,947
	Total	$19,808

INCREASE REVENUE ACCOUNT:

A.1230.----.R496.0000	Federal Aid-FEMA Disaster Reimbursement	$4,339

Signed: Scudder, Muldowney, Starks, Davis, Vanstrom, Nazzaro, Gould, Niebel, Odell, Harmon (Voted "yes" by Video Conference)

Unanimously Adopted – February 24, 2021

RES. NO. 35-21

Amend 2020 Budget for Year End Reconciliations – Law Department

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

WHEREAS, some Law Department expenses have exceeded initial budgetary estimates, as well as some appropriations have a surplus; therefore be it

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2020 budget:

INCREASE APPROPRIATION ACCOUNT:

A.1420.----.8	Employee Benefits – County Attorney	$9,127

DECREASE APPROPRIATION ACCOUNTS:

A.1420.----.1	Personal Services – County Attorney	$7,652
A.1420.----.4	Contractual – County Attorney	$1,475
	Total	$9,127

Signed: Scudder, Muldowney, Starks, Davis, Vanstrom, Nazzaro, Gould, Niebel, Odell, Harmon (Voted "yes" by Video Conference)

Unanimously Adopted – February 24, 2021 acquainted

RES. NO. 36-21

Amend 2020 Budget for Year End Reconciliations – Information Technology Services

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

WHEREAS, some Information Technology Services department expenses have exceeded initial budgetary estimates, as well as some appropriations have a surplus; now therefore be it

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2020 Adopted Budget:

INCREASE APPROPRIATION ACCOUNTS:

A.1610.----.1	Personal Services - OFFICE SERVICES	$4,562
A.1610.----.4	Contractual - OFFICE SERVICES	$10,692

A.1650.----.4	Contractual - COMMUNICATIONS SYSTEM	$3,772
A.1680.----.1	Personal Services - INFORMATION TECHNOLOGY	$23,706
A.1680.----.8	Employee Benefits - INFORMATION TECHNOLOGY	$15,350
	Total	$58,082

DECREASE APPROPRIATION ACCOUNTS:

A.1610.----.8	Employee Benefits - OFFICE SERVICES	$5,146
A.1650.----.1	Personal Services - COMMUNICATIONS SYSTEM	$2,252
A.1650.----.8	Employee Benefits - COMMUNICATIONS SYSTEM	$4,022
A.1680.----.4	Contractual - INFORMATION TECHNOLOGY	$46,662
	Total	$58,082

Signed: Scudder, Muldowney, Starks, Davis, Vanstrom, Nazzaro, Gould, Niebel, Odell, Harmon (Voted "yes" by Video Conference)

Unanimously Adopted – February 24, 2021

RES. NO. 37-21
Amend 2020 Budget for Year End Reconciliations – Human Resources

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

WHEREAS, some Human Resources department expenses have exceeded initial budgetary estimates, as well as some appropriations have a surplus; and

WHEREAS, county sales tax receipts 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 2020 Adopted Budget:

INCREASE APPROPRIATION ACCOUNTS:

A.1430.----.1	Personal Services - Human Resources	$13,021
A.1430.----.8	Employee Benefits - Human Resources	$28,420
A.1430.COEM.1	Personal Services - Human Resources, Countywide Employee Exps	$1,548
	Total	$42,989

DECREASE APPROPRIATION ACCOUNTS:

A.1430.----.4	Contractual - Human Resources	$14,484
A.1430.BENE.1	Personal Services - Human Resources, Health Insurance Benefits	$852
A.1430.BENE.4	Contractual - Human Resources, Health Insurance Benefits	$3,330
A.1430.BENE.8	Employee Benefits - Human Resources, Health Insurance Benefits	$19,967
A.1430.COEM.8	Employee Benefits - Human Resources, Countywide Employee Exps	$106

	Total	$38,739

INCREASE REVENUE ACCOUNT:

A.1310.9999.R111.0000	Non Property Tax Items-Sales Tax	$4,250

Signed: Scudder, Muldowney, Starks, Davis, Vanstrom, Nazzaro, Gould, Niebel, Odell, Harmon (Voted "yes" by Video Conference)

Unanimously Adopted – February 24, 2021

RES. NO. 38-21
Amend 2020 Budget for Year End Reconciliations – Board of Elections

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

WHEREAS, some Board of Elections department expenses have exceeded initial budgetary estimates, as well as some appropriations have a surplus; now therefore be it

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2020 Adopted Budget:

INCREASE APPROPRIATION ACCOUNTS:

A.1450. ---- .1	PERSONAL SERVICES—BOARD OF ELECTIONS	$ 74,809
A.1450. ---- .2	EQUIPMENT—BOARD OF ELECTIONS	$ 29,848
	TOTAL	$104,657

DECREASE APPROPRIATION ACCOUNT:

A.1450. ----.4	CONTRACTUAL—BOARD OF ELECTIONS	$104,657

Signed: Scudder, Muldowney, Starks, Davis, Vanstrom, Nazzaro, Gould, Niebel, Odell, Harmon (Voted "yes" by Video Conference)

Unanimously Adopted – February 24, 2021

RES. NO. 39-21
Amend 2020 Budget for Year End Reconciliations – County Clerk

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

WHEREAS, some County Clerk department expenses have exceeded initial budgetary estimates, as well as some appropriations have a surplus; and

WHEREAS, county sales tax receipts 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 2020 Adopted Budget:

INCREASE APPROPRIATION ACCOUNTS:

A.1410.----.1	Personal Services - County Clerk	$1,906
A.1410.----.8	Employee Benefits - County Clerk	$19,924
A.1410.1411.1	Personal Services - County Clerk, Motor Vehicles	$5,859
A.1410.1411.4	Contractual - County Clerk, Motor Vehicles	$1,647
A.1460.----.4	Contractual - Records Management	$44
A.6610.----.1	Personal Services - Weights & Measures	$4,516
A.6610.----.8	Employee Benefits - Weights & Measures	$5,440
	Total	$39,336

DECREASE APPROPRIATION ACCOUNTS:

A.1410.----.4	Contractual - County Clerk	$2,156
A.1410.1411.8	Employee Benefits - County Clerk, Motor Vehicles	$5,154
A.1460.----.1	Personal Services - Records Management	$3,154
A.1460.----.8	Employee Benefits - Records Management	$5,554
A.6610.----.4	Contractual - Weights & Measures	$6,982
A.7510.----.4	Contractual - Historian	$724
A.7510.----.8	Employee Benefits - Historian	$623
	Total	$24,347

INCREASE REVENUE ACCOUNT:

A.1310.9999.R111.0000	Non Property Tax Items-Sales Tax	$14,989

Signed: Scudder, Muldowney, Starks, Davis, Vanstrom, Nazzaro, Gould, Niebel, Odell, Harmon (Voted "yes" by Video Conference)

Unanimously Adopted – February 24, 2021

RES. NO. 40-21
Amend 2020 Budget for Year End Reconciliations – Health Insurance Fund (M Fund)

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

WHEREAS, some department expenses in the Health Insurance Fund have exceeded initial budgetary estimates, as well as some appropriations have a surplus; and

WHEREAS, the Health Insurance Fund has received revenues 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 2020 Adopted Budget:

INCREASE APPROPRIATION ACCOUNTS:

M.1930.----.4	Contractual - Judgements & Claims	$174,039

M.9089.8000.4	Contractual - Undistributed Benefits, Benefit Surcharge	61,049
	Total	$235,088

INCREASE REVENUE ACCOUNTS:

M.9060.9999.R270.9HRA	Departmental Income-Employer HRA Contribution	$174,039
M.9089.8000.R270.9004	Departmental Income-Retiree Contributions	61,049
	Total	$235,088

Signed: Scudder, Muldowney, Starks, Davis, Vanstrom, Nazzaro, Gould, Niebel, Odell, Harmon (Voted "yes" by Video Conference)

Unanimously Adopted – February 24, 2021

RES. NO. 41-21
Amend 2020 Budget for Year End Reconciliations – Debt Service

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

WHEREAS, the accounting treatment of the principal and interest payments on bonds issued for the Third Dormitory Building at the Jamestown Community College (JCC) and the corresponding reimbursement from JCC were not properly reflected in the 2020 Budget; and

WHEREAS, prior year proceeds from the sale of helicopters were designated to offset the remaining annual debt services payments on the helicopters; and

WHEREAS, the 2020 Budget incorrectly included revenue from the proceeds from the sale of helicopters but the budget should have reflected the use of the designated fund balance; now therefore be it

RESOLVED: That the A Fund Balance be appropriated as follows:

INCREASE THE USE OF FUND BALANCE:

A.----.----.917.0000	Unassigned Fund Balance – Unassigned Fund Balance	$292,300

; and be it further

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2020 Adopted Budget:

INCREASE APPROPRIATION ACCOUNT:

A.9730.----.6	Principal - Debt Service	$372,774

DECREASE APPROPRIATION ACCOUNT:

A.9730.----.7	Interest - Debt Service	$ 23,574

INCREASE REVENUE ACCOUNT:

A.9730.----.R128.9JCC	Departmental Income-JCC Dorm Funding	$349,200

DECREASE REVENUE ACCOUNT:

A.9730.----.R266.5000	Sale of Property/Compensa-Sale of Equipment	$292,300

Signed: Scudder, Muldowney, Starks, Davis, Vanstrom, Nazzaro, Gould, Niebel, Odell, Harmon (Voted "yes" by Video Conference)

Unanimously Adopted – February 24, 2021

RES. NO. 42-21
Amend 2020 Budget for Year End Reconciliations – Finance

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

WHEREAS, some Finance department expenses have exceeded initial budgetary estimates, as well as some appropriations have a surplus; and

WHEREAS, the Finance department has received revenues 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 2020 Adopted Budget:

INCREASE APPROPRIATION ACCOUNTS:			
A.1310.----.1	Personal Services - Department of Finance		$12,334
A.1310.----.8	Employee Benefits - Department of Finance		$25,750
A.1330.----.4	Contractual - Real Property Tax		$25,401
A.1362.----.4	Contractual - Tax Advertising & Expense		$12,147
A.1710.----.4	Contractual - Insurance Administration		$152
A.1710.----.8	Employee Benefits - Insurance Administration		$11,025
		Total	$86,809
DECREASE APPROPRIATION ACCOUNTS:			
A.1330.----.1	Personal Services - Real Property Tax		$ 7,633
A.1355.----.4	Contractual - Tax Assessment		$ 8,703
A.1989.----.1	Personal Services - Tax Roll Maint & Process		$ 2,885
A.1989.----.4	Contractual - Tax Roll Maint & Process		$24,297
A.1989.----.8	Employee Benefits - Tax Roll Maint & Process		$ 3,618
		Total	$47,136
INCREASE REVENUE ACCOUNTS:			
A.1330.----.R123.0001	Departmental Income-Fees: Treas-RP Part Pymnt		$ 884
A.1330.----.R123.00RP	Departmental Income-Fees: Treas-Real Property		$15,315
A.1330.----.R123.CCTC	Departmental Income-Fees: Credit Card Transactions		$ 4,100
A.1330.----.R277.0000	Miscellaneous-Other Unclassified Rev		$ 4,352
A.1362.----.R123.0002	Departmental Income-Fees: Treas-Admin Tax Chg		$12,500
A.1310.----.R261.0000	Fines & Forfeitures-Fines & Forfeited Bail		$ 2,522
		Total	$39,673

Signed: Scudder, Muldowney, Starks, Davis, Vanstrom, Nazzaro, Gould, Niebel, Odell, Harmon (Voted "yes" by Video Conference)

Unanimously Adopted – February 24, 2021

RES. NO. 43-21
Amend 2020 Budget for Year End Reconciliations – Community College Tuition

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

WHEREAS, community college tuition expenses exceeded initial budgetary estimates, partially due to the County's commitment to contribute a minimum sponsorship of $4,182,234 to Jamestown Community College; and

WHEREAS, County sales tax 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 2020 Adopted Budget:

INCREASE APPROPRIATION ACCOUNT:

A.2490.----.4	Contractual—Community College Tuition	$100,792

INCREASE REVENUE ACCOUNT:

A.1310.9999.R111.0000	Non Property Tax Items—Sales Tax	$100,792

Signed: Scudder, Muldowney, Starks, Davis, Vanstrom, Nazzaro, Gould, Niebel, Odell, Harmon (Voted "yes" by Video Conference)

Unanimously Adopted – February 24, 2021

RES. NO. 44-21
Amend 2020 Budget for Year End Reconciliations – Office of the Sheriff

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

WHEREAS, some Sheriff's Office department expenses have exceeded initial budgetary estimates, as well as some appropriations have a surplus; and

WHEREAS, the Sheriff's Office has received revenues 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 2020 Adopted Budget:

INCREASE APPROPRIATION ACCOUNTS:

A.3020.DISP.1	Personal Services - Publ Safety Communication - Consolidated Dispatching	$71,983
A.3020.DISP.4	Contractual - Publ Safety Communication - Consolidated Dispatching	$1,241
A.3020.DISP.8	Employee Benefits - Publ Safety Communication - Consolidated Dispatching	$72,856
A.3020.PSCN.1	Personal Services - Publ Safety Communication - Pub Sfty Communications	$1,554
A.3020.TECH.1	Personal Services - Publ Safety Communication - Technical Services	$3,896

A.3020.TECH.4	Contractual - Publ Safety Communication - Technical Services	$1,318
A.3020.TECH.8	Employee Benefits - Publ Safety Communication - Technical Services	$2,752
A.3110.----.4	Contractual - Sheriff	$28,154
A.3110.----.8	Employee Benefits - Sheriff	$21,464
A.3110.3114.8	Employee Benefits - Sheriff - Pistol Permit	$7,292
A.3150.----.8	Employee Benefits - Jail	$487,544
A.3189.3111.4	Contractual - Other Law Enforcement - Navigation	$391
A.3189.3112.1	Personal Services - Other Law Enforcement - Snowmobile	$3,705
A.3189.3112.8	Employee Benefits - Other Law Enforcement - Snowmobile	$10,098
	Total	$714,248

DECREASE APPROPRIATION ACCOUNTS:

A.3150.---- .1	Personal Services - Jail	$460,125
A.3150.---- .4	Contractual - Jail	$176,732
	Total	$636,857

INCREASE REVENUE ACCOUNT:

A.3150.---- .R226.0MHS	Shared Services-Chrgs: Oth Gov - Marsh Hous	$77,391

Signed: Niebel, Pavlock, Bankoski, Whitford, Hemmer, Nazzaro, Gould, Odell, Harmon (Voted "yes" by Video Conference)

Unanimously Adopted – February 24, 2021

RES. NO. 45-21
Amend 2020 Budget for Year End Reconciliations – District Attorney's Office

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

WHEREAS, some District Attorney's Office department expenses have exceeded initial budgetary estimates, as well as some appropriations have a surplus; and

WHEREAS, county sales tax revenue is 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 2020 Adopted Budget:

INCREASE APPROPRIATION ACCOUNTS:

A.1165.----.1	Personal Services - District Attorney	$34,190
A.1165.----.8	Employee Benefits - District Attorney	$33,047
A.1165.1169.1	Personal Services - District Attorney, Cr Victims	$219
A.1165.1169.8	Employee Benefits - District Attorney, Cr Victims	$4,655
A.1165.1169.4	Contractual - District Attorney, Crime Victims	$4,948
	Total:	$77,059

DECREASE APPROPRIATION ACCOUNT:

A.1165.----.4	Contractual - District Attorney	$61,499

INCREASE REVENUE ACCOUNT:

A.1310.9999.R111.0000	Non Property Tax Items-Sales Tax	$15,560

Signed: Niebel, Pavlock, Bankoski, Whitford, Hemmer, Nazzaro, Gould, Odell, Harmon (Voted "yes" by Video Conference)

Unanimously Adopted – February 24, 2021

RES. NO. 46-21
Amend 2020 Budget for Year End Reconciliations – Emergency Services

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

WHEREAS, some Emergency Services department expenses have exceeded initial budgetary estimates, as well as some appropriations have a surplus; therefore be it

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2020 Adopted Budget:

INCREASE APPROPRIATION ACCOUNTS:

A.3010.----.8	Employee Benefits - Emergency Services	$18,917
A.3625.----.1	Personal Services - Technical Rescue Team	$237
A.3625.----.8	Employee Benefits - Technical Rescue Team	$58
A.3640.----.1	Personal Services - Hazardous Materials	$237
A.3640.----.8	Employee Benefits - Hazardous Materials	$567
A.3989.----.1	Personal Services - Emergency Medical Service	$1,400
A.3989.----.8	Employee Benefits - Emergency Medical Service	$6,277
A.3989.EMS.8	Employee Benefits - EMS-Fly Car & Ambulance	$15,430
	Total	$43,123

DECREASE APPROPRIATION ACCOUNTS:

A.3010.----.4	Contractual - Emergency Services	$22,614
A.3625.----.4	Contractual - Technical Rescue Team	$295
A.3640.----.4	Contractual - Hazardous Materials	$804
A.3989.----.4	Contractual - Emergency Medical Service	$3,980
A.3989.EMS.4	Contractual - EMS-Fly Car & Ambulance	$15,430
	Total	$43,123

Signed: Niebel, Pavlock, Bankoski, Whitford, Hemmer, Nazzaro, Gould, Odell, Harmon (Voted "yes" by Video Conference)

Unanimously Adopted – February 24, 2021

RES. NO. 47-21
Amend 2020 Budget for Year End Reconciliations – Veterans Service Agency

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

WHEREAS, some Veterans Service Agency department expenses have exceeded initial budgetary estimates, as well as some appropriations have a surplus; now therefore be it

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2020 Adopted Budget:

INCREASE APPROPRIATION ACCOUNT:

A.6510.----.8	Employee Benefits--Veterans Service Agency	$8,196

DECREASE APPROPRIATION ACCOUNT:

A.6510.----.4	Contractual--Veterans Service Agency	$8,196

Signed: Pavlock, Rankin, Whitford, Whitney, Lawton, Nazzaro, Gould, Niebel, Odell, Harmon (Voted "yes" by Video Conference)

Unanimously Adopted – February 24, 2021

RES. NO. 48-21
Amend 2020 Budget for Year End Reconciliations – Health and Human Services

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

WHEREAS, some Health and Human Services department expenses have exceeded initial budgetary estimates, as well as some appropriations have a surplus; now therefore be it

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2020 Adopted Budget:

INCREASE APPROPRIATION ACCOUNTS:

A.1185.----.8	Employee Benefits - Med Examiners & Coroners	$7,164
A.4010.NURS.1	Personal Services - Public Health Admin- Nursing	$102,953
A.4010.NURS.8	Employee Benefits - Public Health Admin- Nursing	$7,844
A.4017.JAIL.1	Personal Services - Clinics - Jail	$48,150
A.4017.JAIL.4	Contractual - Clinics - Jail	$7,319
A.4017.JAIL.8	Employee Benefits - Clinics - Jail	$20,547
A.4059.----.1	Personal Services - Early Intervention Program	$7,360
A.4090.----.1	Personal Services - Environmental Health	$58,025
A.4090.----.8	Employee Benefits - Environmental Health	$21,920

A.6055.----.4	Contractual - Day Care		$99,807
A.6123.----.4	Contractual - Juvenile Delinquent Care		$1,568
A.6129.----.4	Contractual - State Training School		$55,272
A.6141.----.1	Personal Services - Home Energy Assist Prog		$4,205
A.7020.----.1	Personal Services - Youth Bureau		$63
A.7310.----.4	Contractual - Youth Programs		$31,248
		Total	$473,445

DECREASE APPROPRIATION ACCOUNTS:

A.6010.----.1	Personal Services - Social Services Admin		$220,756
A.6010.----.4	Contractual - Social Services Admin		$57,721
A.6010.----.8	Employee Benefits - Social Services Admin		$194,968
		Total	$473,445

Signed: Pavlock, Rankin, Whitford, Whitney, Lawton, Nazzaro, Gould, Niebel, Odell, Harmon (Voted "yes" by Video Conference)

Unanimously Adopted – February 24, 2021

RES. NO. 49-21
Close Capital Projects – 2020 Year End Reconciliation

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

WHEREAS, the following capital projects have been completed and can be closed:
H-1620-25005 - Capital Projects-BUILDINGS & GROUNDS-MMB BOILER (2018)
H-1620-25754 - Capital Projects-BUILDINGS & GROUNDS-FAMILY CT & JAIL PRKG LOT (2010)
H-2490-00862 - Capital Projects-COMMUNITY COLLEGE TUITION-JCC CARN CTR RENO(2011)
H-2490-688 - Capital Projects-COMMUNITY COLLEGE TUITION-JCC CARN CTR RENO(2011)
H-3010-14002 - Capital Projects-EMERGENCY SERVICES-FIRE INVESTIGATION VEHICLE(2019)
H-3410-14003 - Capital Projects-BASIC FIRE ACADEMY-TRAINING PROPS (2019)
H-5610-25167 - Capital Projects-CHAUTAUQUA COUNTY AIRPORT-BATWING MOWER-JMST (2020)
H-6420-37002 - Capital Projects-PROMOTION OF INDUSTRY-CTY WIDE ECON DEV STRAT PH2(2019
H-6420-37007 - Capital Projects-PROMOTION OF INDUSTRY-BROADBAND INTERNET (2019)

; now therefore be it

RESOLVED, That the Director of Finance close the capital projects listed above, and reconcile, post adjustments and begin capitalization as necessary; and be it further

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

Signed: Nazzaro, Gould, Niebel, Odell, Harmon (Voted "yes" by Video Conference)
Unanimously Adopted – February 24, 2021

RES. NO. 50-21
Amend 2020 & 2021 Budgets for Year End Reconciliations and Grant Equipment Revenue – Mental Hygiene

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

WHEREAS, the Mental Hygiene Law department expenses have exceeded initial budgetary estimates and it is mandated this department's expenses be funded by local share; and

WHEREAS, some Mental Hygiene departmental appropriations have a surplus; and

WHEREAS, a purchase order for grant-funded equipment was prepared in 2020 for the Department of Mental Hygiene, but the purchase was not completed in 2020; and

WHEREAS, 2020 revenue for the Department of Mental Hygiene is short of budget partially because grant revenue could not be earned since corresponding equipment was not purchased; and

WHEREAS, the 2020 expenditure budget for the equipment was encumbered so it automatically rolled forward into the 2021 budget, but the corresponding revenue budget for the equipment did not automatically roll forward into the 2021 budget; now therefore be it

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2020 Adopted Budget:

INCREASE APPROPRIATION ACCOUNT:

A.4322.----.4	Contractual - Mental Hygiene Law	$169,071

DECREASE APPROPRIATION ACCOUNT:

A.4320.----.4	Contractual - Mental Hygiene Programs	$169,071

DECREASE REVENUE ACCOUNT:

A.4320.----.R449.0001	Federal Aid-Mental Hygiene-SAMHSA	$155,950

; and be it further

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2021 Adopted Budget:

INCREASE REVENUE ACCOUNT:

A.4320.----.R449.0001	Federal Aid-Mental Hygiene-SAMHSA	$155,950

Signed: Pavlock, Rankin, Whitford, Whitney, Lawton, Nazzaro, Gould, Niebel, Odell, Harmon (Voted "yes" by Video Conference)

Unanimously Adopted – February 24, 2021

RES. NO. 51-21
Amend 2020 & 2021 Budgets for Grant Equipment Revenue – Office of the Sheriff

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

WHEREAS, purchase orders for grant-funded equipment were prepared in 2020 for the Office of the Sheriff, but the purchases were not completed in 2020; and

WHEREAS, the 2020 revenue for two sub-departments of the Office of the Sheriff is under budget partially because grant revenue could not be earned since corresponding equipment was not purchased; and

WHEREAS, the 2020 expenditure budget for the equipment was encumbered so it automatically rolled forward into the 2021 budget, but the corresponding revenue budget for the equipment did not automatically roll forward into the 2021 budget; now therefore be it

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2020 Adopted Budget:

DECREASE REVENUE ACCOUNT**S**:

A.3020.PSCN.R438.9000	Federal Aid—Other Public Safety Aid	$ 86,096
A.3110.GRNT.R438.9000	Federal Aid—Other Public Safety Aid	$ 61,460
	Total	$147,556

; and be it further

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2021 Adopted Budget:

INCREASE REVENUE ACCOUNT:

~~A.3020.PSCN.R438.9000~~	~~Federal Aid—Other Public Safety Aid~~	~~$ 86,096~~
A.3110.GRNT.R438.9000	Federal Aid—Other Public Safety Aid	~~$ 61,460~~
		$147,556
	~~Total~~	~~$147,556~~

Signed: Niebel, Pavlock, Bankoski, Whitford, Hemmer, Nazzaro, Gould, Odell, Harmon (Voted "yes" by Video Conference) (*P.S. Amended by strike through*)

Unanimously Adopted – February 24, 2021

RES. NO. 52-21
Amend 2021 Capital Project Account (DPF Large Equipment)

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

WHEREAS, Public Facilities has received an insurance recovery payment for damage to a snow plow; and

WHEREAS, this surplus of revenue will be used to defray the cost to purchase a replacement snow plow; therefore be it

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2021 Adopted budget:

INCREASE APPROPRIATION ACCOUNT:		
H.5130.626.4	Contractual--Road Machinery, DPF Large Equipment (Annual)	$7,077
INCREASE REVENUE ACCOUNT:		
H.5130.626.R268.0000	Sale of Property/Compensa--Insurance Recoveries	$7,077

Signed: Hemmer, Scudder, Nazzaro, Gould, Davis, Niebel, Odell, Harmon (Voted "yes" by Video Conference)

Unanimously Adopted – February 24, 2021

RES. NO. 53-21
Amend 2021 Budget for State Homeland Security Program (SHSP) Grant Award

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

WHEREAS, the Chautauqua County Office of Emergency Services was awarded a grant in the amount of $150,000 from the 2018 State Homeland Security Program; and

WHEREAS, the State of New York will provide funding for a FY18 grant with no local funds, per Contract #C969580 during the performance period of September 1, 2018 through August 31, 2021; and

WHEREAS, pursuant to Resolution 237-18, the County Executive was authorized to execute an agreement to secure the grant funding with the NYS Division of Homeland Security and Emergency Services; and

WHEREAS, some revenues and expenditures associated with this grant were not included in the 2021 operating budget; now therefore be it

RESOLVED, That the Director of Finance is hereby directed to make the following 2021 budgetary changes:

INCREASE APPROPRIATION ACCOUNTS:		
A.3010.----.2	Equipment—Emergency Services	$ 7,300
A.3625.----.4	Contractual—Technical Rescue Team	$ 14,500
	Total	$ 21,800
INCREASE REVENUE ACCOUNT:		
A.3010.----.R430.5004	Federal Aid—Homeland Security	$ 21,800

Signed: Niebel, Pavlock, Bankoski, Whitford, Hemmer, Nazzaro, Gould, Odell, Harmon (Voted "yes" by Video Conference)

Unanimously Adopted – February 24, 2021

RES. NO. 54-21
Amend 2021 Budget for State Homeland Security Program (SHSP) Grant Award

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

WHEREAS, the Chautauqua County Office of Emergency Services was awarded a grant in the amount of $139,194.00 from the 2020 State Homeland Security Program; and

WHEREAS, the State of New York will provide funding for a FY20 grant with no local funds, per Contract #C969500 during the performance period of September 1, 2020 through August 31, 2023; and

WHEREAS, pursuant to Resolution 194-20, the County Executive was authorized to execute an agreement to secure the grant funding with the NYS Division of Homeland Security and Emergency Services; and

WHEREAS, some revenues and expenditures associated with this grant were not included in the 2021 operating budget; now therefore be it

RESOLVED, That the Director of Finance is hereby directed to make the following 2021 budgetary changes:

INCREASE APPROPRIATION ACCOUNTS:

A.3640.----.4	Contractual-Hazardous Materials	$ 2,500
A.3625.----.2	Equipment-Technical Rescue Team	$ 7,700
A.3010.----.2	Contractual-Emergency Services	$ 9,546
	Total	$19,746

INCREASE REVENUE ACCOUNT:

A.3010.----.R430.5004	Federal Aid-Homeland Security	$19,746

Signed: Niebel, Pavlock, Bankoski, Whitford, Hemmer, Nazzaro, Gould, Odell, Harmon (Voted "yes" by Video Conference)

Unanimously Adopted – February 24, 2021

RES. NO. 55-21
Amend Emergency Services 2021 Budget for Vehicle Accident Claim

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

WHEREAS, the EMS Fly Car known as Medic 74 was involved in an accident; and

WHEREAS, the Chautauqua County Insurance Department, on behalf of the Office of Emergency Services, submitted a claim to New York Mutual Insurance Reciprocal; and

WHEREAS, Chautauqua County has been reimbursed for expenses incurred in the amount of $12,385.46, and has an invoice due for the vehicle repair; now therefore be it

RESOLVED, That the Director of Finance is hereby directed to make the following changes to the 2021 Adopted Budget:

INCREASE APPROPRIATION ACCOUNT:

A.3989.EMS.4	Contractual – Emergency Medical Services, Fly Car & Ambulance Services	$12,386

INCREASE REVENUE ACCOUNT:

A.3989.EMS.R268.0000	Sale of Property/Compensa--Insurance Recoveries	$12,386

Signed: Niebel, Pavlock, Bankoski, Whitford, Hemmer, Nazzaro, Gould, Odell, Harmon (Voted "yes" by Video Conference)

Unanimously Adopted – February 24, 2021

RES. NO. 56-21
2020 and 2021 County Sponsorship Contributions for JCC

By Audit & Control Committee:
At the Request of Chairman Pierre Chagnon and Legislator Charles Nazzaro:

WHEREAS, Chautauqua County is one of three regional sponsors for Jamestown Community College ("JCC"); and

WHEREAS, the County and JCC desire to confirm the County's 2020 sponsorship contribution, and set a lower floor and upper floor for the County's 2021 sponsorship contribution; now therefore be it

RESOLVED, That the Director of Finance is authorized and directed to provide JCC a total 2020 sponsorship contribution in the amount of $4,182,234 from the existing 2020 A.2490 community college appropriation of $4,541,109, that is inclusive of JCC and all other community colleges; and be it further

RESOLVED, That the County's 2021 sponsorship contribution to JCC shall have a lower floor of $4,137,192 and an upper floor of $4,240,792, with the actual 2021 amount to be confirmed by the County Legislature on or before the County Legislature's regular meeting in February 2022.

Signed: Nazzaro, Gould, Niebel, Odell, Harmon (Voted "yes" by Video Conference)

Unanimously Adopted – February 24, 2021

RES. NO. 57-21
Fiscal Year 2019 Hazardous Materials Emergency Preparedness (HMEP) Grant Program

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

WHEREAS, Chautauqua County and its regional partnership were awarded funds of $15,516.00 under the FY 2019 Hazardous Material Emergency Preparedness (HMEP) Grant Program, which funds were accepted pursuant to Resolution 248-19; and

WHEREAS, the term of the grant is October 1, 2019 through September 30, 2020, and Resolution 248-19 called for funds to be allocated to the proper accounts in subsequent resolutions once the County was ready to expend the funds; and

WHEREAS, due to COVID-19 restrictions, the Department of Homeland Security and Emergency Services extended the grant end date to September 30, 2021; therefore be it

RESOLVED, That the Director of Finance is hereby directed to make the following changes to the 2021 Adopted Budget:

INCREASE APPROPRIATION ACCOUNT:		
A.3640.----.4	Contractual-Hazardous Materials	$15,516
INCREASE REVENUE ACCOUNT:		
A.3640.R430.5004	Federal Aid-Homeland Security	$15,516

Signed: Niebel, Pavlock, Bankoski, Whitford, Hemmer, Nazzaro, Gould, Odell, Harmon (Voted "yes" by Video Conference)

Unanimously Adopted – February 24, 2021

RES. NO. 58-21
Authorize Acceptance of WIIA Grant with EFC Financing for North Chautauqua County Water District

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

WHEREAS, pursuant to Resolutions 260-15, 39-16, 81-16, and 231-17, the Chautauqua County Legislature established the North Chautauqua County Water District (the "District"), to comprise an area in Chautauqua County consisting of parts of the towns of Portland, Pomfret, Sheridan and Hanover and all of the town of Dunkirk; and

WHEREAS, the District has undertaken capital improvement projects to create a regional water system for the North County, and a $3,000,000 grant was awarded through the New York Water Infrastructure Improvement Act (WIIA) to assist the District in funding the projects; and

WHEREAS, the New York WIIA grant funds will be administered by the New York State Environmental Facilities Corporation DWSRF Project Number 18321; now therefore be it

RESOLVED, That the Chautauqua County Legislature hereby approves the acceptance of a $3,000,000 grant to assist the District's capital projects, and the County Executive and District Chair are authorized and empowered to execute all agreements and documents necessary to secure such funds.

Signed: Hemmer, Scudder, Nazzaro, Gould, Davis, Niebel, Odell, Harmon (Voted "yes" by Video Conference)
Unanimously Adopted – February 24, 2021

RES. NO. 59-21
Amend Capital Project Budget for Landfill Phase IV Construction

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

WHEREAS, the Chautauqua County Legislature has allocated certain monies for capital projects; and

WHEREAS, pursuant to Resolution Numbers 107-18, 253-18, and 240-19, the budget for capital project Phase IV Construction (2007) (EL.8160.025) has been amended; and

WHEREAS, a new paved road to the Phase IV cell will be a dust control measure not previously included in the capital project budget and wetland mitigation improvements continue to be needed resulting in a change to the overall estimated cost for capital project EL.8160.025; now therefore be it

RESOLVED, That the Director of Finance is authorized make the following change to the 2021 Capital Budget:

INCREASE APPROPRIATION ACCOUNT:

EL.8160.025.4	Contractual—Environment- Phase IV Construction (2007)	$1,000,000

Signed: Hemmer, Scudder, Nazzaro, Gould, Davis, Niebel, Odell, Harmon (Voted "yes" by Video Conference)

Unanimously Adopted – February 24, 2021

RES. NO. 60-21
Authorize Continuation of Natural Gas Lease at Chautauqua County Landfill

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

WHEREAS, there are several gas wells in production at the Chautauqua County Landfill in Ellery, New York; and

WHEREAS, the existing lease will expire on July 31, 2021 and the current operator, PPP Future Development, Inc. desires to operate the wells for an additional 10 year period; and

WHEREAS, it would be advantageous to the County to continue to lease the wells; now therefore be it

RESOLVED, That the County Executive be and hereby is authorized to enter into a lease agreement with PPP Future Development, Inc., upon substantially the following terms and conditions:

1. Royalties.	Lessee shall pay County a royalty interest of 15%.
2. In Lieu of Option.	County shall be entitled to use 200,000 cubic feet of gas

	per year from each well in active production, or in the alternative, a payment for unused gas at the then current wellhead prices.
3. Other.	As negotiated by the County Executive

Signed: Hemmer, Scudder, Nazzaro, Gould, Davis, Niebel, Odell, Harmon (Voted "yes" by Video Conference)

Unanimously Adopted – February 24, 2021

RES. NO. 61-21

Authorizing Public Hearing regarding the implementation of Chautauqua County's 2019 Community Development Block Grant program, "Chautauqua Septics and Wells", funded by the New York State Homes and Community Renewal Housing Trust Fund Corporation's Office of Community Renewal

By Human Services Committee:
At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, the Office of Community Renewal awarded Chautauqua County $204,500 under the 2019 Community Development Block Grant (CDBG) program CDBG# 222WS320-19, a federally funded program authorized by Title I of the Housing and Community Development Act of 1974, for the Chautauqua Septics and Wells Program, which assists low/ moderate income homeowners with necessary repairs to existing household water and wastewater systems, including lateral connections to municipal systems; and

WHEREAS, the CDBG program is administered by the New York State Office of Community Renewal (OCR) and provides resources to eligible local governments for housing, economic development, public facilities, public infrastructure, and planning activities, with the principal purpose of benefitting low/moderate income persons; and

WHEREAS, a public hearing is required pursuant to 24 CFR §§570.431 and 570.486, and in compliance with the requirements of the Housing and Community Development Act of 1974, as amended, to provide further information to the public about the progress of the ongoing CDBG project and to accept public comments related to the effectiveness of the administration of the CDBG project; therefore be it

RESOLVED, That the Chautauqua County Legislature hold a public hearing for the aforementioned purposes during the regular meeting of the County Legislature on March 24, 2021, at 6:35 p.m., in a manner consistent with CDBG program requirements; and be it further;

RESOLVED, That the Clerk of the Legislature is authorized and directed to post notice of the public hearing in the Gerace Office Building and to publish notice of the hearing at least seven (7) days prior thereto in the official newspapers of the County of Chautauqua in such form as is approved by the Chautauqua County Law Department.

Signed: Pavlock, Rankin, Whitford, Whitney, Lawton (Voted "yes" by Video Conference)

Unanimously Adopted – February 24, 2021

RES. NO. 62-21
Authorizing Public Hearing Regarding a Potential Application for 2021 Community Development Block Grant Funding through the New York State Homes and Community Renewal Housing Trust Fund Corporation's Office of Community Renewal and the Uses of Said Funding

By Human Services Committee:
At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, the Office of Community Renewal is expected to release a Notice of Funding Availability (NOFA) for the 2021 Community Development Block Grant (CDBG) program, a federally funded program authorized by Title I of the Housing and Community Development Act of 1974, under its Housing Resources NOFA, during spring 2021; and

WHEREAS, the CDBG Program Housing Resources program provides funding to eligible communities for housing activities including housing rehabilitation, homeownership, manufactured housing rehabilitation or replacement, well and septic replacement, and lateral connection assistance that primarily benefits low- and moderate-income persons; and

WHEREAS, the County is considering applying for funding for the Chautauqua Septics and Wells Program, under this NOFA, for those residing in eligible, non-entitlement communities within Chautauqua County; and

WHEREAS, the County seeks public input on community development, housing needs, and proposed activities under the CDBG program, especially input from low- and moderate- income residents; therefore be it

RESOLVED, That the Chautauqua County Legislature hold a public hearing for the aforementioned purposes during the regular meeting of the County Legislature on ~~March 24, 2021, at 6:40 p.m~~., ***April 6, 2021, at 6:35 p.m.*** in a manner consistent with CDBG program requirements; and be it further

RESOLVED, That the Clerk of the Legislature is authorized and directed to post notice of the public hearing in the Gerace Office Building and to publish notice of the hearing at least seven (7) days prior thereto in the official newspapers of the County of Chautauqua in such form as is approved by the Chautauqua County Law Department.

Signed: Pavlock, Rankin, Whitford, Whitney, Lawton (Voted "yes" by Video Conference)
Unanimously Adopted – February 24, 2021

RES. NO. 63-21
Approve Corrective Action Plan (CAP) for Submission to Office of the State Comptroller (OSC)

By Administrative Services Committee:
At the Request of Legislators Chagnon, Scudder, Muldowney, Starks, Davis and Vanstrom:

WHEREAS, the Office of the State Comptroller (OSC) periodically audits all municipalities in New York State; and

WHEREAS, OSC recently completed a January 1, 2017 – September 30, 2018 audit and issued audit recommendations for the County; and

WHEREAS, the County at its option may provide OSC a Corrective Action Plan (CAP) detailing the County's implementation of plans of action in response to OSC's audit recommendations; therefore be it

RESOLVED, That the County Legislature hereby approves the CAP on file with the Clerk of the County Legislature in response to OSC's January 1, 2017 – September 30, 2018 audit recommendations; and be it further

RESOLVED, That the Chairman of the County Legislature is requested to submit the CAP to OSC on behalf of the County.

Signed: Scudder, Muldowney, Starks, Davis, Vanstrom (Voted "yes" by Video Conference)

Unanimously Adopted – February 24, 2021

RES. NO. 64-21
Application for Credit of Real Property Taxes for 2021

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

WHEREAS, the Director of Real Property Tax Services has received form RP-554 "Application for Corrected Tax Roll" from Nelson Nobles (PID 337.00-1-63.1) for correction of a tax liability on the parcel in the amount of $3,096.82 and;

WHEREAS, the Director of Real Property Tax Services has determined that a County/Town Tax was levied on the parcel for the 2021 fiscal year in the amount of $3,326.18 and;

WHEREAS, the Director of Real Property Tax Services has determined that the local assessor made an error in the tax roll when the subject parcel was split from its' original parcel, and the Taxable Assessed Value was overstated on the subject parcel, and;

WHEREAS, in accordance with RES 4-17 the amount of the correction exceeds $2,500, be it further

RESOLVED, That the Director of Real Property Tax Services is hereby authorized to correct the 2021 Tax Roll.

Signed: Scudder, Muldowney, Starks, Davis, Vanstrom, Nazzaro, Gould, Niebel, Odell, Harmon (Voted "yes" by Video Conference)

Unanimously Adopted – February 24, 2021

RES. NO. 65-21
Application for Credit of Real Property Taxes for 2021

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

WHEREAS, the Director of Real Property Tax Services has received form RP-554 "Application for Corrected Tax Roll" from the City of Dunkirk Industrial Development Agency (IDA) (PID 79.11-1-10) for correction of a tax liability on the parcel in the amount of $29,979.63, and;

WHEREAS, the Director of Real Property Tax Services has determined that a County Tax was levied on the parcel for the 2021 fiscal year in the amount of $29,979.63, and;

WHEREAS, the Director of Real Property Tax Services has determined that the parcel was subject to a PILOT Agreement with the City of Dunkirk IDA exempt from County Tax and;

WHEREAS, the local assessor made an error in the tax roll by removing the exemption code on the parcel, and;

WHEREAS, in accordance with RES 4-17 the amount of the correction exceeds $2,500, be it further

RESOLVED, That the Director of Real Property Tax Services is hereby authorized to correct the 2021 Tax Roll.

Signed: Scudder, Muldowney, Starks, Davis, Vanstrom, Niebel, Odell (Voted "yes" by Video Conference) (Failed in A.C. with Nazzaro, Gould, Harmon Voting "no")

MOVED by Legislator Bankoski to TABLE, SECONDED by Legislator Muldowney – *Unanimously Carried*

Unanimously Carried to Table Resolution 65-21

TABLED – February 24, 2021

2nd PRIVILEGE OF THE FLOOR

Chairman Chagnon: Kathy, are there any communications received for the second privilege of the floor?

Clerk Tampio: Yes, Mr. Chairman. I've received five letters by email on the 22nd of February. All the letters are identical except for the people who signed them and I'll read off the names and then I'll read the letter itself. These are individual letters submitted by John Proctor, Chuck Restivo, Brian Thompson, Jerry McMaster, and William Lawson and they're all from members of Laborers' Local #621.
"To whom it may concern,

I am a member of Laborers' Local #621 and a resident of Chautauqua County. I'm writing to you today to show my support for the South Ripley Solar Project. Our area needs higher paying, higher skilled jobs like the South Ripley Solar Project would bring, not to mention the significant impact it would have on the community. As the need for alternative energy and clean standards increases, organizations like LiUNA are on the forefront and are prepared to tackle the job. We practice the safest and best work practices out there, assuring that the projects we work on together get done safely and on time. Myself, future generations, and families who have people who work construction need this project. Thank you for your time."

Chairman Chagnon: Thank you Kathy. Anyone else?

MOVED by Legislator Vanstrom, SECONDED by Legislator Gould and duly carried the meeting was adjourned. *(7:23 p.m.)*

Regular Meeting
Chautauqua County Legislature
Meeting was Held Virtually due to Social Distancing Guidelines
And Live Streamed on Social Media
Wednesday, March 24, 2021 6:30 p.m.
Mayville, N.Y. 14757

Chairman Chagnon called the meeting to order at 6:34 p.m.

Clerk Tampio called the roll and announced a quorum present

Legislator Davis delivered the prayer and pledge of allegiance.

MOVED by Legislator Bankoski, SECONDED by Legislator Rankin and duly carried the minutes were approved. (02/24/2021)

1st Privilege of the Floor

Clerk Tampio: I will read the comments for the first privilege of the floor.
"Greetings,

I am writing to express my support for Loren Kent being named Election Commissioner. Mr. Kent offers a wealth of experience and knowledge of local politics and election law. His civic service extends back to his youth, and his service in his church, and he is meticulous and conscientious, in his writing, his employment, and his volunteer work as Secretary of the Democratic Committee, both important traits for this position.

Most importantly, in my opinion, Mr. Kent is deeply ethical. His dedication to the residents of Chautauqua County is proven. I trust that Mr. Kent will uphold election law and will perform every duty in the service of delivering free and fair elections to all voters in the County.

Thank you for your consideration.
Sincerely Yours,
Kristina Benson"

Clerk Tampio: *"Dear Mrs. Tampio and Legislature,*

I am writing to you to express my support on behalf of Loren Kent to become Chautauqua County's next Election Commissioner. I know Loren to be a hardworking, trustworthy, political leader. He is a lifelong Chautauqua County resident and has been an active political leader for years. I know Loren has the experience, organizational skills, and temperament to serve as commissioner. I support Loren Kent 100% and ask that you do the same.
Sincerely,
Phyllis C. Caloren
Chairperson, Town of Ellery"

Clerk Tampio: *"Good evening-*

As a lifelong Democrat and a resident of over 45 years, I have been appalled at the situation regarding the Chautauqua County Democratic Party Election Commissioner. I have followed this situation closely in the newspaper, and I cannot understand why you, the Democratic County Legislators, did not follow the established procedure of appointing the recommended candidate based on the wishes of the majority of the Democratic Party committee. I have not seen a single article or op-ed from any of you that explains why you have decided to nullify the wishes of the majority.

The paper reports that you plan to vote on the appointment of a different candidate at the March 24 meeting (tomorrow). I have not read nor heard any reason why this candidate should go forward over the recommended candidate, Luz Torres. Can you tell me how the candidate you propose to install is better qualified or has more experience than Ms. Torres? Can you explain to me why you have dragged this process out to the point that the previous commissioner (who I assume is out of favor with you) has had to extend his work in this position despite the expiration of his term? Are you able to articulate to your constituents the reasons behind this entire debacle, at a time when the Democratic Party needs to utilize its strongest resources to reverse the decades-long decline we've seen in this county?

Either appoint the most qualified person or tell us why your preferred candidate should get the nod. You owe that to us.
Sincerely,
Wendy S. Dunst
Sheridan, NY"

Clerk Tampio: "*Dear Chautauqua County Legislator,*

It pains me to learn that you have decided to ignore the will of the Democratic party to elect Luz Torres for the position of Election Commissioner, and instead are choosing to install a less qualified person for the position. The members of the committee voted for the most qualified candidate, Ms. Torres. How do you justify installing a less qualified white man over a more qualified Hispanic woman? Please offer a transparent explanation for the decision. You are making a mockery of the democratic process and the Chautauqua County Democratic party.
Respectfully submitted,
Mary Charbonnet
Fredonia, NY"

Clerk Tampio: "*My name is Judy Einach (I-knock). I live at 8 Beckman Avenue in Westfield, NY.*

Several months ago I addressed this body to explain the process that resulted in a tiny weighted vote difference between the only 2 people who were ever voted on by the full Democratic County Committee to be put forward as our recommendation for Election Commissioner. In spite of the generally successful attempt to sway that vote, Loren Kent maintained his position as Party Secretary and was a mere 8 weighted votes shy of winning the recommendation. These 2 factors signal the strength of support for Kent in the face of an attempt to create an impossible obstacle.

Tonight I want to tell you a short story about the Loren Kent I know. Loren is a man who's dedicated his life to the Chautauqua County Democratic Party. From the time he was 8 years old helping his dad circulate petitions to the last 14 months when he's worked tirelessly to achieve a position of senior leadership in the Party, Loren has built a record of achievement.

Loren led the Young Dems when he was a young man and later served, and continues to serve, as an officer of the County Committee. He has watched and learned from different Party Chairs who have taught him the difference between good and not so good leadership and what that means for the 2 Party System in Chautauqua County. From his years of highly respected service on the State Committee, and as a judicial delegate, Loren has developed a vast network of connections few others in our Party can claim. He brings a profound understanding of the role and responsibilities of an Election Commission and enters the position with a familiarity with election law that exceeds that of most other new Commissioners. Over the years Loren has helped more candidates win elections than anyone else I know has. Yet he knows as Election Commissioner he is responsible for safe, fair elections for candidates and voters from every Party or no Party at all. Loren is one of those unique leaders who brings intelligence and understanding of people to leadership. Loren is a person with integrity. As those of us who study leadership know, integrity is the essential characteristic of successful leaders.

Over the last 14 months Loren has been accused of absurd falsehoods from being unqualified, to being a resident of another county, and worse, to being other than an equalist. His response has been a simple rebuttal stating the facts. He has never stooped to the level of his accusers but rather has maintained his dignity, as a good leader does.

Over the years I've known Loren he has become among my very few closest friends. I would trust him with my life. I trust him with and have faith that he will be an outstanding Election Commissioner who elevates the status of the Democratic Party in Chautauqua County and who strengthens the 2 Party System here, which has suffered over the last decade. I am profoundly grateful for the wisdom and courage you, as Legislators, Democrats and Republicans, have shown by advancing Loren Kent for Democratic Election Commissioner. God bless you and God bless the United States of America."

Clerk Tampio: *"To be read to the County Legislature:*
As you gather to consider the appointment of a new Election Commissioner I would like to add my voice to those supporting Loren Kent. He has been active in politics since he was a teenager and has worked on local, county and State committees. I know of no other person as well-versed in election law and local politics. He has demonstrated the ability to positively resolve conflict within and between political parties. Many currently serving in the legislature have benefitted from this ability. Loren has always been committed to encouraging people to be active in political life whether as Democrats, Republicans, or Independents.

Michael Rowe
Deputy Town Supervisor
Town of Ripley"

Clerk Tampio: "*Dear Legislators Starks, Bankoski, Nazzaro, Whitney, and Whitford: First, thank you for putting yourselves out there as legislators and for what no doubt is often a thankless job that involves late night meetings and plenty of work. In addition as legislators in the minority, your job is doubly difficult and I appreciate your efforts in that position.*

I am writing to express concerns after reading an email that Leslie Wylie shared with permission from Legislator Whitney wherein he makes clear that all of you are utilizing what can only be called a misuse and undemocratic use of your power despite that you think that Ms. Torres is qualified for the position, despite that she was voted for and recommended for the position of election commissioner by the county Democratic Party, despite that you think she has a future in the party; but because her boss has " drug her down" whatever that means in real terms. To put it bluntly, your complaints about Norm Green should not be a consideration in your appointment of a new election commissioner.*

You are united in your cause, but your efforts to
conflate this appointment of election commissioner with your concerns about the chairman of the county democratic committee and current election commissioner are damaging to democratic principles, to the all of good Democrats in the county, and to your own stated cause.

Please use your principles and good sense to see that your resolution and use of Ms. Torres as a pawn shows a lack of regard for democracy, for human decency and really in the end will not serve your stated and intended goals.

Regards to you all,
Susan Parker
82 Newton Street
Fredonia NY"

Clerk Tampio: "*Dear Kathy Tampio*
Please ask the legislators of Chautauqua County to confirm Loren Kent as the next election commissioner for Chautauqua County. Loren Kent is knowledgeable, efficient, and experienced. Thank you for your consideration.
Sincerely

Susan Baldwin
Resident/Town of Villenova"

Clerk Tampio: "*Ms. Kathy Tampio, Clerk*
Chautauqua County Legislature (Via email)
RE: Appointment of Democratic Election Commissioner – Privilege of the Floor

Dear Ms. Tampio,

The undersigned respectfully requests that this letter be read to the full Legislature at its March 24, 2021 Meeting and placed in the record of the formal proceedings for the meeting.

The Legislature has a resolution on its Agenda seeking the appointment of the Democratic Election Commissioner. As outlined below, the undersigned oppose consideration of this resolution and or its adoption without fair and transparent consideration of Ms. Luz Torres for the position as Democratic Election Commissioner.

The sponsors of the pending resolution have failed to give consideration to the appointment of Ms. Luz Torres – and aim to gain the cooperation and cover of the full Legislature in their unfair efforts.

The pending resolution should be withdrawn or defeated because it is unfair in its treatment of Ms. Torres; the process employed by these legislators lacks transparency; and the legislators lack honor in this action.

Fairness

The Chautauqua County Democratic Committee put forth a highly qualified experienced person, Luz Torres, a Latina woman, to be the Democratic Election Commissioner for our County.

Initially, she was named in a Chautauqua County Legislature resolution that was adopted unanimously by the Legislature's Administrative Services Committee. The resolution was sent to the full legislature.

Before Ms. Torres's appointment could be voted on, Legislator Christine Starks withdrew the resolution without explanation.

Ms. Torres never got an opportunity for consideration despite her knowledge, experience, and qualifications.

Now, it appears she will never be considered.

In fairness, Ms. Torres should be given the opportunity. She deserves consideration and a vote by the full Legislature.

Transparency

While the five Democratic legislators initially allowed Ms. Torres to be named for appointment as the Democratic election commissioner, they withdrew her name without explanation.

While many have been told that Ms. Torres is the most qualified and that the legislators support her, the legislators have never publicly explained their decision to withdraw her name.

The legislators never publicly explained how they will proceed to name a new commissioner.

And now, the legislators have failed to publicly explain their attempt to rush an appointment other than Ms. Torres. They are now proceeding without a public announcement, without committee consideration, and by cover of a last minute addition of a resolution to the full legislature agenda with only a few days notice.

*Courag**e***

While it is impossible to know all of the motivations for why the Democratic legislators have acted unfairly, and without transparency regarding Ms. Torres, their utter lack of courage to appoint the most qualified person because it is the right thing to do is most damning.

Not one of the five Democratic legislators had or has the courage to say "I'm going to do the right thing".

Not one of the five Democratic legislators has or had the courage to say, "I'm supporting the best candidate who was legally presented to us".

For shame.

May Ms. Torres not be a victim of unfairness, lack of transparency, or lack of courage by Democratic legislators.

May Ms. Luz Torres and the manner in which she has been treated not be forgotten if she falls victim to such unfairness.

We respectfully ask that the resolution be withdrawn or defeated if it is submitted to a vote.

Very truly yours and on behalf of the people named hereafter,

Michael K. Bobseine"

Clerk Tampio: He also asked that I read the names that were signatories on this letter too. Mary Charbonnet, Ada Rosas, Maria Vega, Natalie Luczkowiak, Virginia Jourdanais, Amy Snyder, Stephen Snyder, Sara Dorogi, Marty Bamonto, Rosalia Vega, Richard Morrisroe, Miriam Lugo Alfaro, Joanne Kelley, Edwin Ramos, John Ramos, Maria Ramos, Judi Lutz-Woods, Virginia Harper, Marcus Buchanan, Dr. Joy Bilharz, Phil Collier, Willie Rosas, Ned Divine, Susan Parker, Lisa Mertz, Dr. Susan Royal, Marcia Johnson, Leslie Willie, Linda O'Connell, Lillian Divine, Mary Croxton, Jack Croxton, Diane Ringer. That concludes the communications for the first privilege of the floor.

Chairman Chagnon: Are there any other comments for the first privilege of the floor? Seeing none, Kathy, please take us on through the agenda.

VETO MESSAGES FROM COUNTY EXECUTIVE WENDEL
NO VETOES FROM 02/24/2021

COMMUNICATIONS:

Clerk Tampio: On your agenda you received this evening there are three communications, but I have additions to the communications that I would like to have listed on the agenda this evening.

1. Letter – County Executive Wendel – Appointment to Ethics Board
2. Report – Finance Director Crow – December 2020 Investment Report
3. Report – Finance Director Crow – January 2021 Investment Report
4. March 22, 2021 – County Executive Wendel – Amendments to the Chautauqua County Administrative Code – Re: Article IV, Public Facilities
5. Affidavit of Publication – 30 Day Public Review Period for Chautauqua County Agricultural Districts – Post Journal
6. Affidavit of Publication – 30 Day Public Review Period for Chautauqua County Agricultural Districts – Observer
7. Affidavit of Publication – Legal Notice of Public Hearing – Re: Implementation of Chautauqua County's 2019 Community Development Block Grant Program, "Chautauqua Septics and Wells"

Clerk Tampio: I also have several communications I received today and the majority of them, if not all of them, are regarding the Board of Election Commissioner. They will be entered into our record, but I'm just going to list the name and whether it's a supporter of Luz Torres or Mr. Kent.

8. Patricia W. Lefferts – Fredonia, N.Y. – Support of Ms. Torres
9. Marie T. Carrubba – Jamestown, N.Y. – Support of Loren Kent
10. Nancy Jankowski Kubera – Support of Luz Torres
11. Marion A. Gibbon & Robert Gibbon MD – Lakewood, N.Y. – Support of Loren Kent
12. Susan Baldwin – Villenova, N.Y. – Support of Loren Kent

13. Lynda Albert – Bemus Point, N.Y. – Support of Loren Kent
14. Mary Ellen Decker – Dunkirk, N.Y. – Support of Loren Kent
15. Janet Keefe – Fredonia, N.Y. – Support of Luz Torres
16. Susan T. Westling – Support of Luz Torres
17. Amy Near – Chautauqua County Democratic Committee Member – Support of Loren Kent
18. Donna Higginbotham – Support of Loren Kent
19. Susan E. Conti – Support of Loren Kent
20. Nancy Padak – Lakewood-Busti Democratic Committee – Support of Loren Kent
21. Nancy Boynton – Support of Luz Torres
22. Chris Anderson – Lakewood-Busti Democratic Committee – Support of Loren Kent
23. Tamu Graham-Reinhardt – Jamestown City Council At-Large – Support of Loren Kent
24. Andrew Maggitti – Asks to Table the vote for Election Commissioner
25. Marcia Johnson – Fredonia, N.Y. – Support of Luz Torres
26. Leanna S. McMahon, Ph. D. – Support of Luz Torres
27. Mary Jane Wagner – Support of Luz Torres

Clerk Tampio: That concludes the communications received. If there are any of these items you wish to be read aloud please let me know, if not and you would like a copy, I would be glad to send them out to you.

6:35 P.M. PUBLIC HEARING

REGARDING THE IMPLEMENTATION OF CHAUTAUQUA COUNTY'S 2019 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM, "CHAUTAUQUA SEPTICS AND WELLS", FUNDED BY THE NEW YORK STATE HOMES AND COMMUNITY RENEWAL HOUSING TRUST FUND CORPORATION'S OFFICE OF COMMUNITY RENEWAL

Chairman Chagnon: We will now convene the public hearing. (7:02 p.m.) Kathy, did you receive any communications regarding the public hearing?

Clerk Tampio: I did not.

Chairman Chagnon: O.K. Is anyone here tonight wishing to address the public hearing?

Ms. Ames: There is nobody in person in the Legislative Chambers to address the public hearing.

Chairman Chagnon: Thank you. I will ask one more time, is there anyone wishing to address the public hearing? Hearing none and seeing none, I will now close the public hearing. (7:04 p.m.)

RENEW & AMEND RES 62-21 – Authorizing Public Hearing Regarding a Potential Application for 2021 Community Development Block Grant Funding through the New York State Homes and Community Renewal Housing Trust Fund Corporation's Office of Community Renewal and the Uses of Said Funding

MOVED by Legislator Nazzaro to RENEW, SECONDED by Legislator Bankoski – *Unanimously Carried*

MOVED by Legislator Gould to AMEND, SECONDED by Legislator Vanstrom– *Unanimously Carried*

(Amended to change the Date to April 6, 2021)

Unanimously Adopted as Renewed and Amended – March 24, 2021

MOVED by Legislator Bankoski/SECONDED by Legislator Gould to bring tabled Resolution No. 65-21 Application for Credit of Real Property Taxes for 2021 to the floor.

Unanimously Carried to bring Tabled Resolution 65-21 to the Floor

TABLED RES. NO. 65-21
Application for Credit of Real Property Taxes for 2021

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

WHEREAS, the Director of Real Property Tax Services has received form RP-554 "Application for Corrected Tax Roll" from the City of Dunkirk Industrial Development Agency (IDA) (PID 79.11-1-10) for correction of a tax liability on the parcel in the amount of $29,979.63, and;

WHEREAS, the Director of Real Property Tax Services has determined that a County Tax was levied on the parcel for the 2021 fiscal year in the amount of $29,979.63, and;

WHEREAS, the Director of Real Property Tax Services has determined that the parcel was subject to a PILOT Agreement with the City of Dunkirk IDA exempt from County Tax and;

WHEREAS, the local assessor made an error in the tax roll by removing the exemption code on the parcel, and;

WHEREAS, in accordance with RES 4-17 the amount of the correction exceeds $2,500, be it further

RESOLVED, That the Director of Real Property Tax Services is hereby authorized to correct the 2021 Tax Roll.

Signed: Scudder, Muldowney, Starks, Davis, Vanstrom, Niebel, Odell (Voted "yes" by Video Conference) (Failed in A.C. with Nazzaro, Gould, Harmon Voting "no") (2/24/21 Tabled by Legislature)

MOVED by Legislator Bankoski to TABLE, SECONDED by Legislator Muldowney – *Unanimously Carried*

TABLED – February 24, 2021
MOVED by Legislator Bankoski, SECONDED by Legislator Gould to bring to the floor – *Unanimously Carried to bring Tabled resolution 65-21 to the floor*

Unanimously Adopted – March 24, 2021

RES. NO. 66-21
Confirm Appointment - Chautauqua County Ethics Board

By Administrative Services Committee:
At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, County Executive Paul M. Wendel, Jr. 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 Chautauqua County Ethics Board.

Dr. John Hamels
5996 Welch Hill Road
Ripley, NY 14775
Term Expires 1/31/2024

Signed: Scudder, Muldowney, Starks, Davis, Vanstrom (Voted "yes" by Video Conference)

Unanimously Adopted – March 24, 2021

RES. NO. 67-21
Amend Parks Capital Accounts

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

WHEREAS, the Department of Public Facilities Parks Division is responsible for maintaining and improving parks, overland trails and water trails; and

WHEREAS, the Parks Division has two approved Capital Projects, H.7110.25171 Replace Front Deck Mower (2020) and H7110.25201 John Deere Tractor (2021), for which costs exceed initial budgetary estimates; and

WHEREAS, there are available funds in Capital Project H.7110.25005 Park Capital Improvements to accommodate the additional costs to purchase the equipment; now therefore be it

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changed to the 2021 Adopted budget:

DECREASE APPROPRIATION ACCOUNT:		
H.7110.25002.4	Contractual—Parks, Parks Capital Improvement	$738
INCREASE APPROPRIATION ACCOUNTS:		
H.7110.25171.4	Contractual—Parks, Front Deck Mower (2020)	$486
H.7110.25201.4	Contractual—Parks, John Deere Tractor (2021)	$252
	Total	$738
DECREASE REVENUE ACCOUNT:		
H.7110.25002.R265.2000	Sale of Property/Compensa—Sale of Forest Products	$738

INCREASE REVENUE ACCOUNTS:

H.7110.25171.R265.2000	Sale of Property/Compensa—Sale of Forest Products	$486
H.7110.25201.R265.2000	Sale of Property/Compensa—Sale of Forest Products	$252
	Total	$738

Signed: Hemmer, Scudder, Nazzaro, Gould, Davis, Niebel, Odell, Harmon (Voted "yes" by Video Conference)

Unanimously Adopted – March 24, 2021

RES. NO. 68-21
Authorize Supplemental Agreement No. 1 with NY State DOT for Performance of Federal-Aid Project PIN 5761.82

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

WHEREAS, the project for the replacement of the County Bridge 1082, Foote Ave. over Chadakoin River , BIN 2258390, in the City of Jamestown, Chautauqua County, PIN 5761.82 (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 $285,000, to be borne at the ratio of 80% Federal funds, 15% State Funds and 5% County funds; and

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

WHEREAS, the County of Chautauqua desires to advance the Project by making a commitment of 100% of the Non-Federal share of the costs of the Project PIN 5761.82; and

WHEREAS, the local share is now calculated to increase by $1,250.00 to have an estimated total of $15,000 for the Design and Right of Way phases of the Project; now therefore be it

RESOLVED, that the County Legislature of the County of Chautauqua hereby approves the above-subject Project; and be it further

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

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

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

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

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

INCREASE THE USE OF FUND BALANCE:

A.----.----.878.0000	Reserved Fund Balance—Reserve for Capital	$1,250

; 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 2021 Adopted Budget:

INCREASE APPROPRIATION ACCOUNT:

A.9950.----.9	Interfund Transfers--Transfer to Capital	$1,250

INCREASE CAPITAL APPROPRIATION ACCOUNT:

D.5112.389.4	Contractual--Capital Improvements, Funded Bridge Program	$10,000

INCREASE CAPITAL REVENUE ACCOUNTS:

D.5112.389.R503.1000	Interfund Transfers--Interfund Transfer	$ 1,250
D.5112.389.R458.9002	Federal Aid--Surface Transp Program	$ 8,000
D.5112.389.R358.9003	NYS Aid--Marchiselli Funds	$ 750
	Total	$10,000

Signed: Hemmer, Scudder, Nazzaro, Gould, Davis, Niebel, Odell, Harmon (Voted “yes” by Video Conference)

Unanimously Adopted – March 24, 2021

RES. NO. 69-21
Vehicle Loan Agreement – E2CCB

By Public Safety Committee:
At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, the County is the owner of a 2016 Chevrolet Impala bearing VIN 2G1WD5E33G1157348, (hereinafter the “Vehicle”) that was previously used as a law enforcement vehicle; and

WHEREAS, the Vehicle is no longer suitable for daily road patrol duties and County is willing to loan the Vehicle to BOCES for use by students in BOCES’s Criminal Justice Program at the Hewes Educational Center located at 2615 N. Maple Avenue, Ashville, NY 14710; and

WHEREAS, BOCES is willing to borrow the Vehicle from the County for educational use with and by the students in its Criminal Justice Program reference above; and

WHEREAS, there is no cost for the use of this vehicle except for repairs and maintenance, which will be paid by BOCES during the continuance of this loan; now therefore be it

RESOLVED, That the County Executive is authorized to execute all necessary documents to effect the loan of the subject police car to BOCES for educational purposes.

Signed: Niebel, Pavlock, Bankoski, Whitford, Hemmer (Voted "yes" by Video Conference)

Unanimously Adopted – March 24, 2021

RES. NO. 70-21
Adoption and Certification of New York State Police Reform and Reinvention Collaborative Plan

By Public Safety Committee:
At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, New York State issued Executive Order 203 on June 12, 2020, requiring each local government in the State to adopt a policing reform plan by April 1, 2021; and

WHEREAS, the Sheriff's Office has over the past several months distributed written surveys and reached out to many diverse community stakeholders to develop the draft plan; and

WHEREAS, while many of the elements of the draft plan were already underway, or were existing policies of the Sheriff's Office, the community input process provided an opportunity for broad introspection and review; and

WHEREAS, the draft plan has been made available both on-line and in local libraries, with written comments to be submitted by email, regular mail, or by hand delivery to the Sheriff's Office, and the holding of five (5) virtual public sessions conducted during March, so that members of the community could learn more about the plan and provide comment; now therefore be it

RESOLVED, That after consideration of the foregoing community input and comment, the Chautauqua County Legislature hereby approves the Chautauqua County Sheriff's Police Reform and Reinvention Collaborative Plan on file with the Clerk of the County Legislature; and be it further

RESOLVED, That the County Executive is hereby authorized to execute the New York State Police Reform and Reinvention Collaborative Plan Certification.

Signed: Niebel, Pavlock, Bankoski, Whitford, Hemmer (Voted "yes" by Video Conference)

Unanimously Adopted – March 24, 2021

RES. NO. 71-21
Amend 2021 Budget for Grant Expenses – Office of the Sheriff

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

WHEREAS, purchase orders for grant-funded equipment were prepared in 2020 for the Office of the Sheriff, but the purchases were not completed in 2020; and

WHEREAS, the 2020 budget for the equipment was encumbered so it automatically rolled forward into the 2021 budget; and

WHEREAS, the budget that was rolled forward into 2021 is not in the correct department because the department numbers on the 2020 purchase orders do not align with departmental accounting methods implemented in 2021; now therefore be it

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2021 Adopted Budget:

DECREASE APPROPRIATION ACCOUNT:

A.3020.PSCN.2	Equipment - Publ Safety Communication - Pub Sfty Communications	$86,096

INCREASE APPROPRIATION ACCOUNT:

A.3110.GRNT.2	Equipment - Sheriff - Sheriff Grants	$86,096

Signed: Niebel, Pavlock, Bankoski, Whitford, Hemmer, Nazzaro, Gould, Odell, Harmon (Voted "yes" by Video Conference)

Unanimously Adopted – March 24, 2021

RES. NO. 72-21
Amend 2021 Budget for Capital Project: Jail Upgrades

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

WHEREAS, the County established a capital project for Jail Upgrades in 2017; and

WHEREAS, the total project expenses will exceed initial budgetary estimates due to additional installation requirements; and

WHEREAS, the Roof Replacement Capital Project has a surplus; therefore be it

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2021 Adopted Budget:

INCREASE CAPITAL REVENUE ACCOUNT:

H.3150.06963.R503.1000	Interfund Transfer – Interfund Transfer	$3,065

INCREASE CAPITAL APPROPRIATION ACCOUNT:

H.3150.06963.4	Contractual—Jail, Jail Upgrades (2017)	$3,065

DECREASE CAPITAL REVENUE ACCOUNT:

H.3110.06003.R503.1000	Interfund Transfer – Interfund Transfer	$3,065

DECREASE CAPITAL APPROPRIATION ACCOUNT:
H.3110.06003.4 Contractual—Sheriff, Roof Replacement (2019) $3,065

Signed: Niebel, Pavlock, Bankoski, Whitford, Hemmer, Nazzaro, Gould, Odell, Harmon (Voted "yes" by Video Conference)
Unanimously Adopted – March 24, 2021

RES. NO. 73-21
Amend 2020 Budget for Year End Reconciliations – Additional Adjustments for Various Departments

By Audit & Control Committee:
At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, some departmental expenses have exceeded initial budgetary estimates, primarily due to the final reconciliation of health insurance charges to departments, as well as some appropriations have a surplus; and

WHEREAS, some departments have received revenues in excess of budget, or require other adjustments to their revenue budgets; now therefore be it

RESOLVED, That A Fund Balance is appropriated at follows:

DECREASE THE USE OF FUND BALANCES:

A.----.-----.878.0000	Reserved Fund Balance--Reserve for Capital	$41,332
A.----.-----.889.WATR	Reserved Fund Balance--Misc Res: Lakes & Watrway	$13,250
	Total	$54,582

;and be it further

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2020 Adopted Budget:

INCREASE APPROPRIATION ACCOUNTS:

A.1040.----.8	Employee Benefits - Clerk, Legislative Board	$4,102
A.1165.----.8	Employee Benefits - District Attorney	$10,767
A.1165.1169.4	Contractual - District Attorney, Crime Victims	$1
A.1165.1169.8	Employee Benefits - District Attorney, Crime Victims	$3,061
A.1185.----.8	Employee Benefits - Med Examiners & Coroners	$777
A.1230.----.8	Employee Benefits - County Executive	$2,380
A.1310.----.8	Employee Benefits - Department of Finance	$11,785
A.1410.----.8	Employee Benefits - County Clerk	$5,014
A.1410.1411.8	Employee Benefits - County Clerk, Motor Vehicles	$14,390
A.1420.----.1	Personal Services - County Attorney	$1
A.1420.----.8	Personal Services - County Attorney	$3,313
A.1430.----.8	Employee Benefits - Human Resources	$7,695

A.1430.BENE.8	Employee Benefits - Human Resources, Health Insurance Benefits	$1,981
A.1430.COEM.8	Employee Benefits - Human Resources, Countywide Employee Exps	$917
A.1440.----.8	Employee Benefits - Engineers	$4,971
A.1460.----.8	Employee Benefits - Records Management	$1,275
A.1610.----.8	Employee Benefits - Office Services	$2,280
A.1620.----.8	Employee Benefits - Buildings & Grounds	$14,738
A.1650.----.8	Employee Benefits - Communications System	$292
A.1710.----.8	Employee Benefits - Insurance Administration	$3,214
A.1989.----.8	Employee Benefits - Tax Rolls Maint & Process	$691
A.2490.----.4	Contractual - Community College Tuition	$3,610
A.3010.----.8	Employee Benefits - Emergency Services	$1,708
A.3020.DISP.8	Employee Benefits - Publ Safety Communication, Consolidated Dispatching	$19,780
A.3020.TECH.8	Employee Benefits - Publ Safety Communication, Technical Services	$4,742
A.3110.----.4	Contractual - Sheriff	$2,294
A.3110.----.8	Employee Benefits - Sheriff	$40,696
A.3110.3114.8	Employee Benefits - Sheriff, Pistol Permit	$1,275
A.3150.----.8	Employee Benefits - Jail	$84,085
A.3189.3112.8	Employee Benefits - Other Law Enforcement, Snowmobile	$605
A.3989.----.8	Employee Benefits - Emergency Medical Service	$825
A.3989.EMS.8	Employee Benefits - Emergency Medical Service, Fly Car & Ambulance Services	$8,642
A.4010.NURS.1	Personal Services - Public Health Admin, Nursing	$21,403
A.4010.NURS.8	Employee Benefits - Public Health Admin, Nursing	$29,311
A.4017.JAIL.8	Employee Benefits - Clinics, Jail	$5,235
A.4059.----.8	Employee Benefits - Early Intervention	$3,786
A.4090.----.8	Employee Benefits - Environmental Health	$14,334
A.5610.5610.8	Employee Benefits - Chautauqua County Airport, Jamestown Airport	$2,363
A.5630.5625.8	Employee Benefits - Bus Operations, CARTS	$13,788
A.6010.----.8	Employee Benefits - Social Services Admin	$144,994
A.6420.----.1	Personal Services - Promotion of Industry	$675
A.6510.----.8	Employee Benefits - Veterans Service Agency	$1,320
A.6610.----.8	Employee Benefits - Weights & Measures	$918
A.7710.----.8	Employee Benefits - Parks	$1,946
A.8020.WTRS.8	Employee Benefits - Planning, Watershed Administration	$1,398

D.5010.----.8	Employee Benefits - Public Facilities Administration	$3,732
D.5110.----.8	Employee Benefits - Maintenance of Roads	$10,666
DM.5130.----.8	Employee Benefits - Road Machinery	$12,957
EL.8160.6000.8	Employee Benefits - Environment, Closed Landfills	$3,179
EL.8160.7000.8	Employee Benefits - Environment, Recycling	$16,493
EL.8189.----.8	Employee Benefits - Oth Env, House Haz Waste	$114
ESN.8120.8122.8	Employee Benefits - Sanitary Sewers, Sanitary Sewers	$4,165
ESP.8120.8124.8	Employee Benefits - Sanitary Sewers, Sanitary Sewers	$971
ESS.8130.----.8	Employee Benefits - Sewage Treatment	$28,646
EW.8310.----.8	Employee Benefits - Water District	$302
EWN.8310.----.8	Employee Benefits - Water District	~~$562~~**$582**
H.8020.674.4	Contractual - Planning, Chaut Lake Managemnt Comm (2008)	$692 ~~$594,942~~
	Total	**$594,962**

DECREASE APPROPRIATION ACCOUNTS:

A.1040.----.4	Contractual - Clerk, Legislative Board	$4,102
A.1185.----.4	Contractual - Med Examiners & Coroners	$777
A.1230.----.4	Contractual - County Executive	$2,380
A.1310.----.4	Contractual - Department of Finance	$15,690
A.1420.----.4	Contractual - County Attorney	$252
A.1680.----.4	Contractual - Information Technology	$11,657
A.3010.----.4	Contractual - Emergency Services	$1,708
A.3110.----.1	Personal Services - Sheriff	$25,967
A.3110.3114.4	Contractual - Sheriff, Pistol Permit	$1,275
A.3189.3112.4	Contractual - Other Law Enforcement, Snowmobile	$605
A.3989.EMS.1	Personal Services - Emergency Medical Service, Fly Car & Ambulance Services	$40,474
A.3989.EMS.4	Contractual - Emergency Medical Service, Fly Car & Ambulance Services	$16,593
A.4010.NURS.4	Contractual - Public Health Admin, Nursing	$50,714
A.4059.----.4	Contractual - Early Intervention	$3,786
A.4090.----.4	Contractual - Environmental Health	$14,334
A.5610.5610.1	Personal Services - Chautauqua County Airport, Jamestown Airport	$3,849
A.5610.5612.8	Employee Benefits - Chautauqua County Airport, Dunkirk Airport	$13,243
A.5630.5625.4	Contractual - Bus Operations, CARTS	$13,788
A.6010.----.1	Personal Services - Social Services Admin	$150,229
A.6420.----.4	Contractual - Promotion of Industry	$675
A.6510.----.4	Contractual - Veterans Service Agency	$1,320

A.7110.----.2	Equipment - Parks	$3,200
A.7110.----.4	Contractual - Parks	$1,477
A.8020.WTRS.1	Personal Services - Planning, Watershed Administration	$1,398
A.9950.----.9	Interfund Transfers - Transfer to Capital	$54,582
D.5110.----.4	Contractual - Maintenance of Roads	$14,398
DM.5130.----.4	Contractual - Road Machinery	$12,957
EL.8160.1000.8	Employee Benefits - Environment, Landfill	$104,758
ESN.8110.8112.8	Employee Benefits - Administration, Administration	$4,165
ESP.8120.8124.4	Contractual - Sanitary, Sanitary	$971
ESS.8110.----.8	Employee Benefits - Administration	$28,646
EW.8310.----.4	Contractual - Water District	$302
EWN.8310.----.4	Contractual - Water District	~~$562~~**$582**
H.3410.510.4	Contractual - Basic Fire Academy, Training Center Enhance (1990)	$85,177
H.7110.25002.4	Contractual - Parks, Parks Capital Improvements (2018)	$36,500
H.8020.37988.4	Contractual - Planning, Lkwd-Busti Stormwater Mgmt (2017)	$13,250
H.8020.37001.4	Contractual - Planning, Mayville Stormwater Study (2018)	$692
		~~$736,453~~
	Total	**$736,473**

INCREASE REVENUE ACCOUNTS:

A.1310.9999.R111.0000	Non Property Tax Items-Sales Tax	$52,691
A.3150.----.R226.0MHS	Shared Services-Chrgs: Oth Gov - Marsh Hous	$125,630
A.5610.5610.R177.0000	Departmental Income-Fees & Rental: Airport	$2,249
H.3410.510.R265.0000	Sale of Property/Compsa-Sale of Scrap	$655
H.3410.510.R277.0004	Miscellaneous-Other Uncl: Refund Rebate	$904
H.5630.25886.R359.7000	New York State Aid-Transp Capital	$13,800
H.6010.31001.R503.1000	Interfund Transfers-Interfund Transfer	$17,387
H.8020.674.R503.1000	Interfund Transfers-Interfund Transfer	$692
	Total	$214,008

DECREASE REVENUE ACCOUNTS:

EL.8160.1000.R237.6000	Shared Services-CHRGS: OCC MUNICIPAL	$84,972
A.3989.EMS.R266.5000	Sale of Property/Compensa-Sale of Equipment	$47,600
H.3410.510.R226.0001	Shared Services-Chrgs: Oth Gov-JCC Reimb	$809
H.3410.510.R339.7000	New York State Aid-Public Safety Capital	$41,008
H.3410.510.R503.1000	Interfund Transfers-Interfund Transfer	$44,919
H.5630.25886.R503.1000	Interfund Transfers-Interfund Transfer	$13,800
H.6010.31001.R368.9001	New York State Aid-Soc Srvcs Capital Funding	$9,670

H.6010.31001.R468.9001	Federal Aid-Soc Srvcs Capital Funding	$7,717
H.7110.25002.R265.2000	Sale of Property/Compsa-Sale of Forest Products	$36,500
H.8020.37988.R503.1000	Interfund Transfers-Interfund Transfer	$13,250
H.8020.37001.R503.1000	Interfund Transfers-Interfund Transfer	$692
	Total	$300,937

Signed: Nazzaro, Gould, Niebel, Odell, Harmon (Voted "yes" by Video Conference)
MOVED by Legislator Nazzaro to AMEND, SECONDED by Legislator Vanstrom– *Unanimously Carried*

Unanimously Carried to Amend Resolution 73-21by strikethrough and correction of numbers

Unanimously Adopted as Amended – March 24, 2021

RES. NO.74-21
Authorize Grant Application for 2021 Community Development Block Grant Funding through the New York State Office of Community Renewal – Septic and Wells Program

By Human Services Committee:
At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, the County desires to submit a 2021 Community Development Block Grant (CDBG) application to the New York State Office of Community Renewal seeking $224,950.00 for a private water and wastewater assistance project (the Project), designed to assist low and moderate income persons with repair and replacement of their water and wastewater systems; and

WHEREAS, pursuant to Resolution 62-21 the Chautauqua County Legislature held a public hearing to obtain public input relevant to the proposed Project; and

WHEREAS, the Project grant application, due on April 9, 2021, requires the applicant to certify that the governing body has authorized and directed certain actions by a designated representative of the County; therefore be it

RESOLVED, That Director of Health and Human Services, Christine Schuyler, is hereby designated as the official representative of the County to act in connection with the submission of this CDBG Project application; and be it further

RESOLVED, That the Director of Health and Human Services is authorized and directed to submit a Project application for CDBG funding and all understandings and assurances contained therein, and to provide such additional information as may be required; and be it further

RESOLVED, That the County Executive is authorized to execute any agreements and associated documents necessary to receive such funding.

Signed: Pavlock; Voted "yes" by Video Conference: Rankin, Whitford, Whitney, Lawton

MOVED by Legislator Vanstrom to TABLE, SECONDED by Legislator Bankoski –
Unanimously Carried
TABLED – March 24, 2021

RES. NO. 75-21
Authorizing Public Hearing Regarding a Potential Application for 2021 Community Development Block Grant

By Planning & Economic Development Committee:
At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, the County wishes to assess the advisability of submitting a Community Development Block Grant ("CDBG") application to the New York State Office of Community Renewal ("OCR") for a grant to implement a microenterprise assistance program; and

WHEREAS**,** the County is required prior to submitting an application for CDBG funding to hold a public hearing pursuant to 24 CFR §§ 570.431 and 570.486 to provide information to the public on the CDBG program and the proposed project, and to accept public comments regarding community needs; now therefore be it

RESOLVED, That the Chautauqua County Legislature shall hold a public hearing for the aforementioned purposes during the regular meeting of the County Legislature on April 28, 2021, at 6:35 p.m. in the Legislative Chambers, Gerace Office Building, Mayville, New York, where all interested parties shall be heard regarding the proposed CDBG funding application; and be it further

RESOLVED, That at least eight (8) days' notice of such hearing shall be given by the Clerk of the Legislature by the due posting thereof in the Gerace Office Building and on the County's website, and by publishing such notice at least once in the official newspaper of the County.

Signed: Odell, Starks, Muldowney, Harmon, Ward, Rankin, Lawton (Voted "yes" by Video Conference)

Unanimously Adopted – March 24, 2021

RES. NO. 76-21
Close Capital Projects – 2020 Year End Reconciliation

By Audit & Control Committee:
At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, the following capital projects have been completed and can be closed:

H-1680-636	INFORMATION TECHNOLOGY-TELEPHONE SYSTEM UPGRADE (2006)
H-3410-510	BASIC FIRE ACADEMY-TRAINING CENTER ENHANCE (1990)
H-5610-25813	CHAUTAUQUA COUNTY AIRPORT-REHAB TAXIWAY F - JMST (2015)
H-8020-37001	PLANNING-MAYVILLE SORMWATER STUDY (2018)
H-8020-37988	PLANNING-LKWD-BUSTI STORMWATER MGMT (2017)

; now therefore be it

RESOLVED, That the Director of Finance close the capital projects listed above, and reconcile, post adjustments and begin capitalization as necessary; and be it further

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

Signed: Nazzaro, Gould, Niebel, Odell, Harmon (Voted "yes" by Video Conference)

Unanimously Adopted – March 24, 2021

RES. NO. 77-21
Authorization for Receipt of Bids and Offers via Electronic Submission

By Administrative Services Committee:
At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, New York State General Municipal Law §103(1) authorizes the County to receive sealed bids and sealed offers via electronic submission, provided receipt in such a manner is authorized by legislative resolution; and

WHEREAS, this provision does not apply to purchase contracts necessary for the completion of a public works contract pursuant to Article 8 of New York State Labor Law; and

WHEREAS, electronic receipt of sealed bids and offers will be convenient for those interested in providing goods and services for the County and may enhance competition; now therefore be it

RESOLVED, That receipt of electronically submitted sealed bids and sealed offers, including electronic receipt of statements of non-collusion required by General Municipal Law, is hereby authorized, with the exception of bids and offers pertaining to public works subject to Article 8 of New York State Labor Law; and be it further

RESOLVED, That bids and offers submitted in an electronic format be transmitted by bidders and offerers to the receiving device designated by the County's Director of Finance; and be it further

RESOLVED, That the method used to receive electronic bids and offers comply with State Technology Law Article 3 and rules and regulations promulgated thereunder, including regulations found at 9 NYCRR Part 540, and that NYS Office of Information Technology Services' Electronic Signatures and Records Act guidelines be considered; and be it further

RESOLVED, That at a minimum, the method used to track electronic bids (a) document the time and date of receipt of each bid and offer received electronically; (b) authenticate the identity of the sender; (c) ensure the security of the information transmitted; and (d) ensure the confidentiality of the bid or offer until the time and date established for the opening of bids or offers; and be it further

RESOLVED, That submission in electronic format may, for technology contracts only, be required as the sole method for the submission of bids and offers.

Signed: Scudder, Muldowney, Starks, Davis, Vanstrom (Voted "yes" by Video Conference)

Unanimously Adopted – March 24, 2021

RES. NO. 78-21
Extend 2020 Tax Foreclosure Redemption Date

By Administrative Services Committee:
At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, pursuant to Article 11 of the Real Property Tax Law, the redemption date in a tax foreclosure proceeding is the last day a property owner can redeem a property by paying the delinquent taxes, and also the last day a property owner may file an answer in the tax foreclosure proceeding; and

WHEREAS, due to the COVID-19 crisis, the County previously extended the 2020 tax foreclosure redemption date from April 15, 2020 to April 15, 2021, in order to afford additional time for property owners affected by the pandemic to redeem their foreclosed property; and

WHEREAS, on December 28, 2020, the Governor signed the COVID-19 Emergency Eviction and Foreclosure Prevention Act of 2020 (the "Act"), which provided further limitations on foreclosure actions through May 1, 2021; and

WHEREAS, as a result of the Act, it is now appropriate to further extend the 2020 tax foreclosure redemption date to a date later than May 1, 2021; now therefore be it

RESOLVED, That the Chautauqua County Legislature hereby designates Friday, June 18, 2021, as the extended redemption date in the County's annual tax foreclosure for 2020.

Signed: Scudder, Muldowney, Starks, Davis, Vanstrom (Voted "yes" by Video Conference)

Unanimously Adopted – March 24, 2021

RES. NO. 79-21
Application for Credit of Real Property Taxes for 2021

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

WHEREAS, the Director of Real Property Tax Services has received form RP-554 "Application for Corrected Tax Roll" from Daniel Davies (PID 420.19-1-43) for correction of a tax liability on the parcel in the amount of $7,675.73, and;

WHEREAS, the Director of Real Property Tax Services has determined that a County Tax was levied on the parcel for the 2021 fiscal year in the amount of $7,748.90, inclusive of a relevied School Tax of $4,862.01, and;

WHEREAS, the local assessor made an error in the tax roll by prematurely removing an exemption code on the parcel, and;
WHEREAS, in accordance with RES 4-17 the amount of the correction exceeds $2,500, be it further

RESOLVED, That the Director of Real Property Tax Services is hereby authorized to correct the 2021 Tax Roll.

Signed: Scudder, Muldowney, Starks, Davis, Vanstrom, Nazzaro, Gould, Niebel, Odell, Harmon (Voted "yes" by Video Conference)

Unanimously Adopted – March 24, 2021

RES. NO. 80-21
Appointment – Loren T. Kent (D) Commissioner of Elections

At the Request of Legislators Nazzaro, Bankoski, Whitford, Starks, and Whitney, being all of the members of the County Legislature who are members of the Democratic Party

WHEREAS, on October 6, 2020, the Chair of the Democratic County Committee of the County of Chautauqua filed with the Clerk of the County Legislature a certificate recommending Luz Torres for appointment to the office of Commissioner of Elections for a term beginning January 1, 2021, and neither the Chautauqua County Legislature, nor the members of the County Legislature who are members of the Democratic Party, appointed Luz Torres to the office of Commissioner of Elections; and

WHEREAS, on December 30, 2020, and January 4, 2021, the Chair of the Democratic County Committee of the County of Chautauqua filed with the Clerk of the County Legislature certificates recommending Norman P. Green for appointment to the office of Commissioner of Elections for a term beginning January 1, 2021, and neither the Chautauqua County Legislature, nor the members of the County Legislature who are members of the Democratic Party, appointed Norman P. Green to the office of Commissioner of Elections; and

WHEREAS, in the matter of *Wood v. County of Cortland*, 23 Misc. 3d 913 (2009), the New York Supreme Court for Cortland County held that there is no statutory authority under New York Election Law Section 3-204 for a party county committee to file a third certificate of recommendation, and that the filing of a third certificate is of no effect; and

WHEREAS, county commissioners of elections are appointed officers of a local government, and pursuant to Section 1(b) of Article IX of the New York State Constitution, all appointed local officers shall only be appointed by officers of the local government, and

WHEREAS, in furtherance of Section 1(b) of Article IX of the New York State Constitution, New York Election Law Section 3-204 provides that commissioners of election may only be appointed by the county legislative body, or by members of the legislative body who are members of the same party as the commissioner being appointed; therefore be it

RESOLVED, that the Chautauqua County Legislature, and the members of the County Legislature who are members of the Democratic Party, hereby appoint Loren T. Kent as Democratic Commissioner of Elections for the County of Chautauqua for the remainder of the term of four (4) years that commenced January 1, 2021, and ending December 31, 2024, at the salary provided in Local Law 3-98 increased in conformity with the increases provided for County Managers under the Management Salary Plan; and be it further

RESOLVED, that the appointment of Loren T. Kent as set forth above, approved by a roll-call vote of the Chautauqua County Legislature, including all of the members of the County Legislature who are members of the Democratic Party, is intended to constitute separate and concurrent resolutions of appointment by both the Chautauqua County Legislature acting as a whole, and by the members of the County Legislature who are members of the Democratic Party, acting as a caucus.

RESOLVED, that the certificate of appointment of Loren T. Kent as Democratic Commissioner of Elections for the County of Chautauqua, will not be filed with the Chautauqua County Clerk until further order of the New York State Supreme Court, as provided in the Order of Honorable Lynn W. Keane, Justice of the Supreme Court, dated March 24, 2021.

Signed: Nazzaro, Bankoski, Whitford, Starks, Whitney (Virtual Signatures)

MOVED by Legislator Nazzaro to AMEND, SECONDED by Legislator Bankoski– *Unanimously Carried (Amended to add Resolved clause shown by underline)*

R/C Vote: 16 Yes; 3 No – w/ Legislators Hemmer, Scudder and Ward voting "No"
Adopted as Amended – March 24, 2021

MOVED by Legislator Nazzaro/SECONDED by Legislator Bankoski to bring Emergency Resolution No. 81-21 to the floor -*Unanimously Carried*

EMERGENCY RES. NO. 81-21
Authorize Grant Agreement with the New York State Department of Environmental Conservation for the South Chautauqua Lake West Side Sewer Extension

At the Request of Legislative Chairman Pierre E. Chagnon:

WHEREAS, Chautauqua County's South Chautauqua Lake Sewer District is extending District infrastructure in order to serve properties on the west side of Chautauqua Lake; and

WHEREAS, the County of Chautauqua has been awarded a five million dollar ($5,000,000) Water Quality Improvement Project (WQIP) Grant from the New York State Department of Environmental Conservation (DEC), to be used for this project; and

WHEREAS, the County has project funds available to meet the one million two hundred fifty thousand dollar ($1,250,000) match required for this grant; and

WHEREAS, the County may apply for additional DEC grant funding when it pursues a second phase of this west side infrastructure extension project; now therefore be it

RESOLVED, That the County of Chautauqua accepts this DEC grant funding, and accepts any additional DEC WQIP grant funding which may be awarded for the second phase of this project and for which matching fund requirements can be met; and be it further

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

Unanimously Adopted – March 24, 2021

2nd PRIVILEGE OF THE FLOOR

Chairman Chagnon: Kathy, are there any communications received for the second privilege of the floor?

Clerk Tampio: Yes there are, Mr. Chairman. I have three of them. This is submitted by Karen Engstrom of Mayville, New York.

"*Two points to consider:*

- *Point 1 -- Niagara County legislators propose a solar recycling mandate bill.*

The bill, proposed by Niagara County Legislator Dave Godfrey, proposes a local law that requires solar panel manufacturers to finance the recovery and recycling of any of their solar panels installed in Niagara County.
Legislator Godfrey said, "We are doing everything we can to battle against Gov. Cuomo's efforts to strip away local decision-making on where these green energy projects can be located in Niagara County. But we need to be prepared to protect our community from becoming a depository for spent solar panels that contain hazardous waste even for solar projects that enjoy the support from local residents."
"The lack of action by New York State is the reason we are being proactive in passing a local law for Niagara County," Godfrey said. A similar plan was adopted by the state of Washington.
Godfrey said. "There are solar projects being proposed all across Niagara County with zero plan for recycling. This law will stop that. We will make every solar developer and manufacturer acknowledge this financial responsibility on their end and, if that makes them decide not to come here, well we're OK with that, too."

- *Point 2 -- Forbes Magazine, recently stated utility solar at this latitude*

– 42 degrees north – falls below the "economically viable threshold".
Forbes author Robert Bryce explains the energy industry standard that measures energy efficiency is called "Energy Returned on Energy Invested " (ERoEI).
The energy expended to manufacture, transport, install and decommission utility scale solar EXCEDES the amount of energy utility solar can produce in the lifetime of a solar project in New York State.
The December 2020 article quoted is titled "Why Is Solar Energy Getting 250 Times More Federal Tax Credits Than Nuclear?" http://robertbryce.com/why-is-solar-energy-getting-250-times-more-in-federal-tax-credits-than-nuclear/
Thank You, Karen Engstrom, Mayville New York:

Clerk Tampio: This comes from Joni Riggle of Sinclairville, New York.
"*Dear Legislators,*

I fully support Karen Engstrom's letter proposing the adoption of a solar module recycling mandate. Of significant concern, NYSERDA admits there is still no viable recycling for end- of- life solar panels. I received the following email from NYSERDA/NY SUN regarding this.
From: Mace, Frank W (NYSERDA) Sent: Tuesday, March 27, 2018 9:05 AM To: rigglejoni@gmail.com
Cc: Neligan, Alison L (NYSERDA)
There are a couple of items in your question that we need to address. The first is the question of recycling solar modules (panels). Because of the long useful life, there is not currently a large enough waste stream to consider recycling a viable option today. The waste stream is not expected to occur for another 20 to 25 years. NYS DEC is already considering what that will look like and what measures will need to be in place to take care of that. However, without a waste stream, recycling will remain in the planning stage. That does not mean that we should not plan for the eventual decommissioning of these systems.
NYSERDA as part of the NY-Sun program provides technical assistance and guidance to local governments, the "Guidebook" has a specific chapter relating to decommissioning.
Thank you for your thoughtful consideration in this matter!"

Clerk Tampio: I have one more. This comes from Robert and Katherine Galbraith of Ripley/Westfield.

"*The Politics Are Way Ahead of the Science, or New York State Energy Policy, Texas Style The irony is inescapable. ConnectGen, a Texas LLC, is proposing to develop 1,500-2,000 acres of Agricultural and Forested land for the South Ripley Solar Project. Last month, Texas was hit with massive power outages precipitated by an unrealistic energy policy that was too dependent on intermittent power generation from wind and solar. New York State is recklessly heading down the same "Green Energy" path as Texas, where a faulty renewable energy policy added up to power outages and rolling blackouts. Texas suffered severe, sometimes tragic, results. Considering this, it is appropriate for our elected officials to reconsider New York's energy plans. Given the recent revelations of Governor Cuomo's actions, it brings into question his policies on renewable energy. Let's look at the facts: • Our state, our businesses, our homes, our country, cannot rely on intermittent power. We need a steady, sustained source of power - which we currently have with our hydroelectric (70%) and nuclear (no CO2 emissions) power sources. • New York State, and Chautauqua County in particular, have the worst solar insolation in the country. • The only reason the state is being overrun by solar developers is the Federal and New York state overly generous tax credits, subsidies, and advanced depreciation, "Green Energy" credits, enhanced electricity rates, and local tax abatements. These actions have nothing to do with good environmental stewardship. • The South Ripley Solar Project capacity is 270 megawatts, but given the efficiency of the panels of 14%, real output will be in the area of 34 megawatts, while sacrificing 1,500-2,000 acres of agricultural and forested land. • Solar panels are typically manufactured in China, and are composed of rare earth elements and other materials known to be toxic. They are also known to be coated with an anti-glare compound called perfluoroalkyl (PFAS) substances which is toxic and cannot be broken down. • Currently there is no way to recycle solar panels. Once they reach their life expectancy, they will be tossed into a landfill. • Decommissioning plans and funding remain a major concern, the possibility being the taxpayers are left holding the bag to decommission these projects. • The newly formed State Office of Renewable Energy Siting, or ORES, has just issued regulations called Section 94-C, which overhauls the state's large scale renewable siting processes. This fast tracks all NY State's renewable energy projects. 94-C moves these projects to a centralized, closed, decision making process, bypassing local government input. • Our rights as citizens have been severely curtailed by this new policy. • Our counties and our towns are the last line of defense against the onslaught of these solar developers. We still have options to control the outcome and protect ourselves and the environment by passing sensible, fair, and comprehensive zoning laws. Ripley currently has their draft law out for comment, which will hopefully be adopted soon.• We request that the Chautauqua County Industrial Development Agency (CCIDA), carefully consider their positions on Payment In Lieu of Taxes (PILOT) on proposed solar and wind projects. Consider, not only the financial ramifications, but also the impact these projects will have on the health and safety of our communities and our environment. Without any checks and balances provided on the county and local levels, the solar industry will proliferate throughout Chautauqua County and our neighboring counties, turning our green farmland and forests into wastelands. • We urge the County Legislature to pass a No-PILOT resolution and send it to the Chautauqua County IDA. We cannot sit by and watch our beautiful farmland, animal habitats, and verdant forests destroyed in the name of "Green Energy.*

Robert and Katherine Galbraith
Ripley/Westfield"

MOVED by Legislator Gould, SECONDED by Legislator Scudder meeting was adjourned with Legislator Vanstrom voting "no". *(7:51 p.m.)*

Regular Meeting
Chautauqua County Legislature
Meeting was Held Virtually due to Social Distancing Guidelines
And Live Streamed on Social Media
Wednesday, April 28, 2021 6:30 p.m.
Mayville, N.Y. 14757

Chairman Chagnon called the meeting to order at 6:31 p.m.

Clerk Tampio called the roll and announced a quorum present

Legislator Harmon delivered the prayer and pledge of allegiance.

1st Privilege of the Floor

Chairman Chagnon: Kathy, were there any communications received for the first privilege of the floor?

Clerk Tampio: I have not received any communications by mail or email, however as Olivia said, we have members of the public in Chambers, so I'm not sure if they are here to speak to the first privilege of the floor.

Chairman Chagnon: Olivia, are the members in the Chambers here to speak to the first privilege of the floor?

Ms. Ames: They are all here to speak at the second privilege of the floor.

Chairman Chagnon: O.K.

Legislator Scudder: Mr. Chairman? I believe we skipped the approval of the minutes.

Chairman Chagnon: Thank you Mr. Scudder. So, Olivia, I believe you confirmed that no one in Chambers wishes to address the first privilege of the floor?

Ms. Ames: That's correct.

Chairman Chagnon: O.K., then we will back up to the approval of the minutes of the regular County Legislature meeting on March 24th and the minutes of the special meeting of the Legislature on April 6th.

MOVED by Legislator Bankoski, SECONDED by Legislator Rankin and duly carried the minutes were approved. (03/24/2021 & 04/06/2021)

VETO MESSAGES FROM COUNTY EXECUTIVE WENDEL
NO VETOES FROM 03/24/2021 & 04/06/2021

COMMUNICATIONS:

Clerk Tampio: We are in receipt of 10 communications as listed on your agenda this evening. Are there any items that you would like to be read aloud? Hearing none, if you would like a copy of any of these communications please notify our office.

1. Letter – County Executive Wendel – Appointment to Ethics Board
2. Certification – Election Commissioner Certification – NYS Board of Elections
3. Letter – Resignation – Norman Green, Chautauqua County Democratic Commissioner
4. Report – Finance Director Crow – February 2021 Investment Report
5. Affidavit of Publication – Legal Notice of Public Hearing – Re: Potential Application for 2021 Community Development Block Grant – Post Journal
6. Affidavit of Publication – Legal Notice of Public Hearing – Re: Potential Application for 2021 Community Development Block Grant – Observer
7. Affidavit of Publication – Legal Notice of Public Hearing – Re: Office of Community Renewal Grant Program Application – Post Journal
8. Affidavit of Publication – Legal Notice of Public Hearing – Re: Office of Community Renewal Grant Program Application – Observer
9. Minutes – Conewango Watershed Commission – April 7, 2021 Meeting
10. Report - Chautauqua County IDA & Component Units – Report on Financial Statements – For Year Ended December 31, 2020

COMMENDATION:

PATRICIA BRINKMAN
DIRECTOR MENTAL HYGIENE SERVICES
By
Chairman Pierre E. Chagnon
County Executive Paul M. Wendel, Jr.

CERTIFICATES OF RECOGNITION:

STEVE SMOUSE
By
County Executive Paul M. Wendel, Jr.

MIA GOOT
By
County Executive Paul M. Wendel, Jr.

JOE POLLARO
By
County Executive Paul M. Wendel, Jr.

ARDEN JOHNSON
By
County Executive Paul M. Wendel, Jr.

FENTON HISTORY CENTER
Presented By
Legislator Bill Ward

MARVIN COMMUNITY HOUSE
Presented By
Legislator Bill Ward

6:35 P.M. PUBLIC HEARING

REGARDING A POTENTIAL APPLICATION FOR 2021 COMMUNITY DEVELOPMENT BLOCK GRANT TO IMPLEMENT A MICROENTERPRISE ASSISISTANCE GRANT

Chairman Chagnon: That now brings us to our public hearing. Kathy, I believe we have proof of publication?

Clerk Tampio: Yes we do, Mr. Chairman. The affidavit of publications are listed in the communications.

Chairman Chagnon: Thank you. Kathy have we received correspondence from the public wishing to address the public hearing?

Clerk Tampio: I have not received any communications in that regard.

Chairman Chagnon: I will open the public hearing (6:56 p.m.) and again, this a public hearing regarding a potential application for 2021 community development block grant to implement a microenterprise assistance grant. Is there anyone wishing to address the public hearing? Olivia, I'll check again, is there anyone in anyone in Chambers wishing to address the public hearing.

Ms. Ames: There is nobody in Chambers wishing to address the public hearing.

Chairman Chagnon: Thank you. O.K., one more time, anyone wishing to address the public hearing? Hearing none and seeing none, I will then close the public hearing. (6:58 p.m.)

LOCAL LAW
INTRODUCTORY NO. 1-21
CHAUTAUQUA COUNTY

A LOCAL LAW AMENDING THE CHAUTAUQUA COUNTY CODE OF ETHICS

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

I. Local Law 1-20 of the County of Chautauqua, entitled "A Local Law Amending the Chautauqua County Code of Ethics, is hereby amended by substitution to state as follows:

Section 1. Short Title

This code of ethics shall be known as the "Chautauqua County Code of Ethics."

Section 2. Legislative Purpose.

The purpose of this Code is to establish minimum standards of ethical conduct for County officers and employees to ensure that County government is free from improper influence. Ethical conduct ultimately depends on the personal integrity of County officers and employees and on the vigilance of their communities. The establishment of the standards and guidelines set forth in this code is a step toward providing the highest caliber of public administration for County government and increased confidence in its officials, while recognizing that public service cannot require a complete divesting of all proprietary interests nor impose overly burdensome disclosure requirements if County government is to attract and hold competent administrators.

By requiring public disclosure of interests that may influence or be perceived to influence the actions of County officials, this code is intended to facilitate consideration of potential problems before they arise, to minimize unwarranted suspicion, and to enhance the accountability of government to the people.

The disclosure requirements of this Code of Ethics are in addition to any other requirements imposed by law. Additional disclosure to the public is available pursuant to the New York State Freedom of Information Law and Election Law requirements. Copies of all contracts with the County are also available for public inspection at the Office of the Clerk of the County Legislature.

Section 3. Definitions

When used in this Code and unless otherwise expressly stated:

1. "Agency" means any office, board, body, advisory board, council, commission, agency, department, district, administration, division, bureau, or committee of the County.

2. "Appear" and "Appear Before" mean communicating in whatever form, whether personally or through another person.

3. "County Officer or Employee" means any officer or employee of the County, whether paid or unpaid, including Public Officials and all other members of any Agency of the County, but does not include a judge, justice, officer, or employee of the Unified Court System.

4. "Dependent" means an individual who will be claimed by the County Officer or Employee as a dependent on the current year's State or Federal tax return.

5. "Family Member" means a spouse, child, step-child, parent, step-parent, sibling, step-sibling, half-sibling, Dependent, and household member of a County Officer or Employee.

6. "Person" means an individual, corporation, partnership, unincorporated association, and all other entities.

7. “Related Person” means a spouse, fiancé(e), parent, child, or sibling, including step and half relations, a grandparent, parent-in-law, sibling-in-law, Dependent, member of the County Officer or Employee’s household, first cousin, aunt, uncle, niece, or nephew.

8. "Public Official" means any official who has discretionary authority, either alone or as a member of an Agency, but does not include a judge, justice, officer, or employee of the Unified Court System.

Section 4. Conflicts of Interest of County Officers and Employees

1. No County Officer or Employee shall directly or indirectly do or take any act prescribed below, or agree to do such acts, or attempt such acts, or induce another Person to do such acts:

a. act or Appear as agent, broker, employee, consultant, or representative for any third party in connection with any transaction that involves discretionary acts of any County Officer or Employee or act or Appear in any matter in which the County is a party or a complainant except on behalf of the County or himself or herself.

b. solicit any gift, or accept or receive any gift having a value of seventy-five dollars ($75.00) or more per year from any Person, other than a Family Member, whether in the form of money, service, loan, travel, entertainment, hospitality, thing or promise, or in any other form, who the County Officer or Employee knows is considering or has had any transactions with the County that involves any discretionary act by the County Officer or Employee.

c. take or refrain from taking any action on any matter before the County in order to obtain a pecuniary or material benefit different from that to be derived by the general public for:

(i) himself or herself;

(ii) a Family Member;

(iii) any partnership or unincorporated association of which the County Officer or Employee is a member or employee or in which he or she has a proprietary interest;

(iv) any corporation of which the County Officer or Employee is an officer or director or of which he or she legally or beneficially owns or controls more than five percent (5%) of the outstanding stock;

(v) any Person with whom the County Officer or Employee or his or her Family Member has an employment, professional, business, or financial relationship, provided, however, that relationships which are available to and entered into by the general public on the same terms and conditions as those applicable to the County Officer or Employee, such as relationships in the nature of bank accounts, credit cards, bank loans, and mortgages, shall not be deemed to be financial relationships for purposes of this section; or

(vi) any Person from whom the County Officer or Employee or his or her spouse has received a pecuniary or material benefit having an aggregate value greater than two thousand dollars ($2,000.00) per calendar year.

Examples of material or pecuniary benefits include, but are not limited to, hiring, promoting, authorizing a pay increase, providing a performance review, a job assignment or job description change, work schedule change, approving a voucher or expense claim, awarding a contract, extension of time to perform a contract, a contract dollar amount increase, and purchasing goods. Nothing in this section shall be construed as prohibiting a County Officer or Employee from performing a purely ministerial act.

Notwithstanding the above, a County Officer or Employee may respond to questions asked by an individual who will be taking or refraining from taking an action.

d. solicit directly or indirectly any non-elected County Officer or Employee or any entity that is not subject to competitive bidding, to participate in an election campaign, or pay any assessment, subscription, or contribution to a political party, political party organization or election campaign. This paragraph shall not prohibit a general solicitation of a class of persons, other than those expressly prohibited, of which such solicited County Officer or Employee happens to be a member.

e. except where authorized by law, disclose any confidential information acquired in the course of official duties or use any such information for personal gain or to advance the financial interests of any other Person.

f. after termination of his or her term of office or employment with the County, Appear Before the County or receive compensation for any services rendered on behalf of any Person other than the County in relation to any particular matter upon which he or she took any discretionary act during his or her term of office or employment with the County.

g. no paid County Officer or Employee shall for two years after the termination of employment provide professional or managerial services for a third party on any matter involving his or her former County Agency.

This subsection shall not apply to any elected official, member, or employee of a federal, state, or local government or one of their agencies or instrumentalities, or to any action by a licensed attorney that is permitted by the New York State Rules of Professional Conduct. Retired County Officers or Employees who were working for a third party on a matter involving their former County Agency at the time of enactment of this Law may continue to perform such work as long as their actions do not violate the terms of this paragraph “g” as it was written on their date of retirement.

h. act or Appear as an attorney in: (1) any litigation in which the County is a party or complainant that involves torts, civil rights, contracts, or eminent domain, except on behalf of the County or himself of herself; or (2) any other matter in which the County is a party or complainant that would constitute a violation of the New York State Rules of Professional Conduct.

2. No partnership, unincorporated association, corporation or any other entity owned or controlled by a County Officer or Employee shall Appear Before any County department or Agency which employs such County Officer or Employee except on behalf of the County or itself.

3. Nothing in this Local Law shall be construed to prohibit a County Officer or Employee or any other Person from receiving a County service or benefit or using a County facility which is generally available to residents or to a class of residents in the County.

4. Nothing in this Local Law shall be construed to prohibit a County Officer or Employee from performing any ministerial act.

5. Nothing in this Local Law shall be construed to prohibit an unpaid member of a County Agency from acting or appearing for a third party regarding a matter unrelated to the business of their County Agency, nor prohibit a County Officer or Employee who is an elected Public Official of another governmental entity from acting or appearing in their official capacity on behalf of such other governmental entity.

6. Nothing in this Local Law shall be construed to prohibit an unpaid member of an advisory County board, bureau, council, committee, or commission from acting or appearing for a third party regarding a contract with the County when such member has no power or duty to:

a. negotiate, prepare, authorize or approve the contract or authorize or approve payment thereunder;

b. audit bills or claims under the contract; or

c. appoint a County Officer or Employee who has any of the powers or duties set forth above.

7. Nothing in this Local Law shall be construed to prohibit a County Officer or Employee from serving in an unpaid capacity as an officer or director of a non-profit or governmental entity, when such service is in furtherance of the official duties of the County Officer or Employee.

Section 5. Interests in Contracts Pursuant to General Municipal Law

1. No County Officer or Employee may have an interest in a contract that is prohibited by section 801 of New York General Municipal Law.

2. Every County Officer and Employee shall disclose interests in contracts with the County at the time and in the manner required by section 803 of New York General Municipal Law.

Section 6. Use of County Resources

The use of County resources by County Officers and Employees shall be in compliance with County policies and procedures.

Section 7. Procurement Integrity

1. While procuring property or services of more than fifty thousand dollars ($50,000.00) in value, no County Officer or Employee shall solicit, discuss, or accept, directly or indirectly, any promise of future employment or business opportunity from any contractor competing for such procurement.

2. While competing for award of a County procurement of property or services of more than fifty thousand dollars ($50,000.00) in value, no contractor shall discuss or make, directly or indirectly, any offer or promise of future employment or business opportunity to any official of the County involved in such procurement.

Section 8. Annual Disclosure

1. All Public Officials who are elected or paid, and all County Officers or Employees who are authorized to use County-issued credit cards or to approve vouchers, purchase orders, contracts and payroll such as purchasing clerks and purchasing agents, shall file with the Ethics Board, by depositing with the Office of the County Executive, a signed annual disclosure statement using a form approved by the Ethics Board which shall be substantially in conformance with the 2019 disclosure statement form filed with the Clerk of the County Legislature.

a. within thirty (30) days of taking office; and
b. no later than April 30 of each year thereafter.

Within thirty (30) days of any material change in the information contained in his or her most recently filed statement, the County Officer or Employee shall file a signed amendment to the statement indicating the change. The Ethics Board shall have free and unlimited access to all forms at all times.

County department heads shall ensure that if an Officer or Employee under the department head's purview who is required to file a statement does not timely file a statement, such Officer or Employee's ability to directly or indirectly expend County funds is suspended until such time as the statement has been filed. This will include without limitation suspension of use of County-issued credit cards and suspension of the ability to approve vouchers, purchase orders, contracts and payroll. If a County Officer or Employee subject to the filing requirement is unable to timely file the statement or amended statement due to approved leave-time, illness, injury, lack of County engagement, or other justifiable circumstances, such individual must submit for Ethics Board approval a written request for an extension of time to file, approved by such Officer or Employee's department head or by the County Executive or Legislative Chair. The request shall be supported by such documentation as may be reasonably requested by the Ethics Board. The prioritization of other County matters over the filing of the disclosure statement is not grounds for an extension of time to file.

2. If a County Officer or Employee who is elected or paid is not able, after reasonable efforts, to obtain some or all of the information required by paragraph two of this section which relates to his or her spouse or household member, he or she shall so state, as part of the annual disclosure statement.

3. The Ethics Board shall review all disclosure statements. Upon being satisfied as to the content and completeness of a statement, the Ethics Board shall return the statement to the Office of the County Executive, which will in turn file the original statement with the County Clerk and an electronic copy with the Clerk of the Legislature. All such statements are public records and shall be kept on file for at least seven (7) years.

Section 9. Lists of Titles Required to File; Notice of Filing Requirements; Verification of Filing; Training and Distribution of Code

1. A list of those titles which are subject to County disclosure requirements, as the same may be amended from time to time by the Ethics Board, is on file with the Clerk of the Legislature and in the office of the County Executive.

2. Before May 15th of each year, the County Executive shall verify that every affected County Officer or Employee has filed his or her annual disclosure statement.

3. Failure of the County Executive or of an individual subject to disclosure statement filing requirements to comply with such requirements shall not relieve any individual from his or her duty to file a disclosure statement pursuant to this Code of Ethics.

4. All County Officers and Employees subject to the requirements of the Chautauqua County Code of Ethics are required to undergo annual Ethics Board training to inform and educate them as to the requirements of this Code, and to timely confirm in writing completion of such training requirements. The training will include either a paper copy of the Code or information about where the Code can be found online. Training will be administered as follows:

a. The County Department of Human Resources will provide a paper copy of the training materials to new employees as part of the new employee orientation process, and will secure written confirmation of receipt, or will send the training materials to new employees via e-mail and secure written confirmation of receipt.
b. The County Department of Human Resources will issue training materials to Department Heads, who shall administer annual training for all County employees under their purview between January 1st and March 31st. Department Heads must ensure that each employee under their purview signs off on a paper or electronic form confirming review of the training, and shall certify completion of departmental training to the Human Resources Director.
c. For those subject to the training requirement who are not County employees, the appointing authorities or their designees will provide a copy of the training materials to each such individual upon first appointing such individual, and will within thirty days of appointment secure written or electronic confirmation of receipt.
d. For those subject to the training requirement who are not County employees, the appointing authorities or their designees will administer annual training for all such individuals under their purview between January 1st and March 31st. Appointing authorities or their designees must ensure that each such individual acknowledges receipt of the training materials, either electronically or by signing off on a form confirming receipt of the training materials.
e. The Director of the Department of Human Resources will notify the County Ethics Board when Department Heads have certified employee completion of the annual training, and appointing authorities or their designees will notify the County Ethics Board when all non-employees who are under their purview and subject to the training requirement have acknowledged receipt of the annual training materials.

Section 10. Reporting Violations.

All County Officers and Employees are encouraged to report any instances of suspected or known violations of this Code. Reports may be made to a supervisor, or to the Chautauqua County Ethics Board, PO Box 13, Jamestown, New York 14702-0013. Making a report with knowledge that all or part of the information in the report is false or misleading is a violation of this Code and may result in penalties as provided herein.

Section 11. Inducement of Violations

Any Person, whether or not a County Officer or Employee, who intentionally induces any County Officer or Employee to take any action or to refrain from taking any action in violation of any provision of this Code, violates this Code.

Section 12. Civil and Administrative Penalties

1. Any County Officer or Employee who engages in any action that violates any provision of this Code may be warned or reprimanded or suspended or removed from office or employment or be subject to any other sanction authorized by law or collective bargaining agreement, by the appointing authority or Person or body authorized by law to impose such sanctions.

2. Any County Officer or Employee who violates any provisions of this Code may be subject to a civil fine of up to ten thousand dollars ($10,000) for each violation, as may be determined by the Ethics Board. A civil fine may be imposed in addition to any other penalty contained in any other provisions of law or in this Code.

3. Any County Officer or Employee who violates any provision of this Code shall be liable in damages to the County for any losses or increased costs incurred by the County as a result of the violation. Such damages may be imposed in addition to any other penalty contained in any other provision of law or in this Code.

Section 13. County Ethics Board

1. Establishment. The County Legislature hereby establishes an Ethics Board consisting of five (5) members. The Ethics Board shall be responsible for ensuring full compliance with the Code of Ethics. All actions of the Ethics Board shall be by a vote of at least three (3) members. Members of the Ethics Board shall serve without compensation.

2. Appointment. Members of the Ethics Board shall be appointed by the County Executive and confirmed by a two-thirds vote of the County Legislature. No Ethics Board members shall hold office in a political party, be employed as a lobbyist, be an immediate relative of a County Officer or Employee, or have any financial interest in any contracts or other transactions involving the County.

3. Term. The members of the Ethics Board shall serve three-year staggered terms. If a vacancy occurs on the Ethics Board, the new member shall be appointed to fill the unexpired portion of the term. Members of the Ethics Board may be removed for cause by the County Executive with the concurrence of two-thirds of the County Legislature. Grounds for removal shall be neglect of duty, misconduct in office, inability to discharge the powers or duties of the office, or violation of the Code of Ethics. Prior to removal, the Ethics Board member shall be given written notice of the reasons for removal and an opportunity to reply.

4. Powers and Duties. The Ethics Board shall have the following powers and duties:

a. Prescribe and promulgate rules and regulations governing its internal organization and procedures consistent with the Code of Ethics;

b. Review with County Officers or Employees the disclosure requirements of this Code, and ensure proper filing of all disclosure statements;

c. Conduct investigations, hearings, and other examinations relating to the Code of Ethics, with the power to issue subpoenas where necessary;

d. Recommend and impose sanctions, penalties, or fines in accordance with the Code of Ethics;

e. Render advisory opinions upon request of any County Officer or Employee;

f. Recommend content for training and education of County officers and employees regarding the requirements of the Code of Ethics;

g. Prepare an annual report;

h. Recommend changes or improvements to the Code of Ethics;

i. Perform such other related duties as requested by the County Executive;

j. Meet at least four times a year, and send notice of meetings and the names of Ethics Board members to the County's official newspapers and to radio stations in the County. In addition, notice of meetings and the names of Ethics Board members shall be posted on the County's website; and

k. Arrange for a separate post office box for the Ethics Board, accessible only by officers of the Ethics Board.

Section 14. Separability.

If any clause, sentence, paragraph, or section of this Code of Ethics is adjudged by any court of competent jurisdiction to be invalid, such adjudication shall not affect, impair or invalidate the remainder thereof, and the unaffected portions of this Code of Ethics shall remain in full force and effect.

II. This Local Law shall become effective upon filing with the Secretary of State.

Sponsor: Chairman Chagnon and Legislator Chuck Nazzaro

Emailed: 04/16/2021
Adopted by Legislature: 04/28/2021 R/C Vote: 19 Yes
Public Hearing by County Executive: 05/17/2021 Date State Filed: 05/26/21
Adopted As Local Law 3-21

RES. NO. 82-21
Confirm Appointment - Chautauqua County Ethics Board

By Administrative Services Committee:
At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, County Executive Paul M. Wendel, Jr. 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 Chautauqua County Ethics Board.

Diane Hannum
10435 Bay Shore Dr.
Dunkirk, NY 14048
Term Expires 1/31/2024

Signed: Scudder, Muldowney, Starks, Davis, Vanstrom (Voted "yes" by Video conference)

Unanimously Adopted – April 28, 2021

RES. NO. 83-21
Amend 2021 Budget Appropriations to Accommodate New Customer Billing Software for Chautauqua County Sewer Districts

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

WHEREAS, the South & Center Chautauqua Lake Sewer District, North Chautauqua Lake Sewer District, and Portland, Pomfret, Dunkirk Sewer District use a customer billing software that will soon become obsolete; and

WHEREAS, Chautauqua County Information Technology Department recommends the billing software be replaced, and has selected a suitable replacement at a cost of approximately $54,250; and

WHEREAS, replacement of the billing software was approved by the board of each district; and

WHEREAS, pursuant to Resolution Nos. 105-20 and 106-20, the districts' 2020 budgets were amended to accommodate the purchase of a new billing module but the purchase was not completed in 2020; and

WHEREAS, expenditures to replace the software were not included in the districts' 2021 Adopted Budget for computer software; now therefore be it

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2021 Adopted Budget:

INCREASE APPROPRIATION ACCOUNTS:

ESN.8110.8112.4	Contractual—Administration, Administration	$10,503
ESP.8110.8114.4	Contractual—Administration, Administration	$ 4,141
ESS.8110.----.4	Contractual—Administration	$39,154
	Total	$53,798

DECREASE APPROPRIATION ACCOUNTS:

ESN.8120.8122.4	Contractual — Sanitary Sewers, Sanitary Sewers	$10,503
ESP.8120.8124.4	Contractual —Sanitary Sewers, Sanitary Sewers	$ 4,141
ESS.9089.----.4	Contractual—Undistributed Benefits	$39,154
	Total	$53,798

Signed: Hemmer, Scudder, Nazzaro, Gould, Davis, Odell, Niebel (Voted "yes" by Video conference)

Unanimously Adopted – April 28, 2021

RES. NO. 84-21
Authorize Acceptance of Coronavirus Response and Relief Supplemental Appropriation Act 2021 (CRRSA) Grant to Defray Operating Costs for Chautauqua County Dunkirk Airport

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 Dunkirk Airport, a non-primary public airport in the National Plan of Integrated Airport Systems (NPIAS), in a manner that provides services and facilities on a non-exclusive basis for the general use of the public and enhances current and future economic development in the County; and

WHEREAS, pursuant to Public Law 116-260 (CRRSA), Federal funds were made available to U.S. public airports in the NPIAS to "prevent, prepare for, and respond to coronavirus impacts, including support for continuing airport operations"; and

WHEREAS, the County submitted a grant application to the Federal Aviation Administration (FAA) and received Airport Coronavirus Response Grant Program (ACRGP) Grant Offer, Grant No. 3-36-0022-060-2021 in the amount of $13,000 (hereinafter called "the Grant") for the Chautauqua County Dunkirk Airport, and said funds will be used for costs related to operations, personnel, cleaning, sanitization, janitorial services, combating the spread of pathogens at the airport; and

WHEREAS, the Airport Commission reviewed and recommended that the County accept the Grant for the purpose of offsetting the Chautauqua County Dunkirk Airport's allowable operating costs; and

WHEREAS, the County must accept the Grant and the FAA must obligate the funds no later than April 30, 2021 in order for the Grant to be valid; therefore be it

RESOLVED, That the Chautauqua County Legislature accepts the ACRGP Grant Offer, Grant No. 3-36-0022-060-2021 in the amount of $13,000 for the Chautauqua County Dunkirk Airport; and be it further

RESOLVED, That the County Executive is authorized to execute all necessary documents on behalf of Chautauqua County with the FAA in connection with this Grant.

Signed: Hemmer, Scudder, Nazzaro, Gould, Davis, Odell, Niebel (Voted "yes" by Video conference)

Unanimously Adopted – April 28, 2021

RES. NO. 85-21
Authorize Acceptance of Coronavirus Response and Relief Supplemental Appropriation Act 2021 (CRRSA) Grant to Defray Operating Costs for Chautauqua County Jamestown Airport

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, a non-primary public airport in the National Plan of Integrated Airport Systems (NPIAS), in a manner that provides services and facilities on a non-exclusive basis for the general use of the public and enhances current and future economic development in the County; and

WHEREAS, pursuant to Public Law 116-260 (CRRSA), Federal funds were made available to U.S. public airports in the NPIAS to "prevent, prepare for, and respond to coronavirus impacts, including support for continuing airport operations"; and

WHEREAS, the County submitted a grant application to the Federal Aviation Administration (FAA) and received Airport Coronavirus Response Grant Program (ACRGP) Grant Offer, Grant No. 3-36-0048-055-2021 in the amount of $13,000 (hereinafter called "the Grant") for the Chautauqua County Jamestown Airport, and said funds will be used for costs related to operations, personnel, cleaning, sanitization, janitorial services, combating the spread of pathogens at the airport; and

WHEREAS, the Airport Commission reviewed and recommended that the County accept the Grant for the purpose of offsetting the Chautauqua County Jamestown Airport's allowable operating costs; and

WHEREAS, the County must accept the Grant and the FAA must obligate the funds no later than April 30, 2021 in order for the Grant to be valid; therefore be it

RESOLVED, That the Chautauqua County Legislature accepts the ACRGP Grant Offer, Grant No. 3-36-0048-055-2021 in the amount of $13,000 for the Chautauqua County Jamestown Airport; and be it further

RESOLVED, That the County Executive is authorized to execute all necessary documents on behalf of Chautauqua County with the FAA in connection with this Grant.

Signed: Hemmer, Scudder, Nazzaro, Gould, Davis, Odell, Niebel (Voted "yes" by Video conference)

Unanimously Adopted – April 28, 2021

RES. NO. 86-21
Authorize Agreement with Monroe County for Security of Inmates at the Rochester Psychiatric Center 2021-2026

By Public Safety Committee:
At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, on occasion, the Chautauqua County Jail has a need to relocate inmates to psychiatric facilities; and

WHEREAS, the Chautauqua County Sheriff has negotiated a tentative agreement with Monroe County to provide security of inmates admitted to the Rochester Psychiatric Center where Monroe County will be reimbursed the actual cost associated with said security; now therefore be it

RESOLVED, That the County Executive is authorized and empowered to execute an agreement with Monroe County to provide security of inmates admitted to the Rochester Psychiatric Center as set forth above.

Signed: Niebel, Pavlock, Bankoski, Whitford, Hemmer (Voted "yes" by Video conference)

Unanimously Adopted – April 28, 2021

RES. NO. 87-21
Fiscal Year 2020 Hazardous Materials Emergency Preparedness (HMEP) Grant Program

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

WHEREAS, Chautauqua County and its regional partnership was awarded funds of $15,516.00 under the FY 2020 Hazardous Material Emergency Preparedness (HMEP) Grant Program and funding is provided by the U.S. Department of Transportation, Pipeline and Hazardous Materials Safety Administration (PHMSA) and administered by the NYS Division of Homeland Security and Emergency Services (DHSES); and

WHEREAS, the HMEP planning grants are used to develop, improve, and implement emergency plans; determine flow patterns of hazardous materials within a state and between states; and determine the need within a state for regional hazardous materials emergency response teams; and

WHEREAS, the grant period runs from April 1, 2021 through July 31, 2022, and as may be extended; and

WHEREAS, the grant funding will be expended in the 2021 budget year, now therefore be it

RESOLVED, That the County Executive is hereby authorized to execute all necessary agreements to accept the award and subsequent changes to work plans if necessary; and

RESOLVED, That the Director of Finance is hereby directed to make the following 2021 budgetary changes:

INCREASE APPROPRIATION ACCOUNT:

A.3640.----.4	Contractual – Hazardous Materials	$15,516

INCREASE REVENUE ACCOUNT:

A.3640.R430.5004	Federal Aid – Homeland Security	$15,516

Signed: Niebel, Pavlock, Bankoski, Whitford, Hemmer, Nazzaro, Gould, Odell (Voted “yes” by Video conference)

Unanimously Adopted – April 28, 2021

RES. NO. 88-21
Authorizing the Submittal of a New York State Community Development Block Grant Application for Microenterprise Assistance

By Planning & Economic Development and Audit & Control Committees:
At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, the New York State Community Development Block Grant Program provides funding to communities under the Microenterprise Program to undertake activities that focus on community development needs such as creating or expanding job opportunities; and

WHEREAS, Chautauqua County (“the County”) desires to partner with Chautauqua Opportunities for Development, Inc. (“CODI”) as a subrecipient to apply to the New York State Office of

Community Renewal ("OCR") for a $200,000 grant for eligible microenterprise activities which will provide grants to eligible businesses (including startup and existing) for working capital, equipment, etc.; and

WHEREAS**,** if awarded, the County will not be responsible for any local matching share requirements; and

WHEREAS, the County has held a public hearing to obtain citizens' views regarding the CDBG program as administered by OCR and regarding the proposed microenterprise program; now therefore be it

RESOLVED, That the County is hereby authorized to submit a grant application in the amount of $200,000, with such amount to be used to provide business grants and fund the costs of grant administration and program activities; and be it further

RESOLVED, That the County Executive is hereby designated as the Environmental Certifying Officer for the purposes of complying with the applicable federal environmental review requirements for the OCR grant; and be it further

RESOLVED**,** That if awarded, the County Executive is hereby authorized to execute the OCR grant agreement and all related documents associated with the OCR grant, including agreements with CODI relating to the use and administration of the grant funds.

Signed: Odell, Starks, Muldowney, Harmon, Ward, Rankin, Lawton, Nazzaro, Gould, Niebel (Voted "yes" by Video conference)

Unanimously Adopted – April 28, 2021

RES. NO. 89-21
Accept Grant Funds from the Community Foundation for Greater Buffalo to Purchase Mobile Trail Counters

By Planning & Economic Development and Audit & Control Committees:
At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, Chautauqua County is blessed with a remarkable system of trails for outdoor recreation, including the Overland Trails; and WHEREAS, these trails provide important active recreation opportunities for residents and visitors alike, contributing to the County's high quality of life and attractiveness as a tourism destination; and

WHEREAS, data about trail usage can help the County best manage and develop its trail system; and

WHEREAS, the Department of Planning and Development applied for grant funding from the Community Foundation for Greater Buffalo for the purchase of mobile trail counters to monitor trail usage; and

WHEREAS, the Community Foundation for Greater Buffalo has awarded the County $7,000 for the purchase of said trail counters; and

WHEREAS, revenues and expenditures associated with this grant are not included in the 2021 Adopted Budget; now therefore be it

RESOLVED, That the County Executive is hereby authorized to officially accept the $7,000 grant from the Community Foundation for Greater Buffalo and execute all agreements necessary to implement said funding; and be it further

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2021 Adopted Budget:

INCREASE APPROPRIATION ACCOUNT:

A.8020.----.2	Equipment—Planning	$7,000

ESTABLISH AND INCREASE REVENUE ACCOUNT:

A.8020.----.R208.9000	Departmental Income— Other Culture & Recreation Income	$7,000

Signed: Odell, Starks, Muldowney, Harmon, Ward, Rankin, Lawton, Nazzaro, Gould, Niebel (Voted "yes" by Video conference)

Unanimously Adopted – April 28, 2021

RES. NO. 90-21
Amend Budget for County Clerk to Accommodate Digitizing of Microfilm

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

WHEREAS, the County Clerk's office has one microfilm reader that is 40 years old, broken, and for which parts are no longer available; and

WHEREAS, digitizing our remaining rolls of microfilm and having them uploaded into our document management system will provide access and save money by eliminating the purchase and maintenance of microfilm readers; and

WHEREAS, this contractual cost was not included in the 2021 Adopted budget; and

WHEREAS, actual personal services and employee benefits expenditures are expected to be less than the corresponding appropriations due to various staff changes and temporary delays in filling vacant positions; now therefore be it

RESOLVED, That the Director of Finance is hereby directed to make the following changes to the 2021 Adopted Budget:

INCREASE APPROPRIATION ACCOUNT:

A.1410.----.4	Contractual—County Clerk	$12,000

DECREASE APPROPRIATION ACCOUNTS:

A.1410.----.1	Personal Services—County Clerk	$ 6,960
A.1410.----.8	Employee Benefits—County Clerk	$ 5,040

Total $12,000

Signed: Scudder, Muldowney, Starks, Davis, Vanstrom, Nazzaro, Gould, Niebel, Odell (Voted "yes" by Video conference)

Unanimously Adopted – April 28, 2021

RES. NO. 91-21
Cleanup and Sale of Tax Foreclosure Property

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

WHEREAS, the County of Chautauqua, pursuant to Article 11 of the Real Property Tax Law, maintains an annual foreclosure process of delinquent tax debts; and

WHEREAS, tax parcel 111.08-3-10, located at 5310 Route 5 in the Town of Pomfret, was included in the 2018 in rem proceeding; and

WHEREAS, the County subsequently discovered after the 2018 auction that there were underground petroleum storage tanks on the property, and placed the auction sale of the parcel on hold in order to assess the environmental status and potential financial liability attached to parcel 111.08-3-10; and

WHEREAS, the County and the New York Environmental Protection and Spill Compensation Fund negotiated an agreement concerning the property, wherein the State would remove the underground petroleum storage tanks and contaminated soil, and the County would be relieved of any liability for the cleanup, after which the property would be sold and the proceeds of the sale divided equally between the County and the Spill Fund; and

WHEREAS, the County Legislature approved this agreement and the potential sale of the property in Resolution 225-19 for a sale price of $14,500.00, and

WHEREAS, the Department of Environmental Conservation final report indicates that the cleanup was unable to remove all contaminated soil; and

WHEREAS, a revised offer of $2,750.00 was submitted by the original bidders, reflecting the status of the soil, their potential environmental and legal costs, and other such factors; therefore be it

RESOLVED, That the County Executive is authorized to sell the subject parcel to Amanda Walden for the bid price of $2,750.00, with the buyer responsible for all transfer and recording fees, and one half of such price will be remitted to the New York Environmental Protection and Spill Compensation Fund.

Signed: Scudder, Muldowney, Starks, Davis, Vanstrom, Nazzaro, Gould, Niebel, Odell (Voted "yes" by Video conference)

R/C Vote: 19 Yes - Unanimously Adopted – April 28, 2021

RES. NO. 92-21
Quit Claim Deeds

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

WHEREAS, the Administrative Services Committee of the County Legislature has received and hereby recommends acceptance, pursuant to Section 1166 of the Real Property Tax Law, the following offers for the County's Tax Liens as detailed on the attached Schedule 1 under tax sale certificates noted on original papers on file in the office of the Director of Finance; and

WHEREAS, that unless otherwise noted, the County Tax Enforcement Officer has confirmed that the offers received are in compliance with the County's policy regarding tax foreclosure as set forth in Resolution No. 110-17; now therefore be it

RESOLVED, That the Executive and Chairman of this Legislature be hereby authorized to execute Quitclaim Deeds conveying to the offers herein mentioned, the interest of Chautauqua County in said properties under said tax sale certificates; and be it further

RESOLVED, That the Director of Finance of Chautauqua County be hereby authorized to cancel any outstanding taxes, fees, interest and other charges. In adopting this resolution, the Legislature intends to adopt each transaction separately, in the usual form of Resolution, and the failure of any particular transaction to be completed shall in no manner affect the validity of any of the others.

Offer Number	**Municipality**	**S/B/L**	**Purchaser**	**Foreclosed Owner**	**Offer Amount**	**Taxes Owing**
PA-297-2019	Ellicott	063889-371.07-5-12	CMG Development LLC	Melissa Simmons	$361.89	$361.89
				Total	$361.89	$361.89

Signed: Scudder, Muldowney, Starks, Davis, Vanstrom, Nazzaro, Gould, Niebel, Odell (Voted “yes” by Video conference)

R/C Vote: 19 Yes - Unanimously Adopted – April 28, 2021

_____

RES. NO. 93-21
Authorize Sale of Tax Foreclosure Property in Village of Silver Creek

At the Request of County Executive Paul M. Wendel, Jr., and Legislators Tom Harmon, Robert Bankoski, Bob Scudder, Paul Whitford, Mark Odell, John Hemmer, Lisa Vanstrom, Dan Pavlock, and Elisabeth Rankin:

WHEREAS, the old Silver Creek School in the Village of Silver Creek located at 60 Main Street (Tax Parcel # 49.06-3-43) was tax foreclosed several years ago and has been in a state of continuing deterioration for decades; and

WHEREAS, Region Nine UAW Housing Corporation ("Region Nine"), of 88 Huntington Street, New Brunswick, New Jersey, a not-for-profit 501(c)(3) corporation, has extensive experience and success in developing affordable housing projects in New Jersey and Pennsylvania, and securing the necessary funding sources for such projects; and

WHEREAS, by using State and Federal funding sources and credits, Region Nine wishes to attempt to redevelop the old Silver Creek School through an historic renovation creating approximately 47 affordable apartments for persons 55 and over ("the Project"); and

WHEREAS, the Village of Silver Creek is in support of Region Nine's proposal to rehabilitate the old Silver Creek School; therefore be it

RESOLVED, that the County Executive is authorized to enter into an agreement for the sale of the tax foreclosed old Silver Creek School, or the assignment of the County's right to a tax deed, on the following terms and conditions:

1. Purchaser. **Region Nine UAW Housing Corporation or its affiliate.** ~~WTR UAW Housing Corp., or other designee of Region Nine.~~

2. Purchase Price. $1.00, contingent upon the purchaser receiving necessary tax credits, financing, governmental approvals, and permits for the Project.

3. Closing. **On or before March 31, 2023.** ~~December 31, 2022, or as may be extended by the County Executive in the best interest of the County to complete the closing.~~

4. Other. As negotiated by the County Executive.

4/28/21 Leg: Amended by strike through and additional texted indicated by bold and underline

MOVED by Legislator Scudder to AMEND, SECONDED by Legislator Nazzaro – *Unanimously Carried*
AMENDED – April 28, 2021

R/C Vote: 19 Yes - Unanimously Adopted as Amended – April 28, 2021

2nd PRIVILEGE OF THE FLOOR

Chairman Chagnon: Kathy, was there any communication received for the second privilege of the floor?

Clerk Tampio: There are no communications received for the second privilege, however there are people in the Chambers for the second privilege of the floor.

Chairman Chagnon: O.K., Olivia, could you arrange the commentators? It looks like we have someone at the microphone. Please introduce yourself and give us your address.

Ms. Engstrom: Karen Engstrom, Mayville, New York.

Chairman Chagnon: Welcome Karen.

Ms. Engstrom: It is good to see you Mr. Chairman and Legislators. We are here tonight for the children. We can see that they are being harmed physically and that they are being harmed psychologically from wearing masks. It has been one year. 15 states have chosen to free their children. The children in those 15 states are healthy and happy and the children in our state of New York have the same rights as the children in all of those states. We are speaking for the grandparents and the parents who aren't able to come before you, who are concerned about the health and wellbeing of their children. It is time to stop forcing children to wear masks. As I said before, 15 states have done so. The children who are free are not suffering as the children have been documented in the last year who have been forced to wear a mask. Children under 18 remain the lowest risk group of all covid groups. We acknowledge the legislators of Chautauqua County and that you have been placed in a difficult position due to a growing authoritarian state. Both the elected and unelected autocrats and the bureaucrats at the state and federal level use *(inaudible)* as pawns- they use you as pawns to enforce their orders. Like us, you are expected to do what you're told or suffer the consequences. *(Inaudible)* and rigorous debate *(inaudible)* of the democratic republic are discouraged and often refused. We *(inaudible)* that in addition to the coercion put upon you from the powers in Albany and Washington, that you also face the pressure of citizens who have fallen fearfully in line with orders from above. We know that many of you agree with us that it is time to let the small children be children and that there is no harm in doing so. We support our elected officials who would recognize that we must defend and help the children. The children are being are harmed and it is not right. Thank you.

Chairman Chagnon: Thank you, Karen. Is there someone else wishing to address the second privilege of the floor?

Ms. Ames: She is making her way down.

Chairman Chagnon: Welcome. Please introduce yourself and give us your address.

My name is Cheryl Flyler (?) and I live in Ellery. I'm just going to read this. I'm kind of nervous so please bear with me. I'm a wife, a mom, a grandma and a great-grandma. I feel I must speak for my family and for children and young people everywhere.

First of all, our bodies are designed to breath in fresh air and exhale, or get rid of, carbon dioxide. This is God's design. Insufficient oxygen get cause hypoxia, a condition in which tissues are deprived of an adequate supply of oxygen. Excessive CO2 can cause hypercapnia, which is excessive CO2 in the blood stream. I admit, I looked these up, I'm not a health expert and I don't claim to be.

It is common sense that prolonged use of masks on anyone's face can cause potential health problems, especially with our lungs. Why are we doing this to our children? The most difficult times to be wearing these for any child has to be while participating in sports and while trying to sing. I have read many articles listing physiological and psychological affects especially for kids with asthma, autism and nervous disorders, but there isn't time for that now.

Also, sneezing into a mask and having to leave it on must be pretty awful for them. Our kids are being taught great fear for a virus they are 99% or more likely to fight off with their own immune system along with vitamins and fresh air. They're being taught to fear being near to others. What is that doing to their social life? I've witnessed so much more depression and withdrawal in young people. They are also made to feel guilty or selfish if they want to go back to normal lives. I've witnessed more anxiety, headaches, fatigue and general stress in our youth. Again, what are we doing to our children, our grandkids and our great-grandkids? I'm sorry, I get a little emotional. I, for one, as an older person want our youth to get rid of the masks and allow them to get back to their normal lives. I also choose to spend whatever time I have left not living in fear, but treasuring my family including hugs from my snotty nosed great-grandkids. Please, I urge you to take action and help lead the way to move in the direction of liberating our kids. Thank you.

Chairman Chagnon: Thank you for your comments. Olivia, is there anyone else in the Chambers to speak to the second privilege of the floor?

Ms. Ames: I believe we have just one more.

Chairman Chagnon: Welcome. Please introduce yourself and give us your address.

My name Roy Harvey. I'm from Mayville and I'm a Mayville resident. I want to point out that the Nuremberg Tribunal of 1945 outlawed declaring medical treatment without informed consent. I submit to you that the public is not being allowed to be informed about the danger of the vaccines- so called vaccines and the mainstream media is going along with this and this includes our local newspapers. I'm especially shocked at the conformity of the media to enforce the CDC and World Health Organization agenda because all of my life I've been a part of the media- television, radio, newspapers, except for ten years as an investigator with the Cook County State's Attorney's Office. As a member of the media I valued open discussion and open debate. That is now gone. We are pleased that we can at least be heard by you, our County representatives. There are many medical doctors who risk their careers in opposing this agenda, but they are frozen out of the agenda just to advocate the use of vitamin C and zinc to ensure the health in the face of Covid-19 can result in severe penalties to the medical personnel, including the loss of their careers. How can you possibly have informed consent if critique is forbidden? The makers of the vaccine will suffer no consequences because of negative outcomes. I submit that those who are essentially forcing the vaccines are using the public as guinea pigs and they are committing a crime against humanity. Thank you.

Chairman Chagnon: Thank you for your comments. Olivia, anyone else?

Ms. Ames: There is nobody else to speak to the second privilege of the floor.

Chairman Chagnon: Thank you.

MOVED by Legislator Gould, SECONDED by Legislator Scudder and duly carried the meeting was adjourned. *(7:25 p.m.)*

Regular Meeting
Chautauqua County Legislature
Meeting was Held Virtually due to Social Distancing Guidelines
And Live Streamed on Social Media
Wednesday, May 26, 2021 6:30 p.m.
Mayville, N.Y. 14757

Chairman Chagnon called the meeting to order at 6:31 p.m.

Clerk Tampio called the roll and announced a quorum present

Legislator Hemmer delivered the prayer and pledge of allegiance.

MOVED by Legislator Bankoski, SECONDED by Legislator Rankin and duly carried the minutes were approved. (04/28/2021)

1st Privilege of the Floor

Chairman Chagnon: Kathy, let's move to the first privilege of the floor.

Clerk Tampio: Yes, I have one entry from a Mr. Gerrit Cain of 2486 Falconer-Frewsburg Road, Jamestown, N.Y. 14701.

"Dear Legislators,

The time has come for the county to step aside and leave management of the Chautauqua Lake to the property owners, user groups, and advocacy groups in cooperation with the surrounding municipalities and the NY DEC. The last few decades of intense involvement of county bureaucrats and investment of county monies has resulted in waste, conflict, and confusion with nothing to show for improvement of lake conditions.

County funding should be removed from the CLA, the Alliance, CLP, municipal entities and other various interest groups. Hopefully the result of this would be lower taxes especially for lakeshore property owners. Residents could then invest these savings in management of the lake.

Legal repercussions for harming another person or their property is the root of civil society and the rule of law. With this necessary component in place, lakeshore property owners should be free to collaborate and use different management strategies in different areas of the lake while respecting the rights of their neighbors and keeping within the bounds established by the DEC. In time, the best and most effective management strategies would be replicated and adopted throughout the lake.

In short, County bureaucrats are the too many cooks in the kitchen spoiling the pot of Chautauqua Lake.

I urge this body to vote NO on adopting the MOU and strive to further divest the County from managing the lake going forward.

Gerrit Cain
2486 Falconer-Frewsburg Road
Jamestown, NY 14701"

Clerk Tampio: That is the only communication I have for the privilege of the floor.

Chairman Chagnon: Thank you.

VETO MESSAGES FROM COUNTY EXECUTIVE WENDEL

NO VETOES FROM 04/28/2021

Clerk Tampio: There are 11 communications listed on your agenda this evening and I have one late addition that came to us from the Chautauqua County Agriculture and Farmland Protection Board and it's in regard to concerns regarding renewable energy projects on agricultural lands. If there are any of these items you wish to be read aloud please let me know. If not and you would like a copy of any of these, please notify our office.

COMMUNICATIONS:

1. Letter – Town of Ellery to Chairman Chagnon, Re: CLPRA
2. Letter –Reply to Town of Ellery, Re: CLPRA
3. Reports – Quarterly reports – Small Business Development Center
4. Letter – Chautauqua County Agriculture & Farmland Protection Board, Re: 2021 Agricultural District Review
5. Affidavit of Publication – Post-Journal, Re: Legal Notice of Local Law Amending the Chautauqua County Code of Ethics
6. Affidavit of Publication – Observer, Re: Legal Notice of Local Law Amending the Chautauqua County Code of Ethics
7. Report – Finance Director Crow, Re: March 2021 Investment Report
8. Notices – List of Certified 2021 State Equalization Rates
9. Message of Necessity - County Executive Wendel, Re: Local Law Introductory No. 2-21
10. Letter – Brad Zimmer, Re: Chautauqua Lake District Tax
11. Affidavit of Publication – Post-Journal, Re: Adoption of Local Law Amending the Chautauqua County Code of Ethics
12. Letter - Chautauqua County Ag & Farmland Protection Board – Re: Concerns Regarding Renewable Energy Projects on Agricultural Lands

---

LOCAL LAW INTRO. 2-21 – A Local Law Adopting a Pilot Youth Deer Hunting Program

Clerk Tampio: The office is in receipt of a message of necessity from Paul M. Wendel, Jr., County Executive. We received it May 21, 2021 regarding the local law introductory number 2-21.

"I hereby certify that the immediate passage of local law introductory number 2-21 entitled, "A Local Law Adopting a Pilot Youth Deer Hunting Program" is necessary in order to allow Chautauqua County's adoption of the pilot program to be included in the New York State DEC's annual hunting and trapping regulation guide."

Chairman Chagnon: Thank you. I would be looking for a motion to bring the local law introductory 2-21 to the floor.

Legislator Gould: I would like to make that motion to bring local law introduction 2-21 to the floor so that we can act on it tonight.

Legislator Bankoski: I would like to second that motion to bring it to the floor.

Unanimously Carried to Bring Local Law Introductory 2-21 to the Floor

Chairman Chagnon: Local Law Introductory 2-21 is on the floor for discussion.

LOCAL LAW
INTRODUCTORY NO. 2-21
CHAUTAUQUA COUNTY

A LOCAL LAW ADOPTING A PILOT YOUTH DEER HUNTING PROGRAM

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

Section 1. Purpose.

Consistent with the provisions of Environmental Conservation Law § 11-0935, this Local Law is adopted to authorize the expansion of youth hunting and allow licensed hunters ages 12 or 13 to hunt deer with a crossbow, rifle, shotgun or muzzle-loading firearm when accompanied by a parent, legal guardian, or mentor.

Section 2. Definitions.

a. "Eligible area" means any county within the State of New York that has enacted a local law authorizing participation in a youth hunting pilot program, and has notified the New York State Department of Environmental Conservation of such participation.

b. "Hunting license holder" means a person who has successfully completed a hunter education/safety course, and currently holds a valid hunting license issued by the New York State Department of Environmental Conservation.

c. "Legal guardian" means a person legally responsible for a minor participating in the Pilot Youth Deer Hunting Program who currently holds a valid hunting license issued by the New York State Department of Environmental Conservation and has at least three years of prior experience hunting deer as a hunting license holder.

d. "Mentor" means a person who (a) currently holds a valid hunting license issued by the New York State Department of Environmental Conservation, (b) is twenty-one years of age or older, (c) has at least three years of prior experience hunting deer as a hunting license holder, and (d) has been designated in writing by a minor's parent or legal guardian on a form prescribed by the New York State Department of Environmental Conservation to serve as a mentor to said minor for purposes of the Pilot Youth Deer Hunting Program.

e. "Minor" means a youth twelve or thirteen years of age who currently holds a valid hunting license issued by the New York State Department of Environmental Conservation to hunt deer with a crossbow, rifle, shotgun, or muzzle-loading firearm within an eligible area.

f. "Parent" means a person who currently holds a valid hunting license issued by the New York State Department of Environmental Conservation, has at least three years of prior experience hunting deer as a hunting license holder, and is the parent of the minor participating in the Pilot Youth Deer Hunting Program.

g. "Physical control" means that the physical proximity of a minor to a parent, legal guardian or mentor is such that the parent, legal guardian or mentor is (a) reasonably able to issue verbal

directions and instructions, (b) maintain constant visual contact, and (c) otherwise able to provide guidance and supervision to the minor.

Section 3. Opt-In Authorization

The youth hunting opportunities authorized by Environmental Conservation Law section 11-0935 shall be applicable within the boundaries of the County of Chautauqua upon (a) the adoption of this Local Law; and (b) notice provided to the New York State Department of Environmental Conservation of the adoption of this Local Law.

The County of Chautauqua hereby elects to participate in a Pilot Youth Deer Hunting Program to allow minors ages 12 or 13 to hunt deer with a crossbow, rifle, shotgun or muzzle-loading firearm when accompanied by a parent, legal guardian or mentor.

Section 4. Eligibility and Requirements.

a. A minor aged 12 or 13 may hunt deer with a crossbow, rifle, shotgun, or muzzle-loading firearm within the County of Chautauqua when accompanied by, and is under the physical control of, a parent, legal guardian or mentor as those terms are defined by Section 4 of this Local Law.

b. A minor participating in the Pilot Youth Deer Hunting Program in an eligible area must be in possession of a valid New York State hunting license and valid tags, as appropriate, while afield at all times. The accompanying parent, legal guardian or mentor must also be in possession of a valid New York State hunting license at all times when supervising a minor participating in the Pilot Youth Deer Hunting Program.

c. A minor and the accompanying parent, legal guardian or mentor must display either a minimum total of two hundred fifty square inches of solid fluorescent orange or pink or patterned fluorescent orange or pink consisting of no less than fifty percent fluorescent orange or pink material worn above the waist and visible from all directions, or a hat or cap with no less than fifty percent of the exterior consisting of solid fluorescent orange or pink material and visible from all directions.

d. A minor aged 12 or 13 participating in the Pilot Youth Deer Hunting Program must remain at ground level at all times when hunting deer with a crossbow, rifle, shotgun, or muzzle-loading firearm.

e. A minor participating in the Pilot Youth Deer Hunting Program must remain within the physical proximity of a parent, legal guardian or mentor which means they must be capable of receiving verbal directions and instructions, and be in constant visual contact with the supervising parent, legal guardian or mentor at all times.

f. A minor participating in the Pilot Youth Deer Hunting Program must abide by all other federal, state and local laws, rules and regulations applicable to hunting including, but not limited to, manner of take, bag limits, hunting hours, geographical or general implement restrictions, hunting seasons, tagging, transporting and reporting requirements.

Section 5. Severability.

Should any provision of this Local Law be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of this Local Law as a whole or any part thereof other than the part so determined to be unconstitutional or invalid.

Section 6. Effective Date and Filing.

This local law shall become effective upon filing with the Secretary of State. In accordance with Environmental Conservation Law § 11-0935, a copy of this Local Law shall be filed with the New York State Department of Environmental Conservation.

Sponsors: Legislators Bankoski, Whitford, Pavlock, Gould

Emailed: N/A – LL Intro 2-21 - **Letter of Necessity**
from County Executive Wendel was presented at the
Legislature meeting on 5/26/2021 R/C Vote: 18 Yes; 1 No
Adopted by the Legislature: 5/26/2021 Date State Filed: 6/25/21
Adopted as Local Law 4-21

RES. NO. 94-21
Confirm Appointments – Parks Commission

By Public Facilities Committee:
At the Request of Chairman Pierre E. Chagnon and Legislator John Hemmer:

WHEREAS, Chairman Pierre E. Chagnon, has submitted the following appointments for action by the Legislature; now therefore be it

RESOLVED, That the Chautauqua County Legislature confirms the following appointments to the Chautauqua County Parks Commission.

New Appointments
Carrie H. McCausland
8286 Thayer Road
Portland, NY 14769
Term Expires: 12/31/22

Robert E. Dando, Jr.
8631 Fredonia-Stockton Road
Fredonia, NY 14063
Term Expires: 12/31/22
Signed: Hemmer, Scudder, Gould, Davis (Voted "yes" by video conference)

Unanimously Adopted – May 26, 2021

RES. NO. 95-21
Confirm Appointments - Chautauqua County Office for Aging Services
Advisory Council

By Human Services 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 Chautauqua County Office for Aging Services Advisory Council.

New Appointments
Dr. John Hamels
5996 Welch Hill Road
Ripley, NY 14775
Term Expires: 12/31/2021

Laila Denoya
15 University Park
Fredonia, NY 14063
Term Expires: 12/31/2021

Signed: Pavlock, Rankin, Whitford, Whitney, Lawton (Voted "yes" by video conference)

Unanimously Adopted – May 26, 2021

RES. NO. 96-21
Confirm 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 appointments to the Chautauqua County Legislature for action; now therefore be it

RESOLVED, That the Chautauqua County Legislature hereby confirms the following appointments to the Chautauqua County Land Bank Board of Directors.

New Appointments
Bonnie Rae Strickland
8267 Sixth St. (Barcelona)
Westfield, NY 14787
Term Expires: 3/31/22

Taylor Scott
45 E. Summit St.
Lakewood, NY 14750
Term Expires: 3/31/22

Signed: Odell, Stark, Muldowney, Harmon, Ward, Rankin, Lawton (Voted "yes" by video conference)

Unanimously Adopted – May 26, 2021

RES. NO. 97-21
Amend 2021 Capital Project Account (DPF Large Equipment)
By Public Facilities and Audit & Control Committees:
At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, funds realized from the sale of surplus equipment will generate a surplus to the DPF Large Equipment revenue account; and

WHEREAS, additional funds are needed to upgrade the radios in the DPF Transportation equipment to High Band to be compatible with the County-Wide System; now therefore be it

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changed to the 2021 Adopted Budget:

INCREASE APPROPRITAION ACCOUNT:
H.5130.626.4 Contractual--Road Machinery, DPF Large Equipment (Annual) $364,766

INCREASE REVENUE ACCOUNT:
H.5130.626.R266.5000 Sale of Property/Compensa--Sale of Equipment $364,766

Signed: Hemmer, Scudder, Gould, Davis, Nazzaro, Niebel, Odell, Harmon (Voted "yes" by video conference)

Unanimously Adopted – May 26, 2021

RES. NO. 98-21
Acceptance of Funds from the FAA for Reconstruction of Taxiway A East Including Associated Drainage and Remarking (Design) at the Chautauqua County Dunkirk Airport

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

WHEREAS, Chautauqua County submitted to the Federal Aviation Administration (FAA) a project application and received a grant from the FAA to pay 100% of the allowable costs incurred in accomplishing the following project at the Chautauqua County/Dunkirk Airport: reconstruct Taxiway A East including associated drainage and remarking – design phase, Airport Improvement Program (AIP) Project No. 3-36-0022-059-2021, (herein called the "Project"); and

WHEREAS, the FAA has approved the Project for the Chautauqua County/Dunkirk Airport consisting of development of design documents leading to future reconstruction of Taxiway A (East) along with associated drainage, signage and lighting, which is more fully described in the Project agreement; and

WHEREAS, pursuant to Resolution 19-20, Chautauqua County approved the Project as part of the five-year Airport Capital Improvement Plan ("ACIP") and approved submission of an application for FAA and NYSDOT grant funds for Rehabilitate Taxiway A East (Design) under ACIP, and funding shares for the Project are as follows:

Federal:	$133,654
State:	$ 0
Local:	$ 0
Total Project Costs:	$133,654

; and

WHEREAS, the Airport Commission has considered and recommended that the County seek this funding as the Project is crucial for the safe and sustained operation of the Chautauqua County/Jamestown Airport; now therefore be it

RESOLVED, That Chautauqua County enter into agreements with the FAA for financial assistance for the Project at the Chautauqua County/Dunkirk Airport described above; and be it further

RESOLVED, That the County Executive is hereby authorized to execute all necessary documents on behalf of Chautauqua County with the FAA and NYSDOT in connection with this Project; and be it further

RESOLVED, That a certified copy of this resolution be filed with the FAA and New York Commissioner of Transportation by attaching it to any necessary documents in connection with this Project; and be it further

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2021 Adopted Budget:

ESTABLISH AND INCREASE APPROPRIATION ACCOUNT:

H.5610.25214.4	Contractual–Chautauqua County Airport, Rehab Taxiway A (East) - Design Phase (2021)	$133,654

ESTABLISH AND INCREASE REVENUE ACCOUNT:

H.5610.25214.R459.2000	Federal Aid–Airport Federal Capital Grants	$133,654

Signed: Hemmer, Gould, Davis, Nazzaro, Niebel, Odell, Harmon (Voted “yes” by video conference) (Carried with Scudder voting “no”)

Adopted w/ Legislator Scudder voting “no”– May 26, 2021

RES. NO. 99-21
FY19 Cyber Security Grant Program

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

WHEREAS, Chautauqua County Information Services was awarded funds of $50,000 under the FY19 Cyber Security Grant Program, funded by federal funds (HSGP) from FEMA and administered by the NYS Division of Homeland Security and Emergency Services (DHSES); and

WHEREAS, the grant will be used to develop, improve, and implement cyber security, and train individuals on cyber threats and their mitigation; and

WHEREAS, the grant period runs from April 1, 2021 through August 31, 2022 and the grant was not included in the 2021 Adopted Budget; therefore be it

RESOLVED, That the County Executive is hereby authorized to execute all necessary agreements to accept the award and subsequent changes to work plans if necessary; and be it further

RESOLVED, That the Director of Finance is hereby directed to make the following changes to the 2021 Adopted Budget:

INCREASE APPROPRIATION ACCOUNT:
A.1680.----.4 Contractual—Information Technology $50,000

ESTABLISH AND INCREASE REVENUE ACCOUNT:
A.1680.----.R408.9000 Federal Aid—Other Federal Aid $50,000

Signed: Vanstrom, Davis, Starks, Muldowney, Nazzaro, Gould, Niebel, Odell, Harmon (Voted "yes" by video conference)

Unanimously Adopted – May 26, 2021

RES. NO. 100-21
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:

October 1, 2020 through April 30, 2021

TOWNS	
Arkwright	$8,392.83
Busti	$81,652.63
Carroll	$16,644.29
Charlotte	$9,683.54
Chautauqua	$101,429.48
Cherry Creek	$6,390.43
Clymer	$10,681.43
Dunkirk	$17,966.90
Ellery	$78,252.21
Ellicott	$59,930.19
Ellington	$6,327.06
French Creek	$17,714.69
Gerry	$8,365.33
Hanover	$42,122.47
Harmony	$10,821.68

CITIES	
Dunkirk	$50,951.54
Jamestown	$83,138.18
TOTAL	$134,089.72

VILLAGES	
Bemus Point	$5,302.70
Brocton	$1,824.56
Cassadaga	$1,677.21
Celoron	$4,592.93
Falconer	$6,645.99
Fredonia	$35,855.69
Lakewood	$24,454.26

Kiantone	$12,116.85	Mayville	$7,878.29
Mina	$28,902.51	Panama	$1,291.72
North Harmony	$43,888.23	Sherman	$1,762.14
Poland	$10,875.82	Silver Creek	$4,896.47
Pomfret	$71,088.61	Sinclairville	$1,571.67
Portland	$20,036.80	Westfield	$8,600.04
Ripley	$13,062.14		
Sheridan	$17,124.07		
Sherman	$10,286.24		
Stockton	$9,322.92	**TOTAL**	$106,353.67
Villenova	$10,176.02		
Westfield	$23,417.14		

TOTAL	$746,672.51
GRAND TOTAL	$987,115.90

Signed: Vanstrom, Davis, Starks, Muldowney, Nazzaro, Gould, Niebel, Odell, Harmon (Voted "yes" by video conference)

Unanimously Adopted – May 26, 2021

RES. NO. 101-21
Amend 2021 Budget–District Attorney
By Public Safety and Audit & Control Committees:
At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, the District Attorney anticipated participating in the Violence Against Women Act (VAWA) grant in 2021; and

WHEREAS, revenues and expenditures associated with the VAWA grant were included in the 2021 Adopted Budget; and

WHEREAS, the District Attorney was not awarded the VAWA grant for the 2021 calendar year; now therefore be it

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2021 Adopted Budget:

DECREASE APPROPRIATION ACCOUNTS:

A.1165.----.1	Personal Services - District Attorney		$33,500
A.1165.----.4	Contractual - District Attorney		$13,000
A.1165.----.8	Employee Benefits - District Attorney		$6,350
		Total	$52,850

DECREASE REVENUE ACCOUNT:

A.1165.----.R438.9004	Federal Aid-Violence Against Women	$52,850

Signed: Niebel, Pavlock, Bankoski, Whitford, Hemmer, Nazzaro, Gould, Odell, Harmon (Voted "yes" by video conference)

Unanimously Adopted – May 26, 2021

RES. NO. 102-21
Authorize Execution of New York State Office of Homeland Security and Emergency Services Grant for Explosive Detection Canine Team FY19

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

WHEREAS, the Chautauqua County Sheriff received notice the State of New York approved the application for an Office of Homeland Security and Emergency Services Program Grant for further implementation of the Explosive Detection Canine Team grant; and

WHEREAS, the State of New York will provide funding for FY19 grant award in the amount of $15,000, with no local funds, for the contract period from April 1, 2021 to August 31, 2022; and

WHEREAS, this grant is not currently included in the 2021 Adopted Budget; now therefore be it

RESOLVED, That the County Executive is authorized to execute an agreement to secure the grant funding with the New York State Office of Homeland Security; and also be it

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2021 Adopted Budget:

INCREASE APPROPRIATION ACCOUNT:

A.3110.GRNT.4	Contractual – Sheriff, Sheriff Grants	$15,000

INCREASE REVENUE ACCOUNT:

A.3110.GRNT.R438.9K9T	Federal Aid – Explosive Detection Canine Team	$15,000

Signed: Niebel, Pavlock, Bankoski, Whitford, Hemmer, Nazzaro, Gould, Odell, Harmon (Voted "yes" by video conference)

Unanimously Adopted – May 26, 2021

RES. NO. 103-21
Authorize Execution of New York State Office of Homeland Security and Emergency Services Grant for Bomb Squad Initiative Program FY19

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

WHEREAS, the Chautauqua County Sheriff received notice the State of New York approved the application for an Office of Homeland Security and Emergency Services Program Grant for the FY19 Bomb Squad Initiative Grant Program; and

WHEREAS, the State of New York will provide funding for FY19 grant award in the amount of $75,000, with no local funds, for the contract period from April 1, 2021 to August 31, 2022; and

WHEREAS, this grant is not included in the 2021 Adopted Budget; now therefore be it

RESOLVED, That the County Executive is authorized to execute an agreement to secure the grant funding with the New York State Office of Homeland Security; and also be it

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2021 Adopted Budget:

INCREASE APPROPRIATION ACCOUNT:

A.3110.GRNT.2	Contractual – Sheriff, Sheriff Grants	$72,500

INCREASE REVENUE ACCOUNT:

A.3110.GRNT.R438.9BMB	Federal Aid – Bomb Detection	$72,500

Signed: Niebel, Pavlock, Bankoski, Whitford, Hemmer, Nazzaro, Gould, Odell, Harmon (Voted "yes" by video conference)

Unanimously Adopted – May 26, 2021

RES. NO. 104-21
Amend 2021 Budget for Office of the Sheriff

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

WHEREAS, some Office of the Sheriff expenses have exceeded initial budgetary estimates; and

WHEREAS, the Office of the Sheriff will receive revenues 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 2021 Adopted Budget:

INCREASE APPROPRIATION ACCOUNT:

A.3110.----.2	Equipment – Sheriff	$10,395

INCREASE REVENUE ACCOUNT:

A.3110.----.R262.6000	Fines & Forfeitures – Restricted-Forfeiture	$10,395

Signed: Niebel, Pavlock, Bankoski, Whitford, Hemmer, Nazzaro, Gould, Odell, Harmon (Voted "yes" by video conference)

Unanimously Adopted – May 26, 2021

RES. NO. 105-21
Authorize Agreement with Chautauqua-Cattaraugus Erie II BOCES for Culinary Arts Instruction

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, 2021 through June 30, 2022, with payments to be made by BOCES to the County of Chautauqua for a total sum not to exceed $41,705; and

WHEREAS, an appropriate portion of the revenue from this agreement is included in the 2021 Adopted Budget and will be included in the 2022 Proposed Budget for the Office of the Sheriff; 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.

Signed: Niebel, Pavlock, Bankoski, Whitford, Hemmer, Nazzaro, Gould, Odell, Harmon (Voted “yes” by video conference)

Unanimously Adopted – May 26, 2021

RES. NO. 106-21
Authorize Agreement with Silver Creek Central School District for School Resource Officer

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

WHEREAS, the Silver Creek Central School District has requested the Chautauqua County Office of the Sheriff provide a School Resource Officer during the term of July 1, 2021 through June 30, 2022; and

WHEREAS, the Chautauqua County Office of the Sheriff has negotiated a tentative agreement with Silver Creek School District to provide a certified School Resource Officer for the term of July 1, 2021 through June 30, 2022 at a cost of $97,938; and

WHEREAS, this contract is a renewal and is included in the 2021 Adopted Budget so no budget amendment is needed; now therefore be it

RESOLVED, That the County Executive is hereby authorized and empowered to execute an agreement with Silver Creek Central School District for the purpose of providing a School Resource Officer for the term as set forth above with revenues to be credited to account A.3110.R226.0000.

Signed: Niebel, Pavlock, Bankoski, Whitford, Hemmer, Nazzaro, Gould, Odell, Harmon (Voted "yes" by video conference)

Unanimously Adopted – May 26, 2021

RES. NO. 107-21

Authorize Agreement with Town of Hanover for Enhanced Police Protection Services FY21

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

WHEREAS, the Town of Hanover and the Village of Silver Creek have requested the Chautauqua County Office of the Sheriff provide enhanced police protection services within the geographical boundaries of the Town of Hanover and the Village of Silver Creek for the 2021 calendar year; and

WHEREAS, the Chautauqua County Office of the Sheriff has negotiated a tentative agreement with the Town of Hanover and the Village of Silver Creek for the period from January 1, 2021 through December 31, 2021 for an estimated cost not to exceed $427,064; and

WHEREAS, this revenue is included in the 2021 Adopted Budget so no budget amendments are needed; now therefore be it

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

Signed: Niebel, Pavlock, Bankoski, Whitford, Hemmer, Nazzaro, Gould, Odell, Harmon (Voted "yes" by video conference)

Unanimously Adopted – May 26, 2021

RES. NO. 108-21
FY2019 Hazardous Materials Grant Program

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

WHEREAS, the Office of Emergency Services was awarded a Regional Partnership Grant in the amount of $94,000 under the 2019 Hazmat Grant Program which runs from April 1, 2021, through August 31, 2022; and

WHEREAS, the 2019 Hazmat Grant is a Regional Partnership Grant which includes Hazmat teams from Chautauqua, Cattaraugus, Allegany and Seneca Nation of Indians; and

WHEREAS, grant funding will be expended in the 2021 budget year; now therefore be it

RESOLVED, That the County Executive is hereby authorized to execute all necessary agreements to accept the award and subsequent changes to work plans if necessary; and be it further

RESOLVED, That the Director of Finance is hereby directed to make the following 2021 budgetary changes:

INCREASE APPROPRIATION ACCOUNT:		
A.3640.----.2	Equipment – Hazardous Materials	$ 94,000
INCREASE REVENUE ACCOUNT:		
A.3640.----.R430.5004	Federal Aid – Homeland Security	$ 94,000

Signed: Niebel, Pavlock, Bankoski, Whitford, Hemmer, Nazzaro, Gould, Odell, Harmon (Voted "yes" by video conference)

Unanimously Adopted – May 26, 2021

RES. NO. 109-21
Authorize Agreement with Village of Lakewood for Purchase of Fuel

By Public Safety Committee:
At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, the Office of Emergency Services has determined that the utilization of the fuel depot at the Village of Lakewood would increase cost efficiency and accountability for the Fly Car Program; and

WHEREAS, the Office of Emergency Services has negotiated a tentative agreement with the Village of Lakewood for the purchase of fuel for agency vehicles at current New York State bid prices and without payment of usage or service fees; therefore be it

RESOLVED, That the County Executive is hereby authorized and empowered to execute an agreement with the Village of Lakewood for the purchase of fuel for Emergency Services vehicles.

Signed: Signed: Niebel, Pavlock, Bankoski, Whitford, Hemmer (Voted "yes" by video conference)

Unanimously Adopted – May 26, 2021

RES. NO. 110-21
Amend Chautauqua County Health & Human Services 2021 Adopted Budget for Increased Home Energy Assistance Program Costs

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

WHEREAS, 2021 expenditures for the Home Energy Assistance Program are now projected to be in excess of the budgeted amount; and

WHEREAS, 2021 contractual expenditures for State Training School are now projected to be lower than the budgeted amount; now therefore be it

RESOLVED, That the Director of Finance is authorized and directed to make the following changes to the 2021 Adopted Budget:

INCREASE APPROPRIATION ACCOUNT:
A.6141.----.4 Contractual-- Home Energy Assistance Prog $ 30,000

DECREASE APPROPRIATION ACCOUNT:
A.6129.----.4 Contractual—State Training School $ 30,000

Signed: Pavlock, Rankin, Whitford, Whitney, Lawton, Nazzaro, Gould, Niebel, Odell, Harmon (Voted "yes" by video conference)

Unanimously Adopted – May 26, 2021

RES. NO. 111-21
Designate Chautauqua County Legislature as the Lead Agency Responsible for Environmental Quality Review (SEQR) of Proposed Agricultural District Modifications

By Planning & Economic Development Committee:
At the Request of County Executive Paul M. Wendel, Jr.

WHEREAS, the Chautauqua County Legislature is responsible for Chautauqua County Agricultural Districts No. 1, 2, 6, 7, 8, 10, 11, 12, and 13; and

WHEREAS, Article 25-AA of the Agriculture and Markets Law authorizes the continuance and modification of agricultural districts within the County of Chautauqua in accordance with the procedures set forth therein; and

WHEREAS, the Clerk of the Legislature received notifications from the New York State Department of Agriculture and Markets to start an eight-year review for each of Chautauqua County's agricultural districts; and

WHEREAS, in accordance with New York State Agriculture and Markets Law Section 303-a, a comprehensive eight-year review of Chautauqua County's agricultural districts is being conducted in 2021, and a Notice of Review to accept proposals for modifications to the districts was posted and distributed in accordance with the procedures set forth therein for the period of March 1, 2021 through April 1, 2021; and

WHEREAS, the Chautauqua County Agriculture and Farmland Protection Board reviewed submitted proposals on April 28, 2021, and unanimously voted to accept all proposed modifications; and

WHEREAS, the State Environmental Quality Review Act (SEQR) requires modifications to an agricultural district to have an environmental assessment; and

WHEREAS, it is the responsibility of an agency which undertakes an action to be the lead agency in the SEQR process; therefore be it

RESOLVED, That the Chautauqua County Legislature does hereby agree to act as the SEQR Lead Agency and as such is authorized to comply with all SEQR requirements for proposed updates or additions to Chautauqua County Agricultural District program in Chautauqua County for the 2021 eight-year review.

Signed: Odell, Starks, Muldowney, Harmon, Ward, Rankin, Lawton (Voted "yes" by video conference)

Unanimously Adopted – May 26, 2021

RES. NO. 112-21
Authorizing Public Hearing Regarding Proposed Modifications to Chautauqua County Agricultural Districts

By Planning & Economic Development Committee:
At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, the Chautauqua County Legislature is responsible for Chautauqua County Agricultural Districts No. 1, 2, 6, 7, 8, 10, 11, 12, and 13; and

WHEREAS, Article 25-AA of the Agriculture and Markets Law authorizes the continuance and modification of agricultural districts within the County of Chautauqua, in accordance with the procedures set forth therein; and

WHEREAS, the Clerk of the Legislature received notifications from the New York State Department of Agriculture and Markets to perform an eight-year review of each of Chautauqua County's agricultural districts; and

WHEREAS, in accordance with New York State Agriculture and Markets Law Section 303-a, a comprehensive eight-year review of Chautauqua County's agricultural districts is being conducted in 2021, and a Notice of Review to accept proposals for modifications to the districts was posted and distributed in accordance with the procedures set forth therein, for the period of March 1, 2021 through April 1, 2021; and

WHEREAS, in accordance with New York State Agriculture and Markets Law Section 303-c, consolidation of agricultural districts are considered modifications to the district boundaries; and

WHEREAS, pursuant to Resolution No. 208-15, Chautauqua County accepted a plan to consolidate the agricultural districts into districts No. 1, 7, 8, and 10; and

WHEREAS, the Chautauqua County Agriculture and Farmland Protection Board reviewed submitted proposals on April 28, 2021, and unanimously voted to accept all proposed modifications and consolidations; and

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

RESOLVED, That the Chautauqua County Legislature hold a public hearing for the aforementioned purposes during the regular meeting of the County Legislature on June 23, 2021, at 6:35 p.m., in the Legislative Chambers, Gerace Office Building, Mayville, New York, where all interested parties shall be heard regarding the proposed modifications to Chautauqua County's Agricultural Districts; and be it further

RESOLVED, That at least eight (8) days' notice of such hearing shall be given by the Clerk of the Legislature by the due posting thereof in the Gerace Office Building and on the County's website, and by publishing such notice at least once in the official newspaper of the County.

Signed: Odell, Starks, Muldowney, Harmon, Ward, Rankin, Lawton (Voted "yes" by video conference)

Unanimously Adopted – May 26, 2021

RES. NO. 113-21
Endorsement of 2021 Chautauqua Lake Memorandum of Understanding

By Planning & Economic Development Committee:
At the Request of County Executive Paul M. Wendel, Jr. & Chairman Pierre Chagnon:

WHEREAS, Chautauqua Lake is an invaluable asset for Chautauqua County that enhances the environment and quality of life of its residents, provides recreational and tourism opportunities, and spurs economic development; and

WHEREAS, the health and usability of Chautauqua Lake has been threatened by numerous factors including, but not limited to, proliferation of non-native aquatic plant species, nuisance levels of native vegetation, and Harmful Algal Blooms ("HABs"); and

WHEREAS, pursuant to Resolution 101-19, the County and most all Chautauqua Lake stakeholder municipalities, agencies, and non-profit organizations ("Participants") entered into an initial two-year 2019 Chautauqua Lake Memorandum of Agreement ("2019 MOA") that set forth collaborative tenets for weed management practices in Chautauqua Lake through April 2021; and

WHEREAS, a two-year 2021 Chautauqua Lake Memorandum of Understanding ("2021 MOU") has been developed as the successor to the 2019 MOA, and to confirm a statement of the good faith intent of all Participants to work collaboratively to protect and enhance the health and usability of Chautauqua Lake under the following common principles:

a. The development of data sets to guide the parties' collaborations will ultimately improve the health and usability of Chautauqua Lake;
b. Data and information generated as a result of the implementation of management activities will be shared;
c. In-lake maintenance activities will be coordinated and integrated;
d. Opinions will be expressed respectfully regardless of whether in agreement or disagreement with the opinions of others, and it is acknowledged that respectful discussions have a greater potential to achieve improved lake health conditions;
e. Collaboration will be actively pursued to enhance the parties' individual efforts; and
f. Litigation will not be pursued against any other Participant who is a party to the 2021 MOU.

now therefore be it

RESOLVED, That the Chautauqua County Legislature hereby endorses the 2021 Chautauqua Lake Memorandum of Understanding, to be executed by the County Executive on behalf of the County.

Signed: Odell, Starks, Muldowney, Harmon, Ward, Rankin, Lawton (Voted "yes" by video conference)

Unanimously Adopted – May 26, 2021

RES. NO. 114-21
Confirm Appointment - Luz Torres (D) Commissioner of Elections

At the Request of Legislators Starks, Nazzaro, Bankoski, Whitford, and Whitney:

WHEREAS, the term of the Democratic Commissioner of Elections expired December 31, 2020; and

WHEREAS, an Election Commissioner Certification by the Democratic County Committee of the County of Chautauqua was duly filed with the Clerk of the County Legislature on October 6, 2020, pursuant to the New York State Election Law, and stated that a majority of such party Committee recommended the appointment of Luz Torres for the four (4) year term beginning January 1, 2021; therefore be it

RESOLVED, That Luz Torres be and hereby is appointed Democratic Commissioner of Elections for the County of Chautauqua for the remainder of the term of four (4) years that commenced January 1, 2021, and ending December 31, 2024, at the salary provided in Local Law 3-98 increased in conformity with the increases provided for County Managers under the Management Salary Plan; and be it further

RESOLVED, that Resolution 80-21 is hereby rescinded.

Signed: Nazzaro

Unanimously Adopted – R/C Vote: 19 – May 26, 2021

RES. NO. 115-21
Extend 2020 Tax Foreclosure Redemption Date

At the Request of County Executive Paul M. Wendel, Jr. and Legislators Scudder, Muldowney, Starks, Davis and Vanstrom:

WHEREAS, pursuant to Article 11 of the Real Property Tax Law, the redemption date in a tax foreclosure proceeding is the last day a property owner can redeem a property by paying the delinquent taxes, and also the last day a property owner may file an answer in the tax foreclosure proceeding; and

WHEREAS, due to the COVID-19 crisis, the County previously extended the 2020 tax foreclosure redemption date to June 18, 2021 to afford additional time for property owners affected by the pandemic to redeem their foreclosed property; and

WHEREAS, the New York State Legislature has extended the COVID-19 Emergency Eviction and Foreclosure Prevention Act of 2020 (the "Act"), which provides further limitations on foreclosure actions through August 31, 2021; and

WHEREAS, as a result of the Act, it is now appropriate to further extend the 2020 tax foreclosure redemption date to a date after August 31, 2021; now therefore be it

RESOLVED, That the Chautauqua County Legislature hereby designates Friday, October 30, 2021, as the extended redemption date in the County's annual tax foreclosure for 2020.

Signed: Scudder

Unanimously Adopted – May 26, 2021

2nd PRIVILEGE OF THE FLOOR

Clerk Tampio: Mr. Chairman, I have received no communications for the second privilege of the floor.

Chairman Chagnon: Thank you.

MOVED by Legislator Gould, SECONDED by Legislator Starks and duly carried the meeting was adjourned. *(7:16 p.m.)*

Regular Meeting
Chautauqua County Legislature
Meeting was Held in Person with the Option to Attend Virtually due to Social Distancing Guidelines
And Live Streamed on Social Media
Wednesday, June 23, 2021 6:30 p.m.
Mayville, N.Y. 14757

Chairman Chagnon called the meeting to order at 6:31 p.m.

Clerk Tampio called the roll and announced a quorum present

Legislator Lawton delivered the prayer and pledge of allegiance.

Chairman Chagnon: At this time I would request a moment of silence in memory of Tom Harte. Tom was a former Chautauqua County Legislator from 1980 to 1991 and served as chairman of this Legislature from 1984 to 1985. He was an outstanding civic leader and a tireless public servant. Please join me in a moment of silence. Thank you.

MOVED by Legislator Bankoski, SECONDED by Legislator Rankin and duly carried the minutes were approved. (05/26/2021)

1st Privilege of the Floor

Chairman Chagnon: This will bring us to the first privilege of the floor. Is there anyone to address us for the first privilege of the floor? Kathy, do we have any communications for the first privilege of the floor?

Clerk Tampio: No, we have not received any communications.

Chairman Chagnon: O.k., thank you.

VETO MESSAGES FROM COUNTY EXECUTIVE WENDEL
NO VETOES FROM 05/26/2021

Clerk Tampio: Communications are listed on your agenda this evening – 11 items. Are there any of them that the Legislature would like to have read aloud? Hearing none, if you would like a copy of any of these please notify our office.

Chairman Chagnon: Thank you.

COMMUNICATIONS:

1. Letters (4) – NYS Department of Taxation and Finance – Certified 2021 State Equalization Rates
2. Report – Chautauqua County Planning Board – 2022 Capital Budget and 2023-2027 Capital Plan
3. Policy – Chautauqua County Information Technology Policy
4. Report – Finance Director Crow, Re: April 2021 Investment Report
5. Minutes – Conewango Watershed Commission – June 8, 2021 Meeting

6. Report – Chautauqua County Land Bank – 2020 Annual Report
7. Affidavit of Publication – Post-Journal – Re: Public Hearing- Modifications to Chautauqua County's Agricultural Districts
8. Affidavit of Publication – Observer – Re: Public Hearing- Modifications to Chautauqua County's Agricultural Districts
9. Affidavit of Publication – Post-Journal – Legal Notice – Re: Local Law Introductory No. 2-21
10. Affidavit of Publication – Observer – Legal Notice – Re: Local Law Introductory No. 2-21
11. Letter – NYS Department of State – Ack. Receipt of Local Law 3-21 (A Local Law Amending the Chautauqua County Code of Ethics)

COMMENDATIONS:

CERTIFICATE AWARDS
To High School
VALEDICTORIANS and SALUTATORIANS
By
Chairman Pierre E. Chagnon
County Executive Paul M. Wendel, Jr.

Chautauqua Lake Central School
ENVIROTHON TEAMS
By
Legislators Gould, Vanstrom and Ward

PRESENTATION:

Planning Board's Review of
2022 Capital Projects
By Doug Bowen
(On file w/Legislature Data)

6:35 P.M. PUBLIC HEARING

REGARDING MODIFICATIONS TO CHAUTAUQUA COUNTY'S AGRICULTURAL DISTRICTS

(6:51 p.m.)

Chairman Chagnon: Is there anyone wishing to address the public hearing at this time? Anyone wishing to address the public hearing regarding modifications of Chautauqua County's Agricultural Districts? Sir, please step up to the microphone and give us your name and address.

My name is Tom Gibs and I live on Chautauqua Stedman road. I just got the notice today that you're having this meeting and that you're modifying it. Why is that?

Chairman Chagnon: This was published, right?

Clerk Tampio: Yes, it was published in both newspapers and the mailer was sent out to all property owners.

Mr. Gibs: Why was it sent so I got it today? So I didn't get it until I got home from work?

Legislator Gould: The reason to modify it down to four units is so we can report them. The State wants them reported every so often and when there was eight or ten of them we couldn't get it done. That's the reason. And don't think your post card was late, mine came today too.

Mr. Gibs: And that makes it O.K.? *(Inaudible)* there are probably a lot of people that would want to come but don't know about it until they get home from work when you're already having your meeting. Something is wrong with this picture. Why are we changing to 2 or 4?

Legislator Gould: So we can report them on time to the State. The State requires us to report them- I've been on the Farmland Protection Board for 15 years and we used to always report them to the State late and the State doesn't like that. So, we're consolidating them so we can report them in a timely manner.

Mr. Gibs: What are you reporting? I'm sorry, I'm stupid I guess.

Legislator Gould: We have to fill out a report on the land and give people a chance to get in and get out of the Ag. Districts.

Mr. Gibs: What's the advantage of getting in and out of the Ag. Districts? So you can raise taxes on them?

Legislator Gould: No. There are some people that want out. It lowers taxes. It keeps it farm land and not *(inaudible.)*

Mr. Gibs: (*Inaudible)* new projects supposedly going in and that has nothing to with changing it from agricultural to residential so we can raise taxes on all that?

Legislator Gould: I can't answer that I guess.

Chairman Chagnon: Thank you for your comments. Anyone else to address the public hearing regarding the modifications to the Chautauqua County Agricultural Districts?

Mr. Bowen: I'm Douglas Bowen from the Town of Ripley. It is my understanding that the Ag. Districts- the number of Ag. Districts in the County is being reduced down to 2. It is required by the State that- I think it's every 5 years- I'm not sure about the actual term, that the Agricultural Districts need to be reviewed-

(Cross-talk)

Mr. Bowen: Oh, every 8 years. Sorry about that. All they're doing at this point in time is reducing the number of Ag. Districts down to 2. They are not removing anything out of the Ag. Districts from within the Ag. Districts, we are just reducing the number of districts so that there are only 2 districts to review each time rather than the total districts that currently exist. No properties are being moved from the Ag. District through this process, it's just the number of Ag. Districts in the County is being reduced. I hope that *(inaudible.)*

Ms. Wurster: Mr. Chairman? I can speak to this. I would like the correct information to be out there. This is Rebecca Wurster, Planning Coordinator in the Planning of Development. Tonight's public hearing is based on Ag. District modifications that we received back in March and April when we put out

notice that it was time for our eight year Ag. District Review. We decided to review all 9 Agriculture Districts and based on this 30 day application period we did receive 2 applications for removing and adding parcels to the district. One application added three parcels to District 2, which was approximately 7 acres in Pomfret in Fredonia on 3777 Eagle Street and then 1 application was for the removal of two parcels from District 2 in the Village in Westfield. The addition already has agriculture farmland happening on it, so that made sense and then the removal no longer farms on that land and it's in the Village and he requested that those be removed, so that made sense as well. This plan did go to our Ag. Farmland Protection Board, who ultimately has approved that plan to move forward to the Legislature, which is what you will be voting on tonight.

This modification also includes the consolidation of 9 districts to 4 districts. This is simply for administrative purposes. Every 8 years we have to be reviewing these districts and 9 makes it a lot of work, so yes, we're moving it down to 4 so that it's easier that we can do bi-annual reviews of the 4 districts. So, that is what the public hearing is for tonight. It's for the consolidation of 9 districts down to 4 districts and also includes the modification of 5 parcels- 3 being added and 2 being removed. Anyone else within our Ag. District will remain the same and will remain in their current agriculture district boundaries, so no changes are being made to anyone else's property. I just wanted to make that clear.

Chairman Chagnon: Thank you, Rebecca. That makes it very clear for us. Thank you. Anyone else wishing to speak to the public hearing? Please give us your name and your address and speak into the microphone.

My name is Sally Johnson and I'm from Dunkirk, New York. I would like to know if these parcels were changed in any way to help the building of solar projects. Did that have anything to do with this change?

Ms. Wurster: No, this has nothing to do with any solar or wind projects. This is specifically related to our agriculture districts and the properties within those districts.

Ms. Johnson: These properties that have changed will not be determined to be solar farms in the future?

Ms. Wurster: That would be based on local zoning and this is not related to zoning at a municipal level. This is just our agricultural district boundaries.

Ms. Johnson: I have to agree with the gentleman, people need notice about these meetings. I read the paper every day. I'm online every day. I saw nothing and my husband does the same too. People need to know. This is your first meeting in a year open to the public? I think there should be proper notice. Thank you.

Chairman Chagnon: Thank you for your comments. Anyone else wishing to address the public hearing? Any other comments on the public hearing regarding modifications to the Chautauqua County agricultural districts? Hearing none, I will close the public hearing (7:00 p.m.)

RES. NO. 116-21
Confirm Appointment and Re-Appointments – Chautauqua County Food Policy Council

By Planning & Economic Development Committee:
At the County Executive Paul M. Wendel, Jr.:

WHEREAS, the Chautauqua County Food Policy Council was created by Resolution 119-19; and

WHEREAS, a food policy council serves as a network to bring stakeholders both directly and indirectly involved in a food system together to increase communication between sectors and to strengthen and build healthy, sustainable communities; and,

WHEREAS, Resolution 119-19 provides that the membership of the Council will consist of a minimum of thirteen members, comprising seven reserved seats and six community seats; and

WHEREAS, additional seats may be added as recommended by the Council, but total membership will not exceed fifteen members; and

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

RESOLVED, That the Chautauqua County Legislature does hereby confirm the following appointment and re-appointments to the Chautauqua County Food Policy Council:

New Appointment
Sarah Moller
2303 Robin Hill Road
Russell, PA16345
Food Waste Rep.
Term Expires: 12/31/23

Re-Appointments
Kate Ewer
106 Hoag Rd..
Ashville, NY 14710
Cornell Cooperative Extension
Term Expires: 12/31/23

James Galbato
10 Hunt Rd.
Jamestown, NY 14701
Wholesale/Transportation Brigiotta's
Term Expires: 12/31/23

Sue Abers
884 Route 394
Kennedy, NY 14747
Community Member/ Abers Acres
Term Expires: 12/31/23

Linda DeJoseph
302 State St.
Jamestown, NY 14701
Community Member/ JCC Food Pantry Coordinator
Term Expires: 12/31/23

Signed: Starks, Ward, Lawton (Muldowney, Rankin voted “yes” by video conference)

Unanimously Adopted – June 23, 2021

RES. NO. 117-21
Confirm Appointment - Chautauqua County Community Services Board

By Human Services 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 Chautauqua County Community Service Board:

Carole Seekings
5 North Street
Lily Dale, NY 14752
Term Expires: 12/31/24

Signed: Pavlock, Whitney, Lawton (Whitford, Rankin voted "yes" by video conference)

Unanimously Adopted – June 23, 2021

RES. NO. 118-21
Re-Appointments – Chautauqua Opportunities Board of Directors

By Human Services Committee:
At the Request of County Executive Paul M. Wendel Jr.:

WHEREAS, Paul M. Wendel Jr., County Executive, 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 Opportunities Governing Board.

Re - Appointments:

Rebecca Brumagin
10606 Route 430
Findley Lake, NY 14736
Term Expires: 6/30/22

Marie Carrubba
19 Widrig Ave.
Jamestown, NY 14701
Term Expires: 6/30/22

George Borrello
1014 South Shore Dr.
Irving, NY 14081
Term Expires: 6/30/22

Signed: Pavlock, Whitney, Lawton (Whitford, Rankin voted "yes" by video conference)

Unanimously Adopted – June 23, 2021

RES. NO. 119-21
Confirm Appointments and Re-Appointments - Chautauqua County Historian's Advisory Board

By Administrative Services Committee:
At the Request of County Executive Paul M. Wendel, Jr.:

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

RESOLVED, That the Chautauqua County Legislature does hereby confirm the following appointment and re-appointments to the Chautauqua County Historian's Advisory Commission.

New Appointment
Noah Goodling
104 E. Third St., Apt. 8
Jamestown, NY 14701
Term Expires: 12/31/23

Re-Appointments
Legislator Terry Niebel
3199 E. Main Rd.
Dunkirk, NY 14048
Term Expires: 12/31/23

Traci Langworthy
51 Pleasantview Dr.
Jamestown, N.Y. 14701
Term Expires: 12/31/23

Amanda Shepp
3759 Bard Rd.
Cassadaga, N.Y. 14718
Term Expires: 12/31/23

Signed: Vanstrom, Starks, Scudder (Muldowney, Davis voted "yes" by video conference)

Unanimously Adopted – June 23, 2021

RES. NO. 120-21
Increase Capital Account for the Rehabilitation of Taxiway B South (Construction) at the Chautauqua County Dunkirk Airport

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

WHEREAS, Chautauqua County received a grant from the Federal Aviation Administration to pay 90% of the allowable costs incurred for the rehabilitation of Dunkirk Airport Taxiway B South Airport Improvement Program (AIP) project, FAA AIP Project No. 3-36-0022-055-2017 ("Project"); and

WHEREAS, the New York State Department of Transportation is offering a matching grant to the federal grant for 50% of the non-federal share of eligible costs; and

WHEREAS, Chautauqua County approved the project and committed funds for the local share of project costs under Resolution 207-17; and

WHEREAS, the final cost of the project exceeded appropriated amounts by $85,531; and

WHEREAS, the FAA has authorized payment to the contractor for additional/changed work totaling $88,292; now therefore be it

RESOLVED, That A Fund Balance be appropriated as follows:

INCREASE THE USE OF FUND BALANCE:
A.----.----.878.000 Fund Balance, Reserved Fund Balance – Reserve for Capital $4,277

; and be it further

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

INCREASE APPROPRIATION ACCOUNT:
A.9950.----.9 Interfund Transfers – Transfer to Capital $4,277

INCREASE CAPITAL APPROPRIATION ACCOUNT:

H.5610.25817.4	Contractual – Rehab Taxiway B South – Dunk (2016)	$85,531

INCREASE CAPITAL REVENUE ACCOUNTS:

H.5610.25817.R503.1000	Interfund Transfer – Interfund Transfer	$4,277
H.5610.25817.R359.7001	NYS Aid – Airport Capital Grants	$4,276
H.5610.25817.R459.2000	Federal Aid – Airport Federal Capital Grants	$76,978
	Total:	$85,531

Signed: Gould, Nazzaro, Niebel (Hemmer, Davis voted "yes" by video conference) (P.F. Carried w/Scudder voted "no")

Adopted w/ Legislator Scudder voting "no" – June 23, 2021

RES. NO. 121-21
Increase Capital Account for the Rehabilitation of Hangar C at the Chautauqua County/Jamestown Airport

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

WHEREAS, Chautauqua County received a grant from the New York State Department of Transportation (NYSDOT) to pay $902,240 or 84 percent of the allowable costs incurred for the Chautauqua County/Jamestown Airport – Rehabilitate Hangar C (NYSDOT/Aviation Grant Program), Project No. 5903.56 (herein referred to as the "Project"); and

WHEREAS, Chautauqua County approved local share funding to pay $171,960 or 16 percent of the anticipated Project costs under Resolution 177-19; and

WHEREAS, the actual cost of construction of the Project, inclusive of design services and other project costs is currently projected at final cost of $1,194,200, thus exceeding the authorized project budged by $120,000; and

WHEREAS, the NYSDOT grant for the Project expressly stipulates that "Project Costs in excess of State funds available for the work shall be the responsibility of Sponsor (County)."

now therefore be it

~~RESOLVED, that A Fund Balance be appropriated as follows:~~

~~INCREASE THE USE OF FUND BALANCE:~~

~~A.---.---.878.0000~~	~~Fund Balance, Reserved Fund Balance – Reserve for Capital~~	~~$120,000~~

~~; and be it further~~

RESOLVED, That the Director of Finance is directed to make the following changes to the ~~Capital~~ **2021 Adopted** Budget:

DECREASE APPROPRIATION ACCOUNT:

A.1990.----.4	Contractual – Contingent Account	$120,000

INCREASE APPROPRIATION ACCOUNT:

A.9950.----.9	Interfund Transfers – Transfer to Capital	$120,000

INCREASE CAPITAL APPROPRIATION ACCOUNT:

H.5610.25164.4	Contractual – Chautauqua County Airport, Hangar C - JHW (2019)	$120,000

INCREASE~~/DECREASE~~ CAPITAL REVENUE ACCOUNT~~S~~:

H.5610.25164.R503.1000	Interfund Transfer – Interfund Transfer	$120,000

Signed: Gould, Nazzaro, Niebel (Hemmer, Davis voted "yes" by video conference) (P.F. Passed on to A.C. w/out recommendation) (LEG. Amended by strike through and additional text indicated by underline and bold)

Unanimously Adopted – June 23, 2021

RES. NO. 122-21
Reallocating Salary Grade for Bus Driver II

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

WHEREAS, the Director of Public Facilities requested a review of the Bus Driver II salary grades; and

WHEREAS, the Director of Public Facilities provided research data for employee turnover, recruitment data and wage rates for comparable positions in the local labor market; and

WHEREAS, the Human Resources staff reviewed the salary grade and duties currently being performed by Bus Driver II positions as compared to similar County positions; and

WHEREAS, the positions of Bus Driver II are covered by the terms of the CSEA 6300 Agreement when staffed at 50% or more of full-time, and unrepresented when staffed at less than 50% of full-time and all positions are allocated to grade 1 of the CSEA 6300 salary schedule; and

WHEREAS, the Human Resources staff has recommended that both the unrepresented and CSEA 6300 represented positions of Bus Driver II be increased three grades on the CSEA 6300 salary schedule; and

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

WHEREAS, currently the title of Bus Driver II is at CSEA 6300 salary grade 1; therefore be it

RESOLVED, That the title of Bus Driver II at 50% or more of full-time be set at salary grade 4 of the 2021 CSEA 6300 Salary Schedule; and be it further

RESOLVED, That the title of Bus Driver II at less than 50% of full-time be set at salary grade 4 of the 2021 CSEA 6300 Salary Schedule, limited to salary steps 1, 2 and 3 of that grade.

2021 CSEA 6300 SALARY SCHEDULE

Grade	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9
1	14.44	14.97	15.50	16.08	16.47	16.94	17.39	17.77	18.08
4	15.59	16.13	16.66	17.39	17.77	18.35	18.87	19.30	19.65

Signed: Gould, Scudder, Vanstrom, Starks, Nazzaro, Niebel (Hemmer, Davis, Muldowney voted “yes” by video conference)

Unanimously Adopted – June 23, 2021

RES. NO. 123-21
Adjust D5112-Capital Improvement Accounts
By Public Facilities and Audit & Control Committees:
At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, Chautauqua County’s transportation system, which includes roads and bridges, is essential to everyone and it contributes to economic development, job creation and quality of life; and

WHEREAS, proper maintenance and funding are essential to keeping our roads and bridges in good repair; and

WHEREAS, the Chautauqua County capital budget includes $3,724,255 in CHIPS funding for capital improvement; and

WHEREAS, New York State has adjusted the 2021-2022 CHIPS appropriations for Chautauqua County to $5,311,920 including Cumulative Rollover Balance from 2020-2021; and

WHEREAS, the Chautauqua County capital budget includes $850,098 in PAVE-NY funding for capital improvement; and

WHEREAS, New York State has adjusted the 2020-2021 PAVE-NY appropriations for Chautauqua County to $1,445,448 including Cumulative Rollover Balance from 2020-2021; and

WHEREAS, New York State has recognized the need for additional funds due to extreme winter weather and has appropriated additional funds under the EWR program in the amount of $951,454 including Cumulative Rollover Balance from 2020-2021; and

WHEREAS, the County’s budget should be amended to conform to these adjustments to funding; now therefore be it

RESOLVED, That the County Executive be and hereby is authorized to execute all necessary documents on behalf of Chautauqua County with New York State, in connection with the funding; and be it further

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following budgetary changes to the 2021Adopted Budget:

INCREASE REVENUE ACCOUNT:
D.5112.391.R350.1000 New York State Aid—NYS Aid CHIPS $1,587,665

INCREASE REVENUE ACCOUNT:
D.5112.391.R350.PAVE New York State Aid—NYS Aid PAVE NY $ 595,350

INCREASE REVENUE ACCOUNT:
D.5112.391.R350. EWRNew York State Aid—NYS Aid-Extreme Weather Recovery $951,454

INCREASE APPROPRIATION ACCOUNT:
D.5112.391.4 Contractual--Capital Improvements, Highway Improvements $3,134,469

Signed: Gould, Scudder, Nazzaro, Niebel (Hemmer, Davis voted "yes" by video conference)

Unanimously Adopted – June 23, 2021

RES. NO. 124-21
Adjust D.5112 Capital Improvement Account-Funded Roads

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

WHEREAS, Northland Power applied to the Chautauqua County Department of Public Facilities (DPF) for permitting to utilize County Road 87 in the Town of Villenova for work within the Right of Way (ROW) and Overweight and Over-dimensional hauling associated with the Ball Hill Windfarm construction in the aforementioned town; and

WHEREAS, DPF assessed the permit request and determined a permit fee of $722,100 was required to issue the requested permit; and

WHEREAS, the assessed permit fee is expected to be utilized to repair County Road 87 when windfarm construction activities have been completed; now therefore be it

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2021 Budget:

INCREASE APPROPRIATIONS ACCOUNT:
D.5112.393.4 Contractual---Capital Improvements, Funded Road Program $722,100

INCREASE REVENUE ACCOUNT:
D.5112.393.R259.0025 Licenses & Permits—Permits DPF $722,100

Signed: Gould, Scudder, Nazzaro, Niebel (Hemmer, Davis voted "yes" by video conference)

Unanimously Adopted – June 23, 2021

RES. NO. 125-21
Request Funding for Repairs to Heating and Cooling Systems at MMB and GOB

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

WHEREAS, the controller for the AAON Unit Roof Top Heating and Cooling Plant at the Mayville Municipal Building has failed; and

WHEREAS, the controller cannot be repaired and will need to be replaced; and

WHEREAS, the County Department of Public Facilities has submitted a capital project request to replace the unit controller and has received a quote from the County's HVAC contractor that currently services the unit, with an estimated cost of $25,000; and

WHEREAS, a number of issues developed with the heating system at the Gerace Office Building during the past heating season that will require repair; and

WHEREAS, the repairs will involve the repair of two heat system pumps, replacement of several valves, and repair to defective piping; and

WHEREAS, the County Department of Public Facilities has submitted a capital project request to complete these repairs and has received a quote from the County's HVAC contractor that currently services the system, with an estimated cost of $20,140; and

WHEREAS, the Chautauqua County Planning Board at its May 4, 2021 meeting voted to recommend that these projects move forward in 2021; therefore be it

RESOLVED, That the Legislature of the County of Chautauqua hereby approves the above described projects; and it is further

RESOLVED, That A Fund Balance is appropriated at follows:

INCREASE THE USE OF FUND BALANCE:		
A.----.----.878.0000	Fund Balance, Reserved Fund Balance—Reserve for Capital	$45,140

;and it is further

RESOLVED, That the Director of Finance is authorized and directed to make the following changes to the 2021 Adopted Budget:

INCREASE APPROPRIATION ACCOUNT:		
A.9950.----.9	Interfund Transfers—Transfer to Capital	$45,140

ESTABLISH AND INCREASE CAPITAL APPROPRIATION ACCOUNTS:		
H.1620.25215.4	Contractual – AAON Unit Controller	$25,000
H.1620.25216.4	Contractual – GOB Heating System Repairs	$20,140
	Total	$45,140

ESTABLISH AND INCREASE CAPITAL REVENUE ACCOUNTS:

H.1620.25215.R503.1000	Interfund Transfers---Interfund Transfer	$25,000
H.1620.25216.R503.1000	Interfund Transfers---Interfund Transfer	$20,140
	Total	$45,140

Signed: Gould, Scudder, Nazzaro, Niebel (Hemmer, Davis voted "yes" by video conference)

Unanimously Adopted – June 23, 2021

RES. NO. 126-21
Request Funding for DPF Sheridan Shop Fuel System

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

WHEREAS, the New York State Department of Environmental Conservation (NYSDEC) conducted an inspection of the Department of Public Facilities Sheridan Shop to determine compliance with New York State's Petroleum Bulk Storage regulations; and

WHEREAS, the New York State Department of Environmental Conservation issued a violation for inadequate secondary containment for the Aboveground Storage Tank (AST) equal to or larger than 10,000 gallons; and

WHEREAS, Chautauqua County is subject to enforcement by the New York State Department of Environmental Conservation for violations which could subject the County to financial penalties for non-compliance; and

WHEREAS, the Chautauqua County Department of Pubic Facilities received a cost estimate of $75,000 from The Pump Doctor that currently services the fuel system to bring the system into NYSDEC compliance by constructing a new separate 2,000 gallon unleaded tank and repurposing the existing unleaded tank to serve as an overfill spill chamber for the diesel tank; therefore be it

RESOLVED, that the Legislature of the County of Chautauqua hereby approves the above described project; and be if further

RESOLVED, That A Fund Balance be appropriated as follows:

INCREASE THE USE OF FUND BALANCE:

A. ----. ----.878.0000	Reserved Fund Balance---Reserve for Capital	$75,000

; and be it further

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2021 Adopted Budget:

INCREASE APPROPRIATIONS ACCOUNT:

A.9950.----.9	Interfund Transfers—Transfer to Capital	$75,000

ESTABLISH AND INCREASE CAPITAL APPROPRIATION ACCOUNT:

H.5130.25217.4	Contractual—Road Machinery, Sheridan Shop Fuel System (2021)	$75,000

ESTABLISH AND INCREASE CAPITAL REVENUE ACCOUNT:
H.5130.25217.R503.1000 Interfund Transfers—Interfund Transfer $75,000

Signed: Gould, Scudder, Nazzaro, Niebel (Hemmer, Davis voted "yes" by video conference)

Unanimously Adopted – June 23, 2021

RES. NO. 127-21
Request Funding for DPF Sherman Shop Fuel System

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

WHEREAS, the fueling system at the DPF Sherman Shop needs upgrades to continue current levels of service; and

WHEREAS, installing above-ground tanks helps to greatly reduce the potential for environmental impacts; and

WHEREAS, the Chautauqua County Department of Public Facilities (CCDPF) submitted capital project requests to upgrade the fuel system and said requests were approved as project H.5130.25977 Sherman Shop Fuel System (2017) and funded in the amount of $305,000; and

WHEREAS, the CCDPF during the 2022-2027 Capital Planning Process submitted a request to increase the Capital Project amount by $39,230 to complete the project, and said request was accepted by the Chautauqua County Planning Board; and

WHEREAS, upgrading the Fuel system in 2021 is in the best interest of the County; now therefore be it

RESOLVED, That the Legislature of the County of Chautauqua hereby approves the modification of the above described project; and be it further

RESOLVED, That A Fund Balance be appropriated as follows:

INCREASE THE USE OF FUND BALANCE:
A. ----. ----.878.0000 Reserved Fund Balance---Reserve for Capital $39,230

; and be it further

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2021 Adopted Budget:

INCREASE APPROPRIATIONS ACCOUNT:
A.9950.----.9 Interfund Transfers—Transfer to Capital $39,230

INCREASE CAPITAL APPROPROATION ACCOUNT:
H.5130.25977.4 Contractual—Road Machinery, Sherman Shop Fuel System (2017) $39,230

INCREASE CAPITAL REVENUE ACCOUNT:
H.5130.25977.R503.1000 Interfund Transfers—Interfund Transfer $39,230

Signed: Gould, Scudder, Nazzaro, Niebel (Hemmer, Davis voted "yes" by video conference)

Unanimously Adopted – June 23, 2021

RES. NO. 128-21
Authorize Pre-Order of Leased Vehicles for 2022

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

WHEREAS, the County entered into an agreement for fleet management services whereby it is financially advantageous to lease light duty vehicles and trucks instead of purchasing them; and

WHEREAS, the Chautauqua County Department of Public Facilities (CCDPF) currently leases 16 such vehicles and owns an additional 38 such vehicles; and

WHEREAS, leases are especially financially advantageous at this time because of short-term market conditions; and

WHEREAS, in order to capitalize on current market conditions and ensure delivery of appropriate leased vehicles in 2022, the CCDPF needs to order the leased vehicles by mid-July of 2021; now therefore be it

RESOLVED, hat the County Executive and CCDPF are hereby authorized to make the necessary requests to modify its existing fleet from 16 leased vehicles to up to 54 leased vehicles by the end of calendar year 2022.

Signed: Gould, Nazzaro, Niebel (P.F. Passed on to A.C. w/out recommendation)

Unanimously Adopted – June 23, 2021

RES. NO. 129-21
Authorize Acceptance of Aid to Defense Grant 2021-2022

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

WHEREAS, the Chautauqua County Office of the Public Defender has been awarded a grant in the amount of $13,238 from the New York State Division of Criminal Justice Services pursuant to its Aid to Defense Program for the period from April 1, 2021 through March 31, 2022; and

WHEREAS, the County of Chautauqua has participated in this program in the past and is desirous of accepting such grant for the duration of the Aid to Defense Program; and

WHEREAS, the 2021 Adopted Budget did not include appropriations and funding for this grant; now therefore it be

RESOLVED, That the Chautauqua County Legislature hereby authorizes and approves the funding application and confirms acceptance of the funding of the grant for the Aid to Defense Program now and for each and every subsequent year so long as the Aid to Defense Program exists; and be it further

RESOLVED, That the County Executive is hereby authorized to sign any and all contract documents necessary to confirm the application and acceptance and receipt of such grant; and be it further

RESOLVED, That a certified copy of this resolution be forwarded to the New York State Division of Criminal Justice Services; and be it further

RESOLVED, That the Director of Finance is authorized and directed to make the following budgetary adjustments to the 2021 Adopted Budget:

INCREASE APPROPRIATION ACCOUNT:		
A.1170.----.1	Personal Services-Public Defender	$13,238
INCREASE REVENUE ACCOUNT:		
A.1170.----.R308.9000	NYS Aid-Other State Aid	$13,238

Signed: Niebel, Pavlock, Gould, Nazzaro (Bankoski, Whitford, Hemmer voted “yes” by video conference)

Unanimously Adopted – June 23, 2021

RES. NO. 130-21
Authorize Acceptance of 2021-2022 Aid to Prosecution 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 $54,460.00 from the New York State Division of Criminal Justice Services pursuant to its Aid to Prosecution Program for the period from April 1, 2021 through March 31, 2022; and

WHEREAS, such funds are to be utilized to enhance priority violent felony prosecutions within that office; and

WHEREAS, the 2021 Adopted Budget includes appropriations and revenue for the appropriate portion of this grant; now therefore be it

RESOLVED, That the County of Chautauqua accepts the Aid to Prosecution Program grant from the New York State Division of Criminal Justice Services (DCJS) in the amount of $54,460.00 for the term of April 1, 2021 to March 31, 2022 and any amendments thereto; and be it further

RESOLVED, That the County Executive is hereby authorized to execute any necessary agreements with the State of New York to accept said grant and obtain these funds.

Signed: Niebel, Pavlock, Gould, Nazzaro (Bankoski, Whitford, Hemmer voted "yes" by video conference)

Unanimously Adopted – June 23, 2021

RES. NO. 131-21
Authorize MOU with Homeland Security Investigations for Joint Operation Participation

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

WHEREAS, the Department of Homeland Security Investigations has requested that the Chautauqua County Office of the Sheriff provide a Deputy Sheriff Investigator to assist in a joint operation; and

WHEREAS, the Department of Homeland Security Investigations would like to enter into a Memorandum of Understanding for the period of January 1, 2021 through September 30, 2021, to reimburse the Sheriff's Office of any and all overtime costs associated with said joint operation; and

WHEREAS, this revenue is not included in the 2021 Budget; now therefore be it

RESOLVED, That the County Executive is authorized to execute an agreement with the Department of Homeland Security Investigations for investigation assistance as set forth above, and also be it

RESOLVED, That A Fund Balance be appropriated as follows:

DECREASE THE USE OF FUND BALANCE:
A.----.----.917.0000 Fund Balance, Unassigned Fund Balance – Unassigned Fund Balance $5,000
; and be it further

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2021 Adopted Budget:

INCREASE REVENUE ACCOUNT:
A.3110.----.R438.9000 Federal Aid—Other Public Safety Aid $5,000

Signed: Niebel, Pavlock, Gould, Nazzaro (Bankoski, Whitford, Hemmer voted "yes" by video conference)

Unanimously Adopted – June 23, 2021

RES. NO. 132-21
Authorize Agreement with Chautauqua-Cattaraugus Erie II BOCES for Two (2) School Resource Officers

By Public Safety and Audit & Control Committees:

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

WHEREAS, the Chautauqua County Sheriff has conferred with the administrators of Chautauqua-Cattaraugus Erie II BOCES and determined that the County and BOCES schools in the region would benefit by the continuation of the School Resource Officer program; and

WHEREAS, Chautauqua-Cattaraugus Erie II BOCES has agreed to compensate the County of Chautauqua for the cost of providing two (2) Deputy Sheriffs for the period of July 1, 2021 through June 30, 2022, the deputies to be shared between three facilities at a total sum not to exceed $224,920.00, plus any agreed upon overtime hours compensated at the rate of $67.62 per hour; and

WHEREAS, the County will not be required to incur any additional expenditures to fund these positions; and

WHEREAS, an appropriate portion of the revenue from this agreement is included in the 2021 budget so no budget amendment is 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 the School Resource Officer program.

Signed: Niebel, Pavlock, Gould, Nazzaro (Bankoski, Whitford, Hemmer voted “yes” by video conference)

Unanimously Adopted – June 23, 2021

RES. NO. 133-21
Authorize Agreement with Brocton Central School for School Resource Officer

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

WHEREAS, the Chautauqua County Sheriff has conferred with the administrators of Brocton Central School and determined that the County and Brocton Central School would benefit from the reinstatement of the School Resource Officer program; and

WHEREAS, Brocton Central School has agreed to compensate the County of Chautauqua for the cost of providing a Deputy Sheriff for the period of July 1, 2021 through June 30, 2022, at a total sum not to exceed ~~$112,460~~ **$97,938**; and

WHEREAS, the County will not be required to incur any additional expenditures to fund these positions; and

WHEREAS, the revenue from this agreement is not included in the 2021 Adopted Budget; now therefore be it

RESOLVED, that the County Executive is hereby authorized and empowered to execute an agreement with Brocton Central School for the School Resource Officer program; and also be it

RESOLVED, the Director of Finance is hereby authorized and directed to make the following changes to the 2021 Adopted Budget:

INCREASE APPROPRIATION ACCOUNTS:		
A.3110.----.1	Personal Services-Sheriff	~~$33,738~~ **$29,382**
A.3110.----.8	Employee Benefits-Sheriff	~~$22,492~~ **$19,587**
	Total	~~$56,230~~ **$48,969**
INCREASE REVENUE ACCOUNT:		
A.3110.----.R226.0000	Shared Services-Chrgs: Oth Gov-Pub Safety	~~$56,230~~ **$48,969**

Signed: Niebel, Pavlock, Gould, Nazzaro (Bankoski, Whitford, Hemmer voted "yes" by video conference) (P.S. Amended by strike through and new numbers shown in bold)

Unanimously Adopted – June 23, 2021

RES. NO. 134-21
Authorize Lease Agreement with Warwick Plaza, LLC for Office Space for the Chautauqua County Veterans Service Agency

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

WHEREAS, the County desires to lease from Warwick Plaza, LLC approximately 900 square feet on the second floor located at Warwick Plaza, 557 Fairmount Avenue, Jamestown, in the County of Chautauqua, State of New York, for use by the Chautauqua County Veterans Service Agency; and

WHEREAS, negotiations have been undertaken to obtain a tentative lease agreement mutually beneficial to the County and Warwick Plaza, LLC; now therefore be it

RESOLVED, That the County Executive is hereby authorized and empowered to execute a lease agreement with Warwick Plaza, LLC upon the following terms and conditions:

1) Premises.	Approximately 900 square feet of office space on the second floor of the Warwick Plaza.
2) Term.	July 1, 2021 through June 30, 2031.
3) Rent.	$1,050 per month for approximately 900 square feet years 1-5 and $1,125 per Month years 6-10.
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.

Signed: Pavlock, Whitney, Lawton, Gould, Nazzaro, Niebel (Whitford, Rankin voted "yes" by video conference)

Unanimously Adopted – June 23, 2021

RES. NO. 135-21
Designating the North Chautauqua County Water District as the Administrative Head of the North County Industrial Water District No. 1

By Public Facilities Committee:
At the Request of County Executive Paul M. Wendel, Jr. and Legislative Chairman Pierre Chagnon

WHEREAS, Pursuant to County Law section 261 and Resolution 245-78, a district board was established as the administrative body of the North County Industrial Water District No. 1 (NCIWD); and

WHEREAS, with no water treatment works in the NCIWD and no future district extensions or large new infrastructure installations anticipated within the district, the work required of the administrative body of the district is limited; and

WHEREAS, the North Chautauqua County Water District (NCCWD) Board administers all other County water district operations, in part via contract with the same contractor as is used by the NCIWD; and

WHEREAS, water district operations will be streamlined, district activities better coordinated, and duplication of effort eliminated, by having one board serve both districts; now therefore be it

RESOLVED, That effective July 1, 2021 the NCCWD Board shall be the administrative body of the NCIWD, and, with respect to the NCIWD, have all the powers conferred on, and be subject to all the duties imposed on, heads of administrative units under New York State County Law Article 5-a, including without limitation the power to execute contracts and effect real estate transactions, including contracts and transactions with the NCCWD and other municipalities; and be it further

RESOLVED, That the Operation and Maintenance Services Agreement between the NCIWD and the North Chautauqua Lake Sewer District (20-28-01) which ends December 31, 2024, and the Water Purchase and Field Services Agreement between the NCIWD and CBI Water Works (20-28-02) which ends December 31, 2023, are not affected by this Resolution, and remain in effect subject to their terms and conditions; and be it further

RESOLVED, That Resolution 40-16 is amended to appoint as a NCCWD Board member, in place of "Chairman, North County Industrial Water District No. 1, ex officio"

Brian Purol
3681 New Road
Dunkirk, New York 14048
Term to Expire 12/31/21

Signed: Scudder, Gould (Nazzaro, Hemmer, Davis voted "yes" by video conference)

MOVED by Legislator Niebel to TABLE, SECONDED by Legislator Gould – *Unanimously Carried*

TABLED – June 23, 2021

_____

RES. NO. 136-21
Amend Resolution 315-17 Regarding Membership of Chautauqua Lake Protection and Rehabilitation Agency

By Planning & Economic Development Committee:
At the Request of Chairman Pierre Chagnon:

WHEREAS, pursuant to Resolution 315-17, the County Legislature established the Chautauqua Lake Protection and Rehabilitation Agency ("the Agency") to review and recommend to the County Legislature whether it is in the best interest of the County to create Chautauqua Lake Protection and Rehabilitation District(s) pursuant to Article 5-A of the County Law; and

WHEREAS, Resolution 315-17 provided that it was the intent of the County Legislature to periodically review the makeup of the membership of the Agency; and

WHEREAS, it would be advantageous to expand the membership of the Agency to include an elected official from each of the towns and villages bordering Chautauqua Lake; therefore be it

RESOLVED, That Resolution 315-17 is hereby amended to provide that the membership of the Agency shall be increased from nine (9) members to thirteen (13) members, as follows:

1. Two (2) County Legislators representing legislative districts bordering Chautauqua Lake to be appointed by the Chairman of the County Legislature;

2. Five (5) ~~Three (3)~~ Town elected officials representing each of the towns bordering Chautauqua Lake to be appointed by the County Executive;

3. Four (4) ~~Two (2)~~ Village elected officials representing each of the villages bordering Chautauqua Lake to be appointed by the County Executive;

4. One (1) property owner from the vicinity of Chautauqua Lake to be appointed by the County Executive; and

5. One (1) member representing Chautauqua Institution to be appointed by the County Executive; and be it further

Signed: Starks, Ward, Lawton (Muldowney, Rankin voted "yes" by video conference)

Unanimously Adopted – June 23, 2021

RES. NO. 137-21
Approve Updated By-Laws for Southern Tier West Regional Planning and Development Board

By Planning & Economic Development Committee:
At the Request of Chairman Pierre Chagnon:

WHEREAS, the Southern Tier West Regional Planning and Development Board (Southern Tier West) was created by the mutual agreement of the counties of Allegany, Cattaraugus, and Chautauqua pursuant to Article 12-B of New York General Municipal Law; and

WHEREAS, pursuant to Section 239-h(3)(g) of General Municipal Law, the legislative body of each participating county must approve the by-laws of Southern Tier West; and

WHEREAS, the executive director of Southern Tier West forwarded to the Chairman of the County Legislature updated by-laws dated May 21, 2021 that have been recommended by the Southern Tier West Board, and which are on file with the Clerk of the County Legislature and which were circulated with legislative committee pre-files; therefore be it

RESOLVED, That the Chautauqua County Legislature approves the aforementioned updated by-laws for the Southern Tier West Regional Planning and Development Board.

Signed: Starks, Ward, Lawton (Muldowney, Rankin voted "yes" by video conference)

Unanimously Adopted – June 23, 2021

RES. NO. 138-21
Authorize Use of Lake Erie Management Commission Capital Project H.8020.37011 Funds to Co-Fund Dunkirk Lighthouse and Veterans Park Museum Perimeter Fence

By Planning & Economic Development and Audit & Control Committees:
At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, pursuant to Resolution 178-11, the Lake Erie Management Commission (LEMC) was created by the Chautauqua County Legislature to prioritize and select Lake Erie watershed projects for funding; seek additional funding for Lake Erie watershed projects; and undertake such other initiatives and coordination activities for the betterment of the Lake Erie watershed; and

WHEREAS, over the last ten years, the LEMC has effectively identified, prioritized, and recommended and delivered 2% Occupancy Tax Funding to stakeholders and municipalities in the Lake Erie Watershed; and

WHEREAS, the Dunkirk Lighthouse was first established on Dunkirk Harbor in 1827, is a prominent historical landmark on the Great Lakes Navigation System, is the site of "the first shot being fired during the War of 1812," and is visited by thousands of tourists each year; and

WHEREAS, historically high Lake Erie water levels and severe weather events during 2019 and 2020 caused extensive erosion of the Lake Erie shoreline; and

WHEREAS, portions of the shoreline cliff at the historic Dunkirk Lighthouse and Veterans Park Museum at Dunkirk Harbor have collapsed and destroyed sections of the existing perimeter safety fence; and

WHEREAS, the Dunkirk Lighthouse and Veterans Park Museum has approached the LEMC with a plan to repair and upgrade the perimeter safety fence at a cost of approximately $60,000; and

WHEREAS, on May 17, 2021, the LEMC unanimously approved a resolution to co-fund the Dunkirk Lighthouse and Veterans Park Museum's effort to repair and upgrade the perimeter safety fence at a cost not to exceed $10,000; and

WHEREAS, using 2% Occupancy Tax Funding, capital project H.8020.37011 Lake Erie Mgmt Comm (2020) was created to facilitate projects consistent with the goals of the LEMC, and the capital project has a budget of $52,522; therefore be it

RESOLVED, That the Chautauqua County Legislature authorizes the use of up to $10,000 from capital project H.8020.37011 to reimburse the Dunkirk Lighthouse and Veterans Park Museum for the repair and upgrade of the perimeter safety fence that will provide safe viewing of Lake Erie and protect the sensitive shoreline cliff area; and be it further

RESOLVED, That the County Executive is hereby authorized to establish accounts and enter into any and all agreements necessary to implement the terms of this resolution.

Signed: Starks, Ward, Lawton, Nazzaro, Gould, Niebel (Muldowney, Rankin voted "yes" by video conference)

Unanimously Adopted – June 23, 2021

RES. NO. 139-21
Accept Environmental Assessment (SEQRA) of Proposed Agricultural District Modifications

By Planning & Economic Development Committee:
At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, the Chautauqua County Legislature is responsible for Chautauqua County Agricultural Districts No. 1, 2, 6, 7, 8, 10, 11, 12, and 13; and

WHERAS, pursuant to 6 NYCRR 617 of the implementing regulations pertaining to the New York State Environmental Quality Review Act (SEQRA) of the Environmental Conservation Law, the Chautauqua County Legislature, as lead agency, must evaluate the environmental impact of modifying the County's agricultural district boundaries; and

WHEREAS, the modification of an agricultural district's boundaries is considered an unlisted action and as such the criteria of 6 NYCRR 617.7 must be used to determine the degree of environmental impact; and

WHEREAS, the County Department of Planning and Development has prepared an Environmental Assessment Form (EAF) for consideration by the County Legislature with said EAF indicating that the probability of any adverse impact of proposed modifications to the agricultural districts is very low; and

WHEREAS, the Chautauqua County Legislature has reviewed the EAF and supporting documentation, copies of which are attached; now therefore be it

RESOLVED, That the Chautauqua County Legislature has determined that the modification and consolidation of the agricultural district boundaries into Chautauqua County Agricultural Districts No. 1, 7, 8, and 10 will not have a significant impact and the County Executive is hereby authorized to execute a "Negative Declaration" for the proposed action.

Signed: Starks, Ward, Lawton (Muldowney, Rankin voted "yes" by video conference)
Unanimously Adopted – June 23, 2021

RES. NO. 140-21
Determination of Chautauqua County Legislature on Proposed Agricultural District Modifications

By Planning & Economic Development Committee:
At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, the Chautauqua County Legislature is responsible for Chautauqua County Agricultural Districts No. 1, 2, 6, 7, 8, 10, 11, 12, and 13; and

WHEREAS, Article 25AA of the New York State Agriculture and Markets Law authorizes the continuance and modification of agricultural districts within the County of Chautauqua, in accordance with the procedures set forth therein; and

WHEREAS, the Clerk of the Legislature received notifications from the New York State Department of Agriculture and Markets to perform an eight-year review of each of Chautauqua County's agricultural districts; and

WHEREAS, in accordance with Section 303-a of the New York State Agriculture and Markets Law, a comprehensive eight-year review of Chautauqua County's agricultural districts was conducted in 2021; and

WHEREAS, pursuant to Resolution No. 208-15, Chautauqua County accepted a plan to consolidate the agricultural districts into Districts No. 1, 7, 8, and 10; and

WHEREAS, the Chautauqua County Agriculture and Farmland Protection Board reviewed submitted proposals to modify and consolidate the agricultural district boundaries, and recommended to the Chautauqua County Legislature that the modification of the agricultural district boundaries serves the public interest; and

WHEREAS, the requirements of the New York State Environmental Quality Review Act (SEQRA) have been considered and processes have been completed by Chautauqua County, and the Chautauqua County Agriculture and Farmland Protection Board report has been filed with the County Legislature; and

WHEREAS, the required public hearing was held on June 23, 2021, in order to gather input from landowners in the districts; now therefore be it

RESOLVED, That it is the determination of the Chautauqua County Legislature to modify and consolidate the Chautauqua County Agricultural Districts into Districts No. 1, 7, 8, and 10, in accordance with the recommendations of the Chautauqua County Agriculture and Farmland Protection Board and input gathered from the public hearing; and it is further

RESOLVED, That the Clerk of the County Legislature be and hereby is directed to file this resolution, the Chautauqua County Agriculture and Farmland Protection Board report, and tax maps with the tax map identification numbers for each parcel, and all things necessary to be filed with the Commissioner of Agriculture and Markets for final certification.

Signed: Starks, Ward, Lawton (Muldowney, Rankin voted "yes" by video conference)
Unanimously Adopted – June 23, 2021

RES. NO. 141-21
Standard Workday and Reporting Resolution

By Administrative Services Committee:
At the Request of Chairman Pierre Chagnon**:**

BE IT RESOLVED, That the County of Chautauqua hereby establishes the following standard work days for these titles, as set forth in the attached schedule, and will report the officials to the New York State and Local Retirement System based on time keeping system records or their record of activities:

Title	Standard Work Day (Hrs/day) Min. 6 hrs Max. 8 hrs	Name (First and Last)		Social Security Number (Last 4 digits)	Registration Number	Tier 1 (Check only if member is in Tier 1)	Current Term Begin & End Dates (mm/dd/yy - mm/dd/yy)	Record of Activities Result*	Not Submitted (Check only if official did not submit their Record of Activities)
ELECTED OFFICIALS									
Legislator	6	Kenneth	Lawton	XXXX	XXXXXXXX		01/22/20 - 12/31/21	3.49	
Legislator	6	Charles	Nazzaro	XXXX	XXXXXXXX		01/01/20 - 12/31/21	7.15	
Legislator	6	Mark	Odell	XXXX	XXXXXXXX		01/01/20 - 12/31/21	6.20	
APPOINTED OFFICIALS									
Assistant Public Defender	7	Mark	Duncanson	XXXX	XXXXXXXX		01/01/20 - 12/31/21	24.91	
Assistant Public Defender	7	Derek	Gregory	XXXX	XXXXXXXX		12/10/20 - 12/31/21	22.92	
Second Assistant District Attorney	7	Amber	Payne	XXXX	XXXXXXXX		12/30/19 - 12/31/20	22.49	
First Assistant District Attorney	7	Andrew	Molitor	XXXX	XXXXXXXX		01/05/21 - 12/31/24	25.59	
Assistant District Attorney	7	Alexander	Scherer	XXXX	XXXXXXXX		01/03/20 – 12/31/20	23.72	

Signed: Vanstrom, Starks, Scudder (Muldowney, Davis voted “yes” by video conference)

Unanimously Adopted – June 23, 2021

RES. NO. 142-21
Quit Claim Deeds

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

WHEREAS, the Administrative Services Committee of the County Legislature has received and hereby recommends acceptance, pursuant to Section 1166 of the Real Property Tax Law, of the following offers for the County's Tax Liens as detailed on the attached Schedule 1, under tax sale certificates noted on original papers on file in the office of the Director of Finance; and

WHEREAS, unless otherwise noted, the County Tax Enforcement Officer has confirmed that the offers received are in compliance with the County's policy regarding tax foreclosure as set forth in Resolution No. 110-17; now therefore be it

RESOLVED, That the Executive and Chairman of this Legislature be hereby authorized to execute Quitclaim Deeds conveying to the offerors herein mentioned, the interest of Chautauqua County in said properties under said tax sale certificates; and be it further

RESOLVED, That the Director of Finance of Chautauqua County be hereby authorized to cancel any outstanding taxes, fees, interest and other charges. In adopting this resolution, the Legislature intends to adopt each transaction separately, in the usual form of Resolution, and the failure of any particular transaction to be completed shall in no manner affect the validity of any of the others.

Offer Number	Municipality	S/B/L	Purchaser	Foreclosed Owner	Offer Amt.	Taxes Owing
PA-31-2018	City of Dunkirk	060300-79.16-1-40	Vincent C. Ricotta	Deborah A. Chalmers	$100.00	$12,030.36
PA-56-2018	City of Jamestown	060800-370.15-6-16	Crystal Borst	Jean Barlow	$1.00	$27,541.85
PA-43-2019	City of Dunkirk	060300-79.57-1-66	Evelyn Molina	Fredonia Properties NY LLC	$50.00	$5,422.92
				Total	**$151.00**	**$44,995.13**

Signed: Gould, Vanstrom, Starks, Scudder, Nazzaro, Niebel (Muldowney, Davis voted “yes” by video conference)

Unanimously Adopted – R/C Vote 19 Yes – June 23, 2021

RES. NO. 143-21
Transfer of Foreclosed Properties to Chautauqua County Land Bank Corporation

At the Request of County Executive Paul M. Wendel, Jr., Legislator Bob Scudder, Legislator Charles Nazzaro, and Legislator Kevin Muldowney

WHEREAS, pursuant to Resolution 65-12, Chautauqua County created one of the first five (5) authorized land bank corporations in New York State that was incorporated as the Chautauqua County Land Bank Corporation (“CCLBC”); and

WHEREAS, the mission of CCLBC is to “control and manage strategically selected dilapidated and abandoned residential and commercial properties acquired through the County tax foreclosure

process, bank foreclosures and/or donations, and facilitate solutions aimed at stabilizing neighborhoods, encouraging private investment, and improving the quality of life throughout Chautauqua County;" and

WHEREAS, in the case of County tax foreclosure properties requiring demolition, and certain other vacant properties, CCLBC has performed demolitions and further assisted the County by marketing the vacant parcels under the County's "side-lot" program which seeks to combine vacant lots with adjoining improved parcels and return them to the tax rolls; and

WHEREAS, in the past while the CCLBC demolitions and side lot marketing have been pending, the demolition and vacant side lot properties have remained in the name of the foreclosed owner and have accrued additional unpaid delinquent taxes guaranteed by the County, until such time as a transfer to a new owner can be completed; and

WHEREAS, in order to stop the accrual of additional unpaid delinquent taxes guaranteed by the County, it would be advantageous for the County to convey such demolition and vacant side lot properties to CCLBC which will immediately render the properties tax exempt; now therefore be it

RESOLVED, That the County Executive is authorized and empowered to execute all necessary documents to transfer the following tax foreclosure properties to CCLBC at no cost, and upon such other terms and conditions negotiated by the County Executive, to include the County contributing to the costs of routine grounds maintenance prior to sale:

Auction #	City/Town	SBL	Address
PA-4-2019	City of Dunkirk	060300-79.11-6-38	128 E Second St
PA-6-2015	City of Dunkirk	060300-79.11-5-7	209 Lake Shore Dr E
PA-21-2018	City of Dunkirk	060300-79.14-5-15	35 W Third St
PA-11-2019	City of Dunkirk	060300-79.14-5-16	33 W Third St
PA-14-2017	City of Dunkirk	060300-79.15-4-51	434 Deer St
PA-38-2018	City of Dunkirk	060300-79.19-1-49	524 Park Ave
PA-39-2018	City of Dunkirk	060300-79.19-2-27	96 Maple Ave
PA-33-2019	City of Dunkirk	060300-79.19-6-20	Leopard St
PA-34-2019	City of Dunkirk	060300-79.19-6-21	625 Main St
PA-38-2019	City of Dunkirk	060300-79.19-8-18	36 E Seventh St
PA-58-2018	City of Jamestown	060800-370.16-7-36	392-394 Falconer St
PA-80-2019	City of Jamestown	060800-370.20-3-25	202 Falconer St
PA-81-2019	City of Jamestown	060800-370.20-3-49	Falconer St
PA-86-2019	City of Jamestown	060800-387.05-2-12	524 Hallock St
PA-87-2019	City of Jamestown	060800-387.05-2-13	Hallock St
PA-105-2019	City of Jamestown	060800-387.06-7-10	Spring St
PA-106-2019	City of Jamestown	060800-387.06-7-11	857 Spring St
PA-107-2019	City of Jamestown	060800-387.06-7-13	851 Spring St
PA-149-2019	City of Jamestown	060800-387.14-4-11	224 McKinley Ave
PA-150-2019	City of Jamestown	060800-387.14-4-12	230 McKinley Ave
PA-101-2017	City of Jamestown	060800-387.14-5-49	198 McKinley Ave
PA-181-2014	City of Jamestown	060800-387.41-3-28	8 Institute St
PA-202-2019	City of Jamestown	060800-387.42-1-11	Foote Ave
PA-203-2019	City of Jamestown	060800-387.42-1-12	19 Foote Ave
PA-224-2019	City of Jamestown	060800-404.06-6-35	51 Elliott Ave
PA-225-2019	City of Jamestown	060800-404.06-6-36	Elliott Ave
PA-181-2018	Busti/Lakewood	062201-368.20-2-60	156 E Terrace Ave
PA-230-2018	Ellicott/Celoron	063801-369.18-1-3	83 W Chadakoin St

Unanimously Adopted – R/C Vote 19 Yes – June 23, 2021

MOVED by Legislator Bankoski/SECONDED by Legislator Vanstrom to bring Emergency Resolution No.144-21 To Accept New York State Department of Health (NYSDOH) ELC Reopening Schools Award to the floor.

Unanimously Carried to bring Emergency Resolution 144-21 to the floor.

EMERGENCY RES. NO. 144-21
To Accept New York State Department of Health (NYSDOH) ELC Reopening Schools Award

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

WHEREAS, Chautauqua County has been awarded a New York State Department of Health (NYSDOH) ELC Reopening Schools Award in the amount of $4,339,779 for the period 07/01/21 – 07/31/22; and

WHEREAS, the purpose of the award is to enable schools/districts in the County to establish COVID-19 screening testing programs to support and maintain in-person learning, including public, private, BOCES, and charter schools as applicable; and

WHEREAS, this initiative, which is supported by the Centers for Disease Control (CDC) of the U.S. Department of Health and Human Services (HHS) as part of a financial assistance award totaling $30 billion nationally with 100% funded by the CDC/HHS; and

WHEREAS, the CDC and NYSDOH will be issuing more detailed guidance on how this funding can be used; now therefore be it

RESOLVED, that the County Executive is hereby authorized to enter into agreements for, and execute all necessary award-related documents for, the above-named award, for so long as the County continues to be funded by this program; and be it further

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

Unanimously Adopted – June 23, 2021

MOTION: (On file w/ Legislature Data)
2-21 Promoting the Safe Use of Legal Sparkling Devices in Chautauqua County – Unanimously Adopted

---

PRIVILEGE OF THE FLOOR

Chairman Chagnon: Members of the public or members of the Legislature may speak on any subject. Individual comments are limited to three minutes and comments representing a group shall be limited to five minutes and we have received some emailed or mailed comments, which will be read by

the Clerk. Is there anyone wishing to address the second privilege of the floor? Please speak into the microphone and give us your name and address.

Good evening. My name is Robert Galbraith and I'm from the Ripley/Westfield area. I'm here because we did bring in a solar panel to show and kind of illustrate the size of the typical solar being used for solar farms. The size of these panels is approximately five and a half feet by three and a half feet and they weigh about 40 to 45 pounds. Unfortunately, I couldn't bring it in through security, but it gives you an idea that one panel, which generates roughly 280 watts is just one panel which would be used in a typical solar farm project. As an example, in Ripley, Ripley is 1,500 acres. Of that, the developer plans on using 200,000-300,000 of these panels and that is a tremendous number of panels. Typically, these panels are manufactured in China, they're not manufactured in the U.S., it's China. I have a solar panel on my boat, they're very versatile, especially when you can't plug into an outlet somewhere. They are good for charging your batteries. In large scale, utility size solar applications such as Ripley, 1,500 and 200,000-300,000 solar panels is a tremendous amount. The weight of that alone- just the weight of that alone is somewhere in the midst of 8.2 to 12.3 million pounds. That's no exaggeration, this is reality and that doesn't include all the additional equipment that comes with it- all the tracking equipment, all the cranes and anchoring equipment, the inverters and wires and cables that are used to put them in place. The point I'm trying to make here is that these are tremendous projects. This is just one of many in Chautauqua County. The towns and the Legislature needs to be very, very aware of what is going on here and they need to put in place, I believe, detailed recycling plans for these panels. Niagara County just passed a law that requires the developers to provide detailed recycling plans in their applications and this is in their laws, both Niagara County and also with some of the towns in Niagara County. So, it's very important that that is being done. I can't emphasize it enough that the potential for a developer to walk away from these types of projects *(inaudible)* there are risks. Of course there are going to be performance bonds for the project for decommissioning, but also, these panels, they needs to be recycled responsibly. They should be just thrown into a landfill.

Chairman Chagnon: Thank you, Mr. Galbraith. That exceeds your three minutes. Thank you. Anyone else wishing to address the second privilege of the floor?

Good evening, Mr. Chairman and Legislators. My name is Katherine Galbraith. I live at the same residence as my husband Robert Galbraith. I wanted to point out to the County Legislators that the *(inaudible)* of sentiment towards industrial solar farms is turning. Environmentalists are now coming out against industrial sized solar farms throughout the country, most notably, in Arizona- the most recent article was Arizona. So, I just wanted to point that out to you that this is something that is not going to continue to be sought after as a means of power. It's intermittent power and it's a shame, it's just a travesty to bulldoze farmland and *(inaudible)* for green energy because it isn't green. If you have to do that, you're no longer talking about green energy. *(Inaudible)* thank you very much.

Chairman Chagnon: Thank you for your comments. Anyone else wishing to address the second privilege of the floor?

Good evening. My name is Susan Baldwin (?) I live in Villanova. I have probably got my name on a poster somewhere for the wind project because they see me a lot and they have even taken my picture, but I've been taking theirs. Now, this *(inaudible)* with the very product that they pumped into Farrington Hollow trying to locate conduit. That's what they told the DEC. This is what they were pumping. Would you like to try to drink some of that? This was *(inaudible)* I was along the roadside. They left this for the animals, kids, whoever, this is the kind of work the solar and wind people do. My son and my son-in-law work in construction. They'd have been fired for that. This is a *(inaudible)* truck. Its sole purpose is fracking. Again, for what? Right through the wetlands. One of the biggest wetlands, Farrington Hollow, in all of Chautauqua County. Sinclairville used to have a sign that said it's the heart of

Chautauqua County. This mess is two miles from the heart of Chautauqua County. *(Inaudible)* and it's everywhere. There they are. It's called *(inaudible.)* These guys try to vacuum what those guys pumped into the environment. That didn't do very well. This is enviro-serve. Enviro-serve had five trucks lined up with the three badger trucks on Farrington Hollow. *(Inaudible)* a rally to try to make them stop. That day, we put our cars in park, they were gone. They packed up the whole project and left because they knew they were wrong. This, I also photographed. This is on the site left alone for me to take. *(Inaudible)* left for the birds and the bees to find. *(Inaudible)* I smelled this stuff. I took a whiff. Wrong idea. My nose and my lips started getting numb. The DEC man said never do that again. This is methane. I know its methane because my water five miles from there *(inaudible)* positive for methane. My letter said *(inaudible)*-

Chairman Chagnon: Thank you Ms. Baldwin. You've exceeded your three minutes.

Ms. Baldwin: This is my water *(inaudible)* –

Chairman Chagnon: Thank you for your comments and your pictures. Anyone else wishing to address the second privilege of the floor?

My name is name is Cheryl Feidler and I'm from Ellery and I'm representing my entire family and two local groups, so I understand I get five minutes, working together to mobilize this effort. We want you to know there is a groundswell of people, all ages and walks of life, who are concerned that we are rapidly losing our constitutional rights. I will read a petition. Its modified from one done in Cattaraugus County that's been circulating and we've only just begun. It's not a "formal" petition at this time, but we rapidly got over 500 signatures and we will present them to you after I read the petition for the record. I believe you may have gotten a copy at each of your desks, I'm not sure if you did or not, but I will read it.

"We the undersigned petition the County Legislature to engage in active steps to protect the civil liberties of the citizens of Chautauqua County, New York. The right to life, liberty and the pursuit of happiness are endowed by our creator. The rights to assemble, speak, worship, petition the government for redress of grievances, to keep and bear arms, to possess and use private property, and to pursue ones livelihood without restrictions on mobility and travel are protected by our constitution and our bill of rights.

To preserve these bill of rights, Americans voluntarily giver certain powers to the government. Civil liberties cannot be taken away or diminished by the government without due process of law. Between and authoritarian state and we, the people, stand two entities: law enforcement, in particular County Sheriff's, and Legislators. We acknowledge that County Legislators have been placed in a difficult position. That the elected and unelected autocrats and bureaucrats at the state and federal level can use you as pawns to enforce their orders. Like us, you are expected to do as you are told or suffer the consequences. We are in a place of less freedom, not more. More fear, not less. Our concerns include the second amendment gun rights, the defund the police movement, mandatory masks, Covid passports and the enforcement of mandatory vaccines, especially for our children.

The Nuremburg Code in 1947 outlawed requiring medical treatment of human beings without their informed consent. The public is not allowed to be informed about the dangers of these vaccines for Covid-19. We ask you to stand for us and with us and declare Chautauqua County a constitutional sanctuary. Declare through the power of the Legislature that ours is a county that will abide the letter and spirit in the Constitution of the United States of America. Affirm through the power of the Legislature that this is a County which stands for the rights to assemble, to speak, to worship, to petition the government or redress of grievances, to keep and bear arms, to pursue our livelihoods unencumbered by burdensome government mandates and intervention. Stand through the power of the Legislature for the concepts of liberty and private property, acknowledging the government has no constitutional right to force citizens to close their businesses, to shelter in place or to restrict the mobility and participation of citizens who refuse to be injected with a vaccine against their will. Nullify through the power of the

Legislature mask mandates and the punishments you have *(inaudible)* of citizens of the local Health Department. Announce to the citizens of this county, the power holders in Albany and Washington D.C. and to the entire world that here is a county that stands for those rights.

I thank you for listening to me.

Chairman Chagnon: Thank you for your comments. Anyone else wishing to address the second privilege of the floor?

Good evening. My name is Gina Kron from Fredonia, New York and I wanted to come tonight – thank you so much for allowing me to take a moment to speak to you, but I wanted to stand here in support of Senator George Borrello's moratorium on wind energy in Lake Erie and I'm asking for your support with that as well. With the lake, it supplies our water supply for millions of people and in this day and age when there are municipalities, counties, states, and countries that are having water crisis, we are blessed to have the Great Lakes, we are blessed to have Lake Erie. I grew up in Dunkirk, New York. We had access to the lake, but at that time in the 60's and 70's, Lake Erie was a dead lake. If you all remember, there was no fishing, there was no boating, you could not swim in the lake and we did not know that it would ever be repaired. Through a lot of work and legislation they were able to bring Lake Erie back to life, but that poison and that sludge is down on the bottom of the lake. Imagine taking a snow globe full of sludge and shaking it. That is what is going to happen when they try to install those windmills into Lake Erie and any water source. They vibrate, they shake, they make noise, they're going to disrupt the fish. That doesn't even count if they leak water into our water supply. Water is a resource that's necessary for life and I'm asking that we do not allow this to happen to our great lakes. Millions of people depend on that for their source of water and we need that for our children, for our grandchildren, our great-grandchildren- we need to stand up and protect that. So, thank you very much.

Chairman Chagnon: Thank you for your comments. Next.

Yes. Mel McGinnus, Frewsburg, New York. I want to speak in favor of the proposition that was told to us from Cheryl Feidler - to have our county be declared a *(inaudible)* county for our constitution. As she spoke, she talked about the triangle of power. I'm going to diagram it. It's very simple. When you look at our Constitution – our Declaration of Independence you see a big C and that stands for citizen. Our government was established so that the citizen is big- government is small. Over time, we see the triangle change a bit. The G gets bigger- government is getting bigger and the citizen is getting smaller. When we witness Covid and all the restrictions and regulations that were poured down upon us from the feds, the CDC and especially Albany and Cuomo, there was something else that uniquely happened; the triangle was actually tipped and as you see, the triangle- the government gets even bigger and notice what happens to the citizen. It's not a citizen. The S stands for subject. We're witnessing, in our society and our state, government taking such control that I feel like the citizens having freedom are now subjects of Cuomo's regulations, limitations, executive power that I feel were abused. So, that's why I'm up here standing in favor of what Cheryl Feidler brought regarding what we want to make- Chautauqua County a sanctuary county for the Constitution- I know we're small compared to New York City and the Buroughs, but we can use our voice to send a message in a way that we stand for freedom and we stand for that freedom whether it's in religious activity, whether it's in second amendment rights, whether it's in free enterprise- small businesses have been choked. Here in our County we want to release that strangle hold that Albany has put on us.

Chairman Chagnon: Thank you, Mr. McGinnus. Anyone else wishing to address the second privilege of the floor?

Good evening and thank you for allowing us to speak. I'm Tina Graziano and I live in the Town of Villinova. I'm here tonight to ask you for a no PILOT resolution for big solar. On March 11, 2020 at

the Town of Villinova meeting a motion was made by our supervisor *(inaudible)* that the town will and does require PILOT regarding the proposed solar energy project in this township. This board approved the project and it belongs to a current board member. In a regular meeting we were told it is a personal and private project, but it's big enough to be given a PILOT program and still, there hasn't been a public hearing or environmental study provided to the residents. Town boards as small as four voters can overturn your decisions. There needs to be an end to this power of a few. Big solar and big wind target the largest land *(inaudible)* via the tax records and go there and promise them money. In doing so, we are losing our established farms and farmland for a promise of money. Lies tell them to go ahead and sell your cows and sell your equipment and we'll give you a subsidized check for many years, you just need to forgo your property rights. We have lost thousands of acres to big wind projects and now are losing more to these big solar projects. Losing acreage after acreage- losing farms, losing wildlife habitats and now they want to put toxic panels that can leak and seep into our well water. We can't live without water and we cannot live without food. We need to draw the line on these never-ending projects as Chautauqua County is quickly becoming known as a renewable energy facility or an industrial factory. We are Governor Cuomo's bad experiment. We cannot afford to give up more land to these projects. They are permanent wounds to our homes and our County. You must see the destruction, then the construction up close to really see what big solar and big wind does to our environment. It's extremely disturbing and a sight that you'll never get out of your memory. The land will never be put back to the pristine level that it once was. This is all subsidy driven and when the subsidy dries up, it's over. I've talked to several arkwright residents about their property taxes and they said they all went up or remain unchanged since the turbines came in. Just another lie or sales pitch from the *(inaudible)* salesman. So, where's the local benefit? None. It's a deficit to the tax payers all around. We are forced to fund the subsidies, forced to pay the increase in taxes and forced the rural area eliminated. It's a lose-lose. This is another reason so many are leaving the state. The small farmer is struggling here in New York State and is easy prey to big solar and big wind. It shouldn't be that way. We should be protecting our small farms and all property. Large farms buy the small farms, so now our townships are basically owned by a handful of mega farmers who control a majority of the land. So, too, we have many out of state and out of county land owners that are making deals with big solar because they will never suffer any loss because they will never live here. So, please help us protect the property in Chautauqua County that we have invested in, live in, and have supported. Please remember when the farmland, the forest and our waterwalls have been destroyed it's gone forever and we will never see it back to what we love and rely on even in our lifetime.

Chairman Chagnon: Thank you, Ms. Graziano. You've exceeded your three minutes. Thank you.

Ms. Graziano: Thank you very much.

Chairman Chagnon: Thank you for your comments. Anyone else wishing to address the second privilege of the floor?

Good evening, County Executive and Legislature. I wasn't going to speak tonight, I was actually just going to support several groups that I'm involved with. The reason that I wanted to speak tonight-

Chairman Chagnon: Could you please give us your name and address?

Oh, I'm sorry. Patricia Greenstein, Cassadaga, New York. I wanted to talk about the masks when I found out that we had to wear a mask and that we were going to be screened at the door. I'd like to submit this to the clerk because I do have a couple of questions because I'm wondering who created the rules to enter the chambers and decided to divide us up into vaccinated or unvaccinated and the requirement for the masks for the non vaccinated people. I'm just wondering where you got the information for these decisions and just ask do you think these rules are compliant with what we've been told from New York State. I have in my hand here, this is from April 17, 2020 from the NYS Department

of Health. It's a two page document that's stated about the mask policy and it's very specific on page two. It says, "anyone able to medically tolerate a covering that would otherwise impair the individual's health is not required or use such a covering. Furthermore, essential business operators and enforcement authorities are prohibited from requesting or requiring medical or other documentation from an individual who declines to wear a face covering due to a medical or other health condition that prevents such usage." If you do call the ADA number, which is online, I've called them several times- they've said if you're medically exempt that nobody has a right. So, I'm wondering why we're still asking people to be masked when there are some people- I told them I was medically exempt- So, I had to put the mask on to get in the door.

I also have here; this is the most recent thing from March 25th and this kind of doesn't make sense to me. This is from 2021 of this year. I have a mother who's in a nursing facility up in the Buffalo area and recently got to go back in and start seeing her and it says on page 4 of an 8 page PDF from the NYS Department of Health, "while visitor testing and vaccination should be offered and can help prevent the spread of Covid-19, visitors should not be required to be tested or vaccinated or show proof of such as a condition of visitation. I do know that- I believe that the numbers here from everything that I've read that the numbers in Chautauqua County were nowhere near close what they were in Erie County and I still have many friends here who have still not seen their parents and their loved ones in over 18 months and I'm just asking the Legislature to look into this, to figure out why are people following these rules. I even found out that the nursing home that my mom is at that they kind of make the rules up. It switches every week. It depends on who you talk to. I've gotten to know the staff and most of the staff realized that they'd rather have us there visiting her- my mother's got dementia, she's 93, she's deaf- they say take the mask off, she can't hear you, she needs to see your mouth, she needs to see your face. So far, she's been there for almost 4 years now and they've been very helpful. I think it's very sad that many people in Chautauqua County, including the Chautauqua County Home, they're still not allowed to see their families. These people are dying alone and they're deteriorating very badly. I'd like to leave a copy here when we're done, because I think you've got to set a standard- I've got grandchildren- one's in speech, you've got to take the mask off, you can't see your mouth.

Chairman Chagnon: Thank you, Ms. Greenstein. You've exceeded your 3 minutes, but we appreciate your comments and we will share those with the County Executive. Anyone else wishing to address the second privilege of the floor?

My name is Doug Champ. I want to *(inaudible)* something. I hope that it will not limit what I have to say. I have been in third world countries where children die every day from no vaccinations available. This county is blessed with a medical platform that allows us opportunities for our healthcare. When I went oversees as a veteran, I was inoculated 14 times because I had to go in some very bad places. O.K.? Now, I hear people complaining about masks. I want to applaud our County Executive for his fortitude and his health team that stood up in a time in crisis. He took this home with him every single night and we're complaining about our social lifestyles? Go to third world countries, people and see what you see there and wish they could have the medical system we have.

Now, why I'm here tonight is to talk about energy in general. I've been in the energy business for 40 years. Some of you know me, some of you don't. I've talked all over the county and in Canada. I was the utility manager locally *(inaudible)* energy is my thing. I've talked about it. I've been chairman of the energy conference. I've done everything in energy. I'm not here to debate solar, wind, or whatever because I could carry on discussions pro-con however you want to talk about it. I've been there, done that. People have asked me, how soon the lights or the heat is going to come back on? They didn't ask me whether there was a green electron. They asked me when the lights were going to come on. I said, as soon as we can get it done. So, most of the people have to grow up and understand about energy, but here's the facts. The State of New York has launched the platform for non-fossil fuels by 2040. Is it obtainable? I don't think so. Here is the problem that you're all up against. Is anybody here off the grid? Good. Does everybody receive a utility bill? There are 6 utilities in this county. 6. Can anybody name them? No. We

have three municipalities; Westfield, Mayville, Brocton. We have a municipal; Jamestown Board of Public Utilities, we have National Grid and my friend Ken Lawton's great firm, National Fuel and NYSEG, New York State Electric and Gas Corporation on the *(inaudible.)*

O.K., here's my point, the whole process of funding the renewable energy portfolio deals with what they call fees associated with the introduction of renewable energy on a state platform. They are REC, ZEC, OREC- REC- renewable energy costs. ZEC- zero energy costs. OREC- a new one, is like a wind tax for *(inaudible)* renewable energy costs. On the great lakes and on the Atlantic. Right now, all of you here are paying for all of these in your bills. The public service commission, which is an advocate for the public allows utilities not to put those in their bills. So, here's the dynamics on economics just for Jamestown. I wanted to do more and I hope I can provide this next month with my helpful friends at the economic development department.

Chairman Chagnon: Mr. Champ, you've really exceeded your three minutes.

Mr. Champ: I've got to go on.

Chairman Chagnon: No, you don't. For fairness to all participants-

Mr. Champ: I know. Anyways, one final point. I estimate by 2025 this County and all its utility rates *(inaudible)* will go into funding in the state energy plan, whether they want to or not. Thank you.

Chairman Chagnon: Thank you. Anyone else wishing to address the second privilege of the floor?

Thank you for this opportunity. Joanie Riggle from Sinclairville. New York State produces a near 0.5% of global CO2 emissions even if we eliminate every CO2 source – we would be dead- but we would not affect global temps or climate change. Meanwhile, India and China are significantly ramping up their coal usage. Fact: the United State Nations is using climate change to push the end of capitalism. The *(inaudible)* of capitalism is responsible for depleting resources, degrading Earths ecosystems, accelerating greenhouse gas emissions, diminishing bio-diversity, generating global economic insecurity, indebtedness, instability, and conflict. The United Nations, who heads the climate change studies under the *(inaudible)* has a new economic paradigm, which calls on all nations to adopt *(inaudible)* over capitalism to stop and reverse climate change. The October 2018 *(inaudible)* report along with the U.N. secretary general research commission for the 2019 global sustainable development report argued that stopping and reversing climate change will require rapid, far reaching and unprecedented changes in all aspects of society to be successful that *(inaudible)* ending capitalism, replacing capitalism with the new economic paradigm. The *(inaudible)* depicts a shocking number of massive wind and solar projects slated for upstate New York- you should check it out, it's pretty unnerving. With the severe transmission bottleneck, New York State is putting the cart before the horse- foolish and absurd. Upstate electricity is already 88% emissions free. Industrial scale wind and solar could never power an industrialized society like ours. As you likely know, Germany is now forced to buy Russian gas due to their massive deployment of unreliable renewables. Currently there is no viable recycling for wind turbines and solar panels. There likely will never be. It will never be cost effective and will be energy intense and probably polluting. Smaller, safer highway efficient modular reactors are in development and do not require the tremendous land grabs like wind and solar projects. Canada and other major countries are investing in this technology already. We should also. Future generations will no doubt wonder why we did not fight harder to protect our natural environment from the senseless *(inaudible)* industrialization. Good news- we can still make a stand. We can send a message to Albany that we will not roll over easily to these aggressive unrealistic mandates. I respectfully ask that this Legislature adopt a no PILOT resolution for solar projects over one mega-watt. I also ask you to consider the resolution that considers solar and wind projects to have valid recycling contracts. Thank you.

Chairman Chagnon: Thank you for your comments. Anyone else wishing to address the second privilege of the floor?

Karen Engstrom, Mayville in the Town of Chautauqua. The Town of Chautauqua is now facing a number of solar projects and within Chautauqua the Town, is Mayville and Mayville has suffered from water contamination from PFAS. PFAS is a chemistry that is called a forever chemistry, which is also in solar panels. Mayville is spending a million dollars to clean it up. So, we're talking about remediation. There was a mention previously about remediation of Lake Erie as well. So, what we're looking at is prevention or expensive and very dangerous remediation if we allow these solar panels to the extent that they're being proposed by the state government. Mayville and the Town of Chautauqua are trying to correct the problem, but the most recent proposal is located in the watershed. This should not be allowed. They should never allow a solar operation in the watershed. 80 Amish people have signed a letter of concern to the Town of Chautauqua because they're concerned for water for their farms. They actually lease land from absentee land owners for their farms. It's a viable- the land that they lease is essential to their operations, but they are being threatened by this demotion, I would call it, of farmland and forest as well. So, they're concerned, we're concerned as citizens of Mayville. It's also in the watershed of Chautauqua Lake. So, it's either prevention or expensive remediation or perhaps devastation forever.

When you talk about the Ripley project, the CEO of ConnectGen there, stated publicly that that gigantic project will not make much money from the electricity that it produces, that its profit is made from green credits sold on Wall Street. I ask you, why are we doing this? Why are we allowing it? The County of Niagara did just unanimously pass a law saying if the solar panels were recycled that would be a good thing. Right now, the presentation we had in Mayville *(inaudible)* we'll pay you $30,000 to have them taken away. That's not good enough. If we can put a restriction that indicates what really should be done, which is recycling, which is a very difficult thing, then perhaps *(inaudible.)* The European Energy Commission, the Ontario Grid Operator and Forbes Magazine have stated it takes more energy to build a utility scale solar project above the 35th parallel than is ever returned in the lifetime of that project. What we're seeing now is what Mr. Borrello would call a scam. A political agenda put forward by a governor who has other purposes involved. When you realized that the Department of Agriculture says anything that is turned into solar is permanently industrial-

Chairman Chagnon: Ms. Engstrom, you've exceeded your three 3 minutes.

Ms. Engstrom: I'm calling for a no PILOT resolution and/or a restriction that is written into law by the County to protect our communities. Our communities need protection. Thank you.

Chairman Chagnon: Thank you for your comments. Anyone else wishing to address the second privilege of the floor?

My name is Ann Dolittle and I live in Westfield. I just want to say this. Warren Buffet- quote, "on wind energy we get a tax credit if we build a lot of turbines. That's the only reason to build them. They don't make sense without the tax credit." Get it? It doesn't do us any good. It doesn't do any people any good. There are companies that are not in America that are putting these up. *(Inaudible)* we have a small business. Why do we have to have a $3 million policy for our company and you're not going to have millions of dollars in bonds for every single decommissioning and they're not recycled. Never. Ever. I beg you all to think about, what do you want your legacy to be?

Chairman Chagnon: Thank you for your comments? Next. You're back again.

My name is Sally Johnson and I'm from Dunkirk, New York. I'm working with several groups. *(Inaudible)* in Ontario and I'm trying to work with a lot of education in this area. I have for you a folder- one for each of you. Here's some very accurate information in this folder. There's an orange sheet that I

use in our organization to educate the public. This is about the toxic plastics. Both windmills and solar panels shed toxins. It's something that's coming out recently and a lot of people don't know about it, but you're each going to get one of these, so I'm not going to go into that for a long period. These other two here- one of them is a wind study *(inaudible)* and also, an information sheet which elaborates some of the other points. There is a wind study here, which shows that the wind is not ever been equitable or efficient in Chautauqua County. In fact, in most of the world, it's not. While we're in the midst of *(inaudible)* giving our land and our country away to foreign collaborations, other countries are closing things down. It's really getting to be ridiculous that we're- the United States used to be a leadership country and now we're followers. France, Ireland, England- all over the world they're closing down wind factories. I'm here in support of both the two moratorium bills George *(inaudible)* there's a lot of things people don't know and my question to you is why the *(inaudible),* why the rush. We're about to go into critical shortages on all rare earth minerals for these projects- electric cars, wind turbines, solar panels- they all require rare earth minerals and there aren't enough. The rare earth minerals are in China, they're in Africa. There's slave labor- children being forced to mine these things. It's not good. It's not green. As far as the lake goes, there's a lot of information in here. If we dig into Lake Erie, it's criminal. The great lakes provide 85% of the fresh water in this country. 85%. There are other states begging to be able to put that water into their communities. Lake Erie- 11 million people. What the previous speaker said is absolutely true. If we dig down into the bottom of that lake, we're bringing up toxins and we're going to risk the water of 11 million people. Now, they don't want to put them out 12 or 14 miles in Lake Erie, which is what they do in the ocean- I think some of them are 40 miles are out. Two miles out. Two. *(inaudible)* these cables have magnets- huge magnets that will be under the water. There on land. The question is why, why do we want to do this?

Chairman Chagnon: You've exceeded your three minutes.

Ms. Johnson: I'm doing 5. I'm here for groups.

Chairman Chagnon: What group are you representing?

Ms. Johnson: Citizens against Wind Turbines in Lake Erie.

Chairman Chagnon: O.K., thank you. Proceed.

Ms. Johnson: That's 30 seconds. There's a lot of issues involved in this and my question is why the rush. Why the rush. California just put a warning out today that said don't drive your electric cars because we're going to have blackouts. Today we don't even have *(inaudible.)* It all can wait. I'm calling for a moratorium on all these projects. Lets get the information out. We've been locked down by Covid for a long time. The public is not aware of this. A lot of you, I'm sure, are not as up to date on the information as you could be. The information is intense. I've done a lot of things in my life. Learning about this to the ability to be able to come out to speak to it in public has been grueling. Its very, very technical and none of us know all the answers, but we do know we have an amazing county here with amazing land and amazing agriculture. It's everything to the people of this county. I'm a transplant. I'm from Virginia, my husband grew up here. I've been here four years. I should probably work for the tourism bureau because I love this place so much, but why are we going to desecrate it. The industrialization of the farmland is so wrong and once it is industrialized it can never go back to agriculture land. The shedding information you're going to read in these files- a lot of information is going to give you a lot of education. We would be happy to come and do a presentation at any time. I will bring experts. If you need more information, just let us know.

Chairman Chagnon: Thank you for your comments. Thank you. Anyone else wishing to address the second privilege of the floor? Seeing no one, I will ask the Clerk to read the correspondence that was received for the second privilege of the floor.

Clerk Tampio: I have 18 different correspondence items and at some point I will ask my deputy clerk to help read some of them. The first one is from Brady Kleckner, a landowner in Chautauqua County.

"To the Chautauqua County Legislature,

I am writing to express my support for solar energy in Chautauqua County. I do not support my legislature considering any type of restriction on solar projects receiving PILOT agreements. Supporting solar in Chautauqua County seems to be sort of a no brainer, given the tremendous economic impact this project will bring to the local towns, school districts, and the county as a whole. My family lives in South Ripley and we are proud to be part of a solar project because of the lease payments and tax contributions to the community, not to mention the benefit that renewables are bringing to the world. The annual lease payments will help me improve my property and passive income on fallow land is something that doesn't come around often. I have also looked into the concerns that some people against solar have raised, and do not find them to be based on any real facts. I hope that you can get behind solar in Chautauqua County, as it can really help our community, which is slowly dying on the vine.

Sincerely
Brady Kleckner"

Clerk Tampio: The next submission is from Kim Kleckner.

"To whom it may concern,

My husband and I are participating landowners in the South Ripley Solar Project. In fact, our land is smack in the middle of the project area. While our farm is not large, we were able to lease one of our fields and are planning to use the income we receive to support the farming activities we perform on the rest of our property.

South Ripley is our home. We have watched our community dwindle down over the years from thriving to barely surviving. The South Ripley Solar Project can help our decreasing tax base by providing extra income to Ripley. We desperately need to capitalize on this economic opportunity, which will benefit local residents by providing a steady stream of income the town and school districts can plan around for years to come.

There are some people who have loudly voiced their opposition, but the messages they are pushing are unreasonable and untrue. It seems as though these opponents merely don't want to embrace positive change or progress. While their collective voice is loud, it is not representative of the community at large. I ask that you please consider my perspective, and the perspective of so many other supporters, as you make decisions involving solar in Chautauqua County.

Thank you,
Kim Kleckner"

Clerk Tampio: There are several letters here and they are from the Members of the Laborers Local 621 – Laborers' International Union of North America Local #621. I will read the letter- all the letters are the same, but I will read the names of all the individuals who submitted them.

"To whom it may concern,

I am a member of Laborers' Local 621 and a resident of Chautauqua County. I'm writing to you today to show my support for the South Ripley Solar Project. As of this year, solar energy is supporting more than 250,000 well-paying American jobs, including more than 10,500 in New York

State. If you pass a resolution barring the South Ripley project from signing a PILOT agreement with the IDA, hundreds of jobs will be lost.

I am a resident of Chautauqua County, and the potential chance to work locally and allow other tradesmen that live & reside locally the same opportunity to work a high-paying, high-skilled project such as this, would be a great benefit for all. Not only will it help families, but a project of this size will also be a huge boost to the local economy and taxpayers as a whole. Anytime we invest in our infrastructure, and it involves clean, renewable energy, everyone benefits, and we progress as a community. Thank you for your time.

Respectfully,
Eliot DeLeon, Chris Pacitti, Dave Kjornsberg, Jerryl Aiken, John Proctor, Chuck Restivo, Brian Thompson, Jerry McMaster, William Lawson, Dennis Halas, Darlene Shoup"

Clerk Tampio: The next one is from Gary Flowers.
"*Dear Ms.Tampio,*

I Gary A. Flowers now 71 years old recent widower, father of 4 and grandfather of 5 own 64 Acres in Chautauqua county NY. My land is situated on
Rt 76 midway between Sherman and Ripley N.Y.

On March 29 I emailed the attached letter to the Ripley Town clerk. My opinion and feelings about this matter have not changed or diminished.

I have read so much information on the internet about solar farms. The proven argument is that they are SAFE, ECONOMICAL AND DO NOT HARM THE ENVIRONMENT. SOLAR FARMS are are best alternative resource. Coal produces
Acid rain. Fracking for natural gas has polluted wells. Remember the EXXON VALDEZ.
Nuclear…think about Three Mile Island or Fukuyama!

The Connectgen N Ripley Solar Project in my opinion is a great example of putting CLEAN ENERGY TECHNOLOGY to work. The project will provide economic relief to the county inthe form of jobs, local business opportunities and income to
Ripley, N.Y.

As for myself and I speak for my family as well. This is MY property. Presently
I live on social security just under $2100.00 per month. I have no pension.
My wife's social security ended when she died.

The sale or lease of my land to Connectgen would provide me with additional income to live out my days significantly better than I am now, provide assistance to my family as well as their further education.
AND…I Believe in Solar Energy. This is our future. If you've seen the news you know our country is once again being fleeced by big oil. The ENERGY giants that manipulate energy
Markets any way they can.

I hope and pray we have people in the county and State of New York who will exercise some common sense and realize that the South Ripley Solar Project is good for the community and the environment as well.

Thank you,
Gary A flowers"

Clerk Tampio: This one comes from Keith Hagenbuch of Parable Farms.
"Chautauqua County Executive
Chautauqua County Legislature

To whom it may concern:

My family and I own the largest farm in South Ripley, on which we raise organic cows, pigs, and turkeys. We have been relying on the future lease payments to supplement the income from our farm, something we have worked diligently to keep in the family for years.

As a retired Physics professor and someone who cares about the environment, it is incredibly disappointing to hear the gross misinformation that is being spread about both this project and solar/storage technology in general. Perhaps it is my academic background, but I prefer to make statements that are solidly grounded in fact not fiction, unlike several of my neighbors. I implore you to do the research, as I have done, and gain the knowledge that both PV solar and storage are proven technologies that communities around the globe not only rely on, but live and work near every day.

Reducing our reliance on fossil fuels will result in cleaner air, cleaner water, and improved safety. This will help reduce diseases such as asthma and cancer, as well as early deaths. The South Ripley Solar Project will be a visible symbol that shows that this community considers doing the right thing as a priority in terms of helping to save a habitable climate, protecting the environment, and improving the lives of people. This will make our area more attractive to prospective business development executives and people considering moving to our area.

Please use this letter as my statement of support for the South Ripley Solar Project and solar in Chautauqua County.

Kindly,
Keith Hagenbuch
Parable Farms"

Clerk Tampio: This next one is from Jamie and Denise Warren
"Chautauqua County Executive PJ Wendel
Chautauqua County Legislature

To whom it may concern:

I am writing today about the South Ripley Solar Project and solar development in Chautauqua County. The South Ripley Project is an important energy project that should be supported by your organization simply in light of the financial boost it will bring to Chautauqua County. Additionally, solar development around the County will be critical to Chautauqua's continued growth and community development. While we don't live in town, we own land in South Ripley and the revenues provided by the solar project will help us keep our land in the family and allow future generations the opportunity to be landowners. The project will also bring much needed tax revenue to the area, hopefully offsetting the high property taxes that local landowners have to pay. We welcomed the solar project from day one because we thought it would be good for our family, and good for the community at large. Please help this project and all solar development to stay on course by allowing the IDA to negotiate PILOTs for projects that have widespread community support.

Sincerely,
Jamie and Denise Warren
Landowners, South Ripley. Chautauqua County"

Clerk Tampio: This next one is from Mark Twichell of Fredonia.
"I have written to several Chautauqua County Legislators about the growing environmental problem of disposal of hazardous waste within residential and industrial solar panels. I have shared with the legislators a publication describing the problem from the standpoint of the Chautauqua county Agriculture and Farmland Protection Board. I have also sent the legislators a copy of the solar panel disposal law recently adopted by the legislature of Niagara County. Both of these references are attached to this message. Thank you.
Signed, Mark Twichell, Fredonia."

Clerk Tampio: This one comes from Jim Boria of South Ripley.

Dear Executive Wendel and County Legislators,

I own land and live in the South Ripley Solar Project footprint, and I have signed up my property to ConnectGen for use in the project. I very strongly believe in private landowner property rights, which consist of three basic elements: the exclusive right to choose how your property will be used, the exclusive right to any benefits derived from your property, and the right to exchange your property with someone else on terms that are mutually agreeable to the two parties.

By signing up my land to ConnectGen, I have exercised all three of those elements. I do not take kindly to government entities meddling in my basic rights as a property owner, and I am opposed to any action by the county to potentially kill the project and deprive myself, other landowners, and the Ripley community at large of lease payments and annual tax revenues. Such an action would not only be a threat to the private property rights and economic future of Ripley, it would also extend the authority of the county far beyond the accepted role of protecting public welfare.

I have reviewed the concerns of people opposed to solar development and have found no factual basis for any of the points they have raised. A simple internet search of reputable scientific research and studies disproves most if not all of their concerns. Solar is a proven technology with tens of millions of panels (if not more) installed all over the United States. With all of the operating solar, we are not seeing any of the widespread problems that people opposed to solar are claiming will happen. Please use common sense and support solar in Chautauqua County and the national green initiative.

Best,
Jim Boria
South Ripley, NY"

Clerk Tampio: Mr. Chairman, please stop me if I exceed the three minutes. Some of these get quite long.

Chairman Chagnon: I'm timing you.

Clerk Tampio: O.k., this is from Lisa Mertz - Climate Reality Project Chautauqua County Chapter Chair, League of Women Voters of Chautauqua County Board Member.

"We are here today to discuss the importance of clean energy. We are in the midst of a Climate Emergency. Residents of Chautauqua County are already vulnerable to heavy rains, rising Lake Erie levels, and flooding. One way we can mitigate the Climate Crisis is by disengaging from pollution-causing fossil fuels and building up renewable energy. For example, the transportation industry, both for personal cars and commercial long-haul trucks, is working to eliminate emissions by moving into electric vehicle manufacturing. The housing sector is more and more building sustainable housing practices. Renewable energy projects are an important aspect of mitigating the Climate Emergency we are in right now.

Some people suggest nuclear power. Where do they propose to dispose of nuclear waste? Not in their backyards. Native American reservations have been targeted for dump sites for many years, including the West Valley NY Nuclear Waste Site, upstream and upwind from the Seneca Nation. [https://ppgbuffalo.org/news-and-events/events/event:05-27-2021-1-00pm/; accessed 6/22/21]

Some are opposed to solar projects due to the fear of Per/Poly Fluoro-Alkyl Substances, or PFAS chemicals, leaching from coatings on the panels. However, according to a 2020 report from Michigan State University, "The fact is that PFAS is not customarily used in solar panels because safer, effective alternatives have already been developed and commercialized. Moreover, no studies have shown the presence or leaching of PFAS from PV [photovoltaic] panels—either while they are in active use or at the end of their life (e.g., in a landfill)….Confusion comes from the fact that some other commercialized self-cleaning coating options do make use of PFAS-based chemicals, although even those do not degrade

under normal use." [http://graham.umich.edu/media/pubs/Facts-about-solar-panels--PFAS-contamination-47485.pdf; accessed 6/22/21]

As for farmers, solar projects can offer them opportunities to preserve their land and avoid selling out to residential or commercial developers. Farmers in Ripley know they can benefit by leasing their low production land to ConnectGen for the proposed South Ripley Solar Project. Some farmers are using solar farms for pollinator gardens, for sheep or cattle grazing, or for bee keeping.[https://www.agriculture.com/technology/livestock/energy-partners; accessed 6/22/21]

Scientific American reported in January 2021, "Every effort must be made to reduce emissions and increase removals of atmospheric carbon in order to restore the melting Arctic and end the deadly cycle of damage that the current climate is delivering….catastrophic climate change could render a significant portion of the Earth uninhabitable." The authors assert that "Swiftly phasing out fossil fuels is a top priority." Transitioning to renewables such as solar and wind power is essential. Chautauqua County must join the transition. Chautauqua County must move into the 21st century."

Clerk Tampio: This one comes from MaryJane Wagner of Fredonia.

"Most people would agree that it's awesome that our earth in its solar system, tiny in the vastness of the universe, supports complex ecosystems. We can also agree that human technological advances over the last century have developed at a remarkable pace, even though there are many places on earth where people still don't have access to the technology that we are fortunate to have here.

Technology and innovation haven't come without mistakes or costs, though, and it's important to examine them through a critical lens.

As county government leaders, you are tasked with prioritizing the health and economic interests of your constituents. It seems clear that few of us would be interested in giving up our cars, phones, refrigerators, etc. to embrace more primitive lifestyles, so there are choices to make about meeting our energy demands. In order to choose, we must recognize that EVERY energy production method will be profit driven, and that EVERY energy production technique will have some type of environmental cost. We must be clear eyed and exercise due diligence in assessing which costs are the most destructive.

Please heed the conclusions of climate scientists and economists when making decisions for Chautauqua County. Science, not politics, should guide us in comparing environmental costs of various technologies. PLEASE research this thoroughly before making any decisions regarding PILOT agreements or other policies about solar projects here.

- *Compare the environmental threats of methods such as fracking and running fossil fuel pipelines with the construction and maintenance of solar panels.*
- *Keep in mind that solar panels are hermetically sealed, can be recycled, and can be secured with decommissioning agreements to return the land to its original state at the end of the project's useful life*
- *Consider the economic benefits: solar projects provide funding to landowners and neighbors in the form of land lease and good neighbor agreements, they create local temporary jobs during the construction phase and permanent jobs for the life of the project, and incoming workers contribute to the local economy*
- *Silicon photovoltaic technology was introduced in 1954. At that time, it cost more than $1,900 per watt in today's currency. Since then, public investment, tax incentives, technology evolution, and manufacturing updates have reduced the cost of creating PV to 65 cents per watt today.*

I implore you to look at the big picture. Climate scientists are in nearly 100% agreement that severe weather events, droughts, extinctions, wildfires, etc are increasing due to carbon dioxide emitted by the burning of fossil fuels. Chautauqua County has been spared many of these devastating impacts of climate change, but we can do our part to mitigate them by making the choice to SUPPORT renewable

energy. How will this benefit your constituents? By providing a livable planet for our descendants and for all the life this planet currently supports.
Sincerely,

Mary Jane Wagner
Fredonia"

Clerk Tampio: Now I'm going to give Deputy Clerk Ames her turn.

Ms. Ames: This first one was received from Patrick and Barbara Del Monte from Forestville, New York.

"We are writing to strongly object to any more solar or windmill projects being installed in Chautauqua County. Our area has already seen the installation of two windmill projects with a third planned. We've already experienced the detrimental effects of massive machinery being put up in a area that is not an industrial zone. Our region has received little or no benefit from these projects. We've created no jobs. We've not reduced our energy costs and we've seen the degradation of our environment, the loss of our property values, and the blight on the beauty of our area. Plus we are paying for this with subsidies provided by our tax dollars. Our area is too populated for these projects and we've already done our share to the detriment of our region. Any further projects will just compound the harm done. Our legislators have an obligation to protect the citizens from this type of abuse.

Sincerely,
Patrick and Barbara Del Monte
Forestville NY"

Ms. Ames: This is from Lynn Saxton, the Chair of the Western New York Chapter of the Climate Reality Project.

"To the Chautauqua County Legislature,

My name is Lynn Saxton and I am the chair of the Western New York Chapter of the Climate Reality Project. I am writing to support renewable energy and particularly the South Ripley Solar Project. These projects will provide long-term benefits to both local towns and the county, including tax revenues of more than $490,000 a year to the Town of Ripley (more than $17 million over the life of the project), which would be over 50% of the annual property tax levy, as well as more than $200,000 annually to local school districts. The projects will create up to 220 good green construction jobs and increase revenues at local businesses. Local landowners will benefit through annual lease payments, which will help maintain family farms.

These are just the local benefits. But in a world of rapidly changing climate because of greenhouse gases, renewable energy projects that reduce carbon emissions are vital to our survival as a species. Solar projects are quiet and non-polluting, and solar panels can be recycled. Decreasing dependence on fossil fuels will also help to achieve energy independence. Solar energy is low cost and, because it is produced locally, is less affected by geopolitical crises, price spikes, or sudden disruptions in the supply chain. The addition of batteries will help avoid disruptions due to weather.

Today, support for 100% renewable energy transcends partisan, cultural and socio-economic lines. By investing in renewable energy, including the South Ripley Solar Project, Chautauqua County demonstrates its leadership, and benefits the local community with jobs, tax income, and environmental stewardship. Please support renewable energy by preserving the PILOT resolutions for large solar projects.
Thank you.

Sincerely,
Lynn Saxton

Chair, Western New York Region Chapter, The Climate Reality Project

Ms. Ames: This letter is from Bob Ciesielski.

"I am writing on behalf of the Niagara Group of the Sierra Club and as Chair of the NYS Atlantic Chapter's Energy Committee. The 2020 Accelerated Renewable Energy Growth & Community Benefit Act expanded the scope and benefits available to local communities through host agreements with renewable energy developers. The State also supports greater financial benefits through Payment in Lieu of Taxes to towns, counties and school districts.

All energy generation facilities pay PILOTs instead of full property tax rates, as the cost of full tax assessments would be too burdensome for plants to operate. An action by the County Legislature to ban the use of PILOTs where renewable electric generation is proposed would prevent communities from negotiating and deciding whether the financial benefits offered are acceptable.

I have reviewed some of the statements by opponents of solar arrays in Chautauqua. Concerning claims that solar panels are ineffective in producing electricity north of 35 degrees latitude, solar panels in Germany produced over 10% of that industrial country's electricity in 2020. As far as agricultural productivity, solar arrays often help farmers stay in business by providing additional necessary income from lease payments. Sheep and bees can be raised among the panels. Also, our understanding is that the State's Department of Agriculture requires that for large solar arrays, topsoil be removed from panel sites and then replaced at the end of the panels' use. The State also requires full and continuous bonding be maintained by developers to insure the removal of the panels at the end of their useful life.

The danger of climate change to our world requires the reduction of carbon and methane emissions from fossil fuels.

We would be happy to answer any questions from legislators.

Thank you.

Bob Ciesielski
Sierra Club Atlantic Chapter
Energy Committee Chair"

Ms. Ames: This letter is from Janet Lenichek.

Dear Ms Tampio:
I am submitting a public comment regarding the banning of PILOT Resolutions which is going to be discussed at tonight's meeting.

PILOT resolutions have been used for decades by energy developers and provide economic benefits for communities that host energy development projects, be they coal, gas or renewable energy sources. PILOTS make a lot of economic sense and help small communities and rural areas by supporting good paying jobs and providing economic assistance in lieu of taxes. Instead of coal and gas-fired power plants that have provided PILOTS in the past, we now have wind and solar development projects that will provide PILOTS to rural communities. I see no problem with this. In fact, it is the wave of the future. If Chautauqua County decides not to allow development of these projects, then they will lose out on good paying jobs and economic benefits. Some other county will garner the benefits instead, likely Erie County.

It is foolish to ban PILOT resolutions for renewable energy projects in Chautauqua County.

Janet Lenichek"

Clerk Tampio: Thank you. This one is rather long, so I'm going to shorten it and I believe I sent this out to the Legislators and the County Executive previously so they can read it in its entirety. This comes from Isaac Phillips, project manager for ConnectGen.

"Dear County Executive Wendel and Chautauqua County Legislature,
During your March meeting, several comments were given regarding the South Ripley Solar Project and solar development in Chautauqua County. Some of those comments called for you to again consider a resolution that would recommend the Chautauqua County IDA refrain from signing PILOT agreements with solar energy projects. ConnectGen would like to restate that it does not support such an action, which would deprive the Town of Ripley and Chautauqua County from realizing decades of much-needed benefits. Additionally, as solar becomes a larger share of the New York State electric grid, preventing solar development in Chautauqua County would put the County at risk of missing out on millions of dollars of stable, annual revenue that is critical for continued growth and community development. We would also like to take the opportunity to reply to many of the comments made at the March meeting. Below, please find ConnectGen's responses, including extensive citations, in response to some of the misinformation that was presented to you previously.

Clerk Tampio: And they had it outlined as myth and then their presenting fact. So, I'm going to read their myth statement and you can peruse the document later for their replies.

"Myth: New York State is recklessly heading down the same "Green Energy" path as Texas, where a faulty renewable energy policy added up to power outages and rolling blackouts.

Myth: Solar is an intermittent resource and therefore cannot be relied upon.

Myth: The sun in New York State, and Chautauqua County in particular, cannot support solar energy production.

Myth: The only reason solar developers are targeting New York is because of generous subsidies and local tax abatements.

Myth: Solar development and the South Ripley Solar Project are sacrificing agricultural land.

Myth: Solar panels are composed of rare earth elements and other materials known to be toxic.

Myth: Currently there is no way to recycle solar panels. Once they reached their life expectancy, they will be tossed into a landfill.

Myth: Taxpayers and landowners will be left with the responsibility to fund and carry out project decommissioning.

The Office of Renewable Energy Siting requires a Decommissioning and Restoration Plan as part of the 94-c permitting process, <u>including a bond for the full cost of decommissioning</u>. The plan must outline the various ways in which ConnectGen, and other developers, will safely and responsibly remove installed solar equipment and how the property within the project area will be restored to as close to its state prior to construction as possible. Taxpayers and landowners will not be responsible for carrying our project decommissioning.

Chairman Chagnon: That has been three minutes.

Clerk Tampio: O.k., this one comes from Edward Giardini, Jr., Business Manager Laborers Local 621.
"To whom it may concern:
I am writing this letter on behalf of Laborers' Local 621 in support of the South Ripley Solar Project in Chautauqua County. With more than 500,000 active members across the country, LiUNA

has always been at the cutting edge of energy infrastructure development and supports the construction of new electric generation facilities when they are done safely and responsibly.

Having personally represented LiUNA on several other major solar construction projects in New York, I understand the numerous benefits solar projects can provide. This project and future projects will create the opportunity for high paying, highly skilled labor jobs right here in Chautauqua County - these American jobs are the backbone of our country. The South Ripley Solar Project will create the opportunity for up to 220 construction jobs during the peak of employment. These jobs will include surveying, trucking and hauling, equipment operation and fueling, site grading, building temporary access roads and the collection system, and many more. The construction jobs created by the South Ripley Solar Project will be filled by local workers to the extent they are available. We have an agreement in place with ConnectGen designating members of LiUNA Laborers Local 621 as the first option to support the construction of the project.

With over 350 active members currently residing in Southwestern New York, half of them in Chautauqua County, the South Ripley Solar Project and future solar projects will enable our members to continue to provide for their families and have the rare opportunity to build a large-scale renewable energy project right in their backyard. As you can imagine, our members prefer to spend their money where they live and work, creating an additional economic boost in the local community. The nature of our work is seasonal and typically of a defined time frame, where our members move from job to job in order to provide for their families. This type of opportunity is a rare occurrence in our area so it would be a great loss to our members should it not move forward.

The Laborers Local 621 Skilled Construction Craft Labor Apprenticeship Program has young members that are also Chautauqua County residents.

Clerk Tampio: I'm going to skip ahead to keep within the time.

"In addition, the South Ripley Solar Project will provide long-term tax revenues to the community, allowing for the enhancement of local infrastructure and public services - also very meaningful to our members and their families.

I strongly encourage you NOT to pass a resolution barring the Chautauqua County Industrial Development Agency from signing a PILOT with the South Ripley Solar Project or any future solar project s. To do so would be to strip our members of guaranteed work and family income in our community.

Thank you for your time and consideration.

Sincerely,
Edward Giardini, Jr., Business Manager
Laborers Local 621"

Clerk Tampio: The next one is from Judi Lutz-Woods of 105 Temple Street, Fredonia New York.
"Dear Legislators,

I am asking you to gather more scientific and economic facts regarding solar energy projects in our County. There are a few, but very vocal, individuals and groups that are spreading misinformation on alternative energy. These groups spend time denying the fact we are in climate crisis worldwide, and the urgency to address the crisis here in our own County.

I am writing specifically oh encouraging pilots for such alternative energy projects in our County, particularly solar.

Below I have listed just a few of the facts on solar energy and the benefits, both to our environment and our economic development that they could provide in our area.

Solar energy emits much fewer greenhouse gas emissions than fossil fuels. A special report by the International Panel on Climate Change's Working Group III examined hundreds of estimates of

greenhouse gas emissions, and compiled the results of the most thorough studies. Their results showed that renewable energy has a substantially lower impact than fossil fuels over the lifespan of each power source.

Using solar energy produces no air or water pollution and no greenhouse gases, but may have some indirect negative impacts on the environment. For example, there are some toxic materials and chemicals that are used in the manufacturing process of photovoltaic cells (PV), which convert sunlight into electricity. Some solar thermal systems use potentially hazardous fluids to transfer heat. U.S. environmental laws regulate the use and disposal of these types of materials.

Solar energy technologies continue to advance at a record pace. The solar market is also gaining momentum as evidenced by the latest jobs report from the Solar Foundation, which showed that the solar industry is creating jobs six times faster than the overall job market. (Facts taken from the wilderness society)

As pilots are to promote economic development in our area, solar energy seems to me to on the top. Solar and wind industries are the fastest growing sectors in our national job market. We here in Chautauqua County should not be left behind.

As Legislators you are charged to develop policies that will protect and provide for our citizens. Pilot approvals for solar and wind do both of these: protect citizens by reducing impact of burning fossil fuels...and provide job opportunities for good paying family sustaining jobs.

I hope all of you will take into consideration the urgency to address the climate crisis and the need to encourage companies with good paying jobs into our area. Solar would meet both of these.

Thank You for your consideration.
Sincerely,
Judi Lutz Woods"

Clerk Tampio: And now, I'm coming to the final submission.

(Applause)

Clerk Tampio: This comes from David E. Wilkinson, Business Manager, International Brotherhood of Electrical Workers – Local Union 106. Greetings,

"*In light of recent editorials published regarding solar development and general misinformation, I would offer the following response"*

Clerk Tampio: This is quite lengthy, I'm going to have to shorten it in some ways.

"First and foremost, pretending these projects do not create jobs is without question a false anti-green statement perpetrated by opponents' intent on blocking development. I am tired of the same rhetoric in which construction jobs and their workers are treated with disregard. The construction workforce is vital to the community in which we live, we pay taxes, buy local, own homes and contribute to the overall prosperity of Chautauqua County. The work opportunities created by these projects (150 to 200 workers for one year) will generate economic growth that political leadership and the residents should not ignore.

The editorial "Seeing Red over Going Green" calls to question the accuracy of the facts listed. For instance, the first point made is easily debunked with a simple, informed internet search. I am writing today to present you with accurate, thoroughly researched information.

That editorial claims that the recent Texas power outages were caused by the state's "Green Energy" path, which is contrary to information from the State of Texas, the Texas grid operator (ERCOT), and energy experts. Dan Woodfin, Senior Director of System Operations at ERCOT explained that while ice forced some wind turbines to shut down, that was the least significant factor in the blackouts. The main factors were frozen instruments at natural gas, coal, and even nuclear facilities, as well as limited supplies of natural gas.

I do agree with the editorial on one thing - solar power is in fact an intermittent resource. However, the sun is the Earth's most abundant resource and is one of the cheapest forms of electricity in the country. And New York has been consistently in the top ten solar markets, despite being over the 40th parallel. Grid operators - such as NYISO - predictably forecast solar output and use it to complement other generation sources, resulting in fuel diversity and lower electricity prices. If you add a battery element to the mix, it charges when sunshine is abundant (during the day) and releases the stored energy when the demand is highest (at night), which keeps energy prices from fluctuating.

Chairman Chagnon: Three minutes.

Clerk Tampio: O.K., I'll conclude with this last paragraph.

"I would ask the Chautauqua County Legislature to reject a resolution that strips the CCIDA of its main purpose - to facilitate economic development. Any action of this kind is a misplaced attempt to further the personal interests of a few at the expense of the community. It is important to review projects with facts rather than rhetoric.

I have enclosed a spreadsheet of the wages and benefits that would be generated on the Ripley Solar Project for your review."

Chairman Chagnon: Thank you. That concludes the second privilege of the floor.

MOVED by Legislator Gould, SECONDED by Legislator Pavlock and duly carried the meeting was adjourned. *(8:55 p.m.)*

Regular Meeting
Chautauqua County Legislature
Live Streamed on Social Media
Wednesday, July 28, 2021 6:30 p.m.
Mayville, N.Y. 14757

Chairman Chagnon called the meeting to order at 6:34 p.m.

Clerk Tampio called the roll and announced a quorum present (Absent: Harmon, Lawton)

Legislator Muldowney delivered the prayer and pledge of allegiance.

MOVED by Legislator Bankoski, SECONDED by Legislator Nazzaro and duly carried the minutes were approved. (06/23/2021)

1st Privilege of the Floor

Chairman Chagnon: This brings us to the first privilege of the floor on the agenda. Members of the public may comment on any subject relating to any local law, resolution or motion appearing on the agenda. Individual comments are limited to three comments minutes and comments representing a group shall be limited to five minutes.

Mr. Green: Thank you. First, I would be remiss if I didn't say I am so honored to be in the presence of Mark Conklin. This is like the hero for a long, long time. Not enough can be said. Thank you.

Chairman Chagnon: Would you please introduce yourself?

Mr. Green: Sure. Norman Green of 55 Onieda Drive, Dewittville, New York. I'm speaking tonight on the resolution of $111,000 that's being charged by the County for the fire department software to the City of Jamestown. I first would start out with is, as I did before committee the other day, saying hey, nice job Sheriff and nice job County Executive. It's a great thing. We're going to do some sharing of services and it's fantastic, but charging the City of Jamestown $111,000 just doesn't make sense. This is absolutely what we should be all about – sharing of services and we certainly have other areas in the County of sharing of services that- such as the Fly Car, such as the Sheriff's Department itself. I mean, 20% of the county's population resides in Jamestown and gets some service- lots of service. I'm not going to *(inaudible)* here, but certainly gets service from the Sheriff's Department and the City of Jamestown has their own police department. As far as the Fly Car goes, yeah, there's some minimal service that's happening to the Fly Car. The Fly Car is in the red. Hopefully it will be in the black as some point in time. Certainly the $20,000 help, *(inaudible)* different fund that helped dredge the harbor in Barcelona. We have lots of sharing of services and we help out all the time – the County does and I would certainly ask that this Legislature consider at least amending the resolution to help with this $111,000 charge, which has to do with software that will be tracking our fire calls, reporting software – up to 10 other organizations can be involved in this. It's something that all the Jamestown City Legislators should be behind- not charging the City of Jamestown this $111,000. Thank you for your time.

Chairman Chagnon: Thank you. Is there anyone else wishing to address the first privilege of the floor? Anyone else for the first privilege of the floor?

VETO MESSAGES FROM COUNTY EXECUTIVE WENDEL
NO VETOES FROM 06/23/21

Clerk Tampio: The office of the Legislature has received the 9 communications as listed on the agenda this evening. Are there any items that a Legislator would like to have read aloud? Hearing none, if you would like a copy of any of these please notify our office.

Chairman Chagnon: Thank you.

COMMUNICATIONS:

1. Letter – Legislator Mark Odell – Resignation Effective August 17, 2020
2. Letter – NYS Department of State – Ack. Receipt of Local Law 4-21 (A Local Law Adopting a Pilot Youth Deer Hunting Program)
3. Letter - Chautauqua County Department of Law – Chautauqua County Purchasing Policy
4. Minutes – Conewango Watershed Commission – July 14, 2021 Meeting
5. Invitation – WNY Regional Off-Track Betting Corporation – Annual Legislative Night
6. Affidavit of Publication – Post-Journal – Re: Local Law 4-21 (A Local Law Adopting a Pilot Youth Deer Hunting Program)
7. Affidavit of Publication – Observer – Re: Local Law 4-21 (A Local Law Adopting a Pilot Youth Deer Hunting Program)
8. Report - Chautauqua County Ethics Board – 2020 Annual Report
9. Report – Finance Director Crow, Re: May 2021 Investment Report

COMMENDATIONS:

Officer Mark Conklin
Jamestown Police Department
By
Chairman Pierre E. Chagnon
County Executive Paul M. Wendel, Jr.
Senator George Borrello
Congressman Tom Reed

Department of Public Facilities Employees
Dunkirk Airport
Joe Majkut, Chris Fred, Garrett Storer, and Bryan Woleben
By
Chairman Pierre E. Chagnon
Legislator Mark Odell
County Executive Paul M. Wendel, Jr.

Ashley Gotowka
City of Dunkirk High School Athlete
By
Legislators Bob Bankoski and Kevin Muldowney

Legislator Mark Odell
By
Chairman Pierre E. Chagnon
County Executive Paul M. Wendel, Jr.

~~TABLED RES. 135-21~~
~~Designating the North Chautauqua County Water District as the Administrative Head of the North County Industrial Water District No. 1~~

~~By Public Facilities Committee:~~

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

~~WHEREAS, Pursuant to County Law section 261 and Resolution 245-78, a district board was established as the administrative body of the North County Industrial Water District No. 1 (NCIWD); and~~

~~WHEREAS, with no water treatment works in the NCIWD and no future district extensions or large new infrastructure installations anticipated within the district, the work required of the administrative body of the district is limited; and~~

~~WHEREAS, the North Chautauqua County Water District (NCCWD) Board administers all other County water district operations, in part via contract with the same contractor as is used by the NCIWD; and~~

~~WHEREAS, water district operations will be streamlined, district activities better coordinated, and duplication of effort eliminated, by having one board serve both districts; now therefore be it~~

~~RESOLVED, That effective July 1, 2021 the NCCWD Board shall be the administrative body of the NCIWD, and, with respect to the NCIWD, have all the powers conferred on, and be subject to all the duties imposed on, heads of administrative units under New York State County Law Article 5-a, including without limitation the power to execute contracts and effect real estate transactions, including contracts and transactions with the NCCWD and other municipalities; and be it further~~

~~RESOLVED, That the Operation and Maintenance Services Agreement between the NCIWD and the North Chautauqua Lake Sewer District (20-28-01) which ends December 31, 2024, and the Water Purchase and Field Services Agreement between the NCIWD and CBI Water Works (20-28-02) which ends December 31, 2023, are not affected by this Resolution, and remain in effect subject to their terms and conditions; and be it further~~

~~RESOLVED, That Resolution 40-16 is amended to appoint as a NCCWD Board member, in place of "Chairman, North County Industrial Water District No. 1, ex officio"~~

~~Brian Purol~~
~~3681 New Road~~
~~Dunkirk, New York 14048~~
~~Term to Expire 12/31/21~~

No Action Taken- Left on the Table to Die – July 28, 2021

RES. NO. 145-21
Confirm Appointment - Chautauqua County Health Board

By Human Services Committee:
At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, County Executive Paul M. Wendel, Jr. 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 Chautauqua County Health Board.

Nancy Rosario
198 E. Second St.
Dunkirk, N.Y. 14048
Term Expires: 12/31/26

Signed: Pavlock, Whitney, Whitford

Unanimously Adopted – July 28, 2021

RES. NO. 146-21
Confirm Appointment - Chautauqua County Food Policy Council

By Planning & Economic Development Committee:
At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, the Chautauqua County Food Policy Council was created by Resolution 119-19; and

WHEREAS, a food policy council serves as a network to bring stakeholders both directly and indirectly involved in a food system together to increase communication between sectors and to strengthen and build healthy, sustainable communities; and,

WHEREAS, Resolution 119-19 provides that the membership of the Council will consist of a minimum of thirteen members, comprising seven reserved seats and six community seats; and

WHEREAS, additional seats may be added as recommended by the Council, but total membership will not exceed fifteen members; and

WHEREAS, County Executive Paul M. Wendel, Jr., has submitted the following initial 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 Chautauqua County Food Policy Council:

Molly Harvey
198 South Lake Street
North East, PA 16428
Term Expires: 12/31/23
(Filling Term of Kate Ewer)

Signed: Odell, Starks, Rankin, Harmon, Ward

Unanimously Adopted – July 28, 2021

RES. NO. 147-21
Authorize South Chautauqua Lake Sewer District Funding Applications for West Side Extension Phase II, from Stow to Prendergast Creek

By Public Facilities Committee:
At the Request of County Executive Paul M. Wendel, Jr.:

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

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

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

WHEREAS, approximately 1,200 septic systems still exist surrounding Chautauqua Lake**,** and **failed septic systems** have been identified as **one of the** a point source**s** of phosphorus inputs to Chautauqua Lake**,** and **failed septic systems can also be a threat to the quality of groundwater resources close to Chautauqua Lake, including water wells; and**

WHEREAS, Resolution 164-18 extended the South Chautauqua Lake Sewer District (the "District") through the Hamlet of Stow; and

WHEREAS, implementation of a Phase II sewer extension from the Hamlet of Stow through Prendergast Creek (the "Project") will result in an estimated combined total of 773 properties being converted from private septic systems to District sewer infrastructure; and

WHEREAS, government loan and grant funds for the Project may be available from numerous sources including without limitation the New York State Environmental Facilities Corporation (EFC)-EPA Clean Water State Revolving Fund (CWSRF) program, the USDA Rural Development Program, EFC's Water Infrastructure Improvement Act (WIIA) program, the New York State Department of Environmental Conservation's Water Quality Improvement Project (WQIP) program, the DEC-EFC Engineering Planning Grant (EPG) program, and Empire State Development's Empire State Economic Development Fund Program; and

WHEREAS, it is in the best interest of the County and of property owners within the Project area to apply for funding assistance when available; now therefore be it

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

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

Signed: Scudder, Nazzaro, Hemmer, Davis, Gould (P.F. Amended by addition of text indicated by bold and underline)

Unanimously Adopted – July 28, 2021

RES. NO. 148-21
Modification of Membership of North Chautauqua Lake Sewer District Board and Portland-Pomfret-Dunkirk Sewer District Board

By Public Facilities Committee:
At the Request of Chairman Pierre Chagnon:

WHEREAS, pursuant to County Legislature Resolutions 38-76 and 263-19, a district board of five (5) members who serve for terms of six (6) years is currently established as the administrative head of the North Chautauqua Lake Sewer District (NCLSD) in accordance with New York County Law §261; and

WHEREAS, pursuant to County Legislature Resolution 345-77, a district board consisting of seven (7) members who serve for terms of six (6) years is currently established as the administrative head of the Portland-Pomfret-Dunkirk Sewer District (PPDSD) in accordance with New York County Law §261; and

WHEREAS, county districts established under Article 5-A of New York County Law are county agencies and not separate legal entities, and pursuant to numerous provisions of New York law, the County Legislature has extensive ongoing responsibility for the oversight of all county districts, including, but not limited to the following:

1. Designates the administrative head and their tenure – can be an officer, board, or other body;
2. Approves all district budgets and amendments, including capital projects;
3. Approves all financing/bonding of district projects, which are guaranteed by the full faith and credit of the County;
4. Approves all user charges and assessments;
5. Approves all employee compensation and benefits, including the management salary plan and collective bargaining agreements governing district employees pursuant to the Taylor Law;
6. Provides for all general liability insurance and defense of district officers and employees, including the administrative head;
7. Provides workers' compensation coverage and administration for all County agencies, including the districts;
8. Approves all policies (including procurement policies) applicable to County agencies, including the districts;
9. Adopts the Code of Ethics governing district officers and employees, including the administrative head;
10. Authorizes the delegation of contract approval to the district administrative heads;

11. Approves rules and regulations for the operation of county districts, including the manner of making connections and the construction of the facilities; and

WHEREAS, New York County Law §261 provides that a member of the county legislative body may be appointed as a member of a county district administrative body, and in furtherance of the County Legislature's oversight role, it would be advantageous to appoint county legislators to be members of the NCLSD and PPDSD boards; and

WHEREAS, Rule 2(a) of Section III of the Rules and Regulations of the Chautauqua County Legislature provides that the Chairman of the County Legislature appoints legislative representation to all boards and commissions that are the responsibility of the County Legislature; now therefore be it

RESOLVED, That Resolution 38-76, as amended by Resolution 263-19, is further amended to provide that the NCLSD Board shall consist of six (6) members, with five (5) members serving terms of six (6) years, and one (1) member being a county legislator appointed by and serving at the pleasure of the Chairman of the County Legislature; and be it further

RESOLVED, That Resolution 345-77 is amended to provide that the PPDSD Board shall consist of eight (8) members, with seven (7) members serving terms of six (6) years, and one (1) member being a county legislator appointed by and serving at the pleasure of the Chairman of the County Legislature.

Signed: Scudder, Nazzaro, Hemmer, Davis, Gould

Unanimously Adopted – July 28, 2021

RES. NO. 149-21
Authorize County to Apply for Grants on Behalf of the North Chautauqua Lake Sewer District for an Inflow and Infiltration Study

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

WHEREAS, North Chautauqua Lake Sewer District (NCLSD) infrastructure was initially installed in the 1950's and 1970's, and much of the NCLSD's collection system infrastructure has not been updated or repaired since that time; and

WHEREAS, old infrastructure is likely to have cracks and leaks, which can lead to infiltration and inflow (I & I) of storm and ground water into, and leakage of sewage out of, collection system pipes; and

WHEREAS, sewage leaking out of pipes can result in an improper discharge of sewage to the ground, and such sewage can migrate to Chautauqua Lake; and

WHEREAS, storm and ground water entering into collection system pipes is unnecessarily processed through a treatment plant; and

WHEREAS, studies of the Orchard Terrace and Chautauqua Shores regions of the district showed numerous areas in need of repair to eliminate I & I, and studies of the remaining collection system infrastructure is needed to identify additional areas in need of repair; and

WHEREAS, grant funds provide an opportunity to significantly leverage local resources, and available grants include the New York State Department of Environmental Conservation / Environmental Facilities Corporation's Wastewater Infrastructure Engineering Planning Grant (EPG), which provides reimbursement for up to 80% of the cost of a water quality improvement study with a maximum award of $30,000.00, with applicants providing the remaining local match contribution of at least 20% of the total grant award; and

WHEREAS, the Chautauqua County Department of Planning and Development (CCPD), the Chautauqua Lake and Watershed Management Alliance (Alliance), and the North Chautauqua Lake Sewer District periodically partner on EPG funding assistance grant applications for I & I studies; and

WHEREAS, the estimated project budget for an I & I study is $36,000, for which $30,000 will be sought in grant funding, with the NCLSD committing to a minimum cash match of $6,000; and

WHEREAS, it is in the best interest of the County and of district users to apply for grant assistance when available, and when supported by the administrative heads of the districts; therefore be it

RESOLVED, That the County Executive is authorized to submit applications in the years 2021-2023 for a NYS EPG program grant on behalf of NCLSD for funding assistance for a NCLSD Board-approved I & I study, to execute related documents, and to represent the County in connection with such funding applications; and be it further

RESOLVED, That if a grant is awarded, the County Executive is authorized to execute and submit the necessary contract and associated documents to secure grant funds, and to represent the County in all matters related to the project and state grant assistance.

Signed: Scudder, Nazzaro, Hemmer, Davis, Gould, Niebel, Harmon

Unanimously Adopted – July 28, 2021

RES. NO. 150-21
Authorize County to Apply for Grants on Behalf of the Portland Pomfret Dunkirk Sewer District for Inflow and Infiltration (I&I) Studies

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

WHEREAS, Portland Pomfret Dunkirk Sewer District (PPDSD) infrastructure was initially installed in the 1930's, 1950's and 1980's, and much of the District's collection system infrastructure has not been updated or repaired since that time; and

WHEREAS, old infrastructure is likely to have cracks and leaks, which can lead to infiltration and inflow (I & I) of storm and ground water into, and leakage of sewage out of, collection system pipes; and

WHEREAS, sewage leaking out of pipes can result in an improper discharge of sewage to the ground, and such sewage can migrate to Lake Erie; and

WHEREAS, storm and ground water entering into collection system pipes is unnecessarily processed through a treatment plant; and

WHEREAS, New York State has available grant funds, that can be used to identify locations at which I & I problems have developed, and can provide an opportunity to significantly leverage local resources; and

WHEREAS, available grants include the New York State Department of Environmental Conservation (DEC) / Environmental Facilities Corporation (EFC) Wastewater Infrastructure Engineering Planning Grant (EPG) which provides reimbursement for up to 80% of the cost of a water quality improvement study with a maximum award of $30,000.00, with applicants providing the remaining local match contribution of at least 20% of the total grant award; and

WHEREAS, the Chautauqua County Department of Planning and Development (CCPD) and the Portland Pomfret Dunkirk Sewer District (PPDSD) partner on EPG funding assistance grant applications; and

WHEREAS, the estimated project budget for an I & I study is $36,000, for which $30,000 will be sought in state grant funding, with the PPDSD committing to a minimum cash match of $6,000; and

WHEREAS, it is in the best interest of the County and of District users to apply for grant assistance when available, and when supported by the administrative heads of the Districts; therefore be it

RESOLVED, That the County Executive is authorized to submit applications in the years 2021-2023 for EPG grants on behalf of the PPDSD for funding assistance for District-approved I & I studies, to execute related documents, and to represent the County in connection with such funding applications; and be it further

RESOLVED, That if a grant is successful, the County Executive is authorized to execute and submit the necessary contract and associated documents to secure grant funds, and to represent the County in all matters related to the project and state grant assistance.
Signed: Scudder, Nazzaro, Hemmer, Davis, Gould, Niebel, Harmon

Unanimously Adopted – July 28, 2021

RES. NO. 151-21
Authorize Agreement for the Purchase and Removal of County Owned Timber from the Thomas Erlandson Park in the Town of Carroll

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

WHEREAS, the County of Chautauqua Purchasing Division solicited competitive bids on behalf of the Department of Public Facilities Parks Division to sell sawtimber located on approximately twelve acres of the Thomas Erlandson Overlook Park, SBLs 424.00-2-27, 424.00-2-28, 424.00-2-29, 425.00-1-44 and 425.00-1-45; and

WHEREAS, Marvin Troyer & Sons Lumber, 2059 Clymer-Sherman Road, Clymer, NY 14724 submitted the highest bid with an amount of $10,250; and

WHEREAS, the total sale amount payable to Chautauqua County is $10,250 and

pursuant to Resolution 164-02, revenue from the sale of timber rights will be dedicated to the capital improvements of the County Parks system; and

WHEREAS, it is appropriate to accept the bid submitted by Marvin Troyer & Sons Lumber, as the offered price exceeds the fair market appraisal; now, therefore be it

RESOLVED, That the County Executive is hereby authorized and empowered to execute agreements with Marvin Troyer & Sons Lumber for the sale and removal of sawtimber on the above-noted property at the above-stated price, with the proceeds placed in the Parks Capital Account; and be it further

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2021 Adopted budget:

INCREASE APPROPRIATION ACCOUNT:
H.7110.25002.4Contractual—Parks Capital Improvements $10,250

INCREASE REVENUE ACCOUNT:
H.7110.25002.R265.2000 Sale of Property/Compensa—Sale of Forest Products $10,250

Signed: Scudder, Nazzaro, Hemmer, Davis, Gould, Niebel, Harmon

Unanimously Adopted – July 28, 2021

RES. NO. 152-21
Authorize Agreement with NY State DOT for Performance of Federal-Aid Project PIN 5762.56

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

WHEREAS, the painting of bridges with BINS 3324170, ~~3324790~~ **3325940**, and ~~3367230~~ **3325830** (the Project) is eligible for funding under Title 23 U.S. Code, as amended, which calls for the apportionment of the costs of such program, now estimated to be $315,000, to be $252,000 Federal funds, $47,250 State Marchiselli funds, and $15,750 Local funds; and

WHEREAS, the County of Chautauqua desires to advance the Project by making a commitment of 100% of the Non-Federal share of the costs of the Project (PIN 5762.56); and

WHEREAS; the local share is currently calculated to be $15,750 and can be covered with existing funding in organization D.5112.390; now therefore be it

RESOLVED, that the County Legislature of the County of Chautauqua hereby approves the above-subject Project; and it is further

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

RESOLVED, That in the event the full federal and nonfederal share costs of the Project 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 it is further

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

RESOLVED, That a certified copy of this Resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary agreement in connection with the Project; and it is 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	$315,000
DECREASE CAPITAL APPROPRIATION ACCOUNT:		
D.5112.390.4	Contractual – Capital Improvements, County Bridge Program	$ 15,750
INCREASE CAPITAL REVENUE ACCOUNTS:		
D.5112.389.R458.9002	Federal Aid--Surface Transp Program	$252,000
D.5112.389.R358.9003	New York State Aid—Marchiselli Funds	$ 47,250
	Total	$299,250

Signed: Scudder, Nazzaro, Hemmer, Davis, Gould, Niebel, Harmon (P.F. typo correction of BINS numbers in first WHEREAS clause)

Unanimously Adopted – July 28, 2021

RES. NO. 153-21
Acceptance of funds from the FAA for the Rehabilitation of Runway 7-25 (Construction Phase) at the Chautauqua County Jamestown Airport

By Audit & Control Committee:
At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, Chautauqua County submitted to the Federal Aviation Administration (FAA) a project application and received a grant from the FAA to pay allowable costs incurred in accomplishing the following project at the Chautauqua County/Jamestown Airport: Rehabilitate 5,300'of the existing Runway 7-25 pavement including stub taxiway, associated drainage & remarking (Construction) & Rehabilitate the existing Runway 7-25 edge lighting system (Construction), Airport Improvement Program (AIP) Project 3-36-0048-056-2021, (herein called the "Project"); and

WHEREAS, the FAA has approved the Project for the Chautauqua County/Jamestown Airport consisting of rehabilitating 5,300'of the existing Runway 7-25 pavement including stub taxiway, associated drainage & remarking (Construction), and rehabilitating the existing Runway 7-25 edge lighting system (Construction), which is more fully described in the Project agreement; and

WHEREAS, pursuant to Resolution 18-20, Chautauqua County approved the Project as part of the five year Airport Capital Improvement Plan ("ACIP") and approved submission of an application for FAA and NYSDOT grant funds for Rehabilitate Runway 7-25 (Construction) under ACIP; and

WHEREAS, under provisions of the Department of Transportation Appropriations Act of 2021 and as further amended by the American Rescue Plan Act of 2021, the Federal funding share for the Project shall be 100 percent; more specifically, funding shares for the Project are as follows:

Federal	$6,240,272
State	$ 0
Local	$ 0

; and

WHEREAS, the Airport Commission has considered and recommend that the County seek this funding as the Project is crucial for the safe and sustained operation of the Chautauqua County/ Jamestown Airport; now therefore be it

RESOLVED, That Chautauqua County enter into agreements with the FAA for financial assistance for the Project at the Chautauqua County Jamestown Airport described above; and be it further

RESOLVED, That the County Executive is hereby authorized to execute all necessary documents on behalf of Chautauqua County with the FAA and NYSDOT in connection with this Project; and be it further

RESOLVED, That a certified copy of the resolution be filed with the FAA and the New York Commissioner of Transportation by attaching it to any necessary documents in connection with this Project; and be it further

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2021 Adopted Budget:

<u>ESTABLISH AND INCREASE APPROPRIATAION ACCOUNT:</u>		
H.5610.25218.4	Contractual—Chautauqua County Airport, Rehab Runway 7-25–Construction Phase (2021)	$6,240,272
<u>ESTABLISH AND INCREASE REVENUE ACCOUNT:</u>		
H.5610. 25218.R459.2000	Federal Aid-Airport Federal Capital Grants	$6,240,272

Signed: Nazzaro, Gould, Niebel, Harmon

Unanimously Adopted – July 28, 2021

_____

RES. NO. 154-21
Authorizing Contract for 2022 Administration of Chautauqua County Self-Insurance Plan (Workers' Compensation)

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

BE IT HEREBY RESOLVED, That the Administrative Services Committee of the Chautauqua County Legislature be authorized and empowered to contract with the County of Chautauqua for the administration of the Self-Insurance Plan to be accomplished by the Chautauqua County Department of Finance during the year 2022; and be it further

RESOLVED, That the consideration for this contract be in the amount of One Hundred Ninety-Eight Thousand Two Hundred Fifty-Four Dollars ($198,254) for the 2022 year, and to include personnel services and office expenses; and be it further

RESOLVED, That the Chairman of the Administrative Services Committee, on behalf of the Administrative Services Committee, and the County Executive, on behalf of the County of Chautauqua, be and hereby are authorized to execute such contract.

Signed: Scudder, Vanstrom, Davis, Starks, Niebel, Nazzaro, Harmon, Gould

Unanimously Adopted – July 28, 2021

RES. NO. 155-21
Authorizing 2022 Levy of Participant's Share of Chautauqua County Self-Insurance Plan (Workers' Compensation) Costs

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

RESOLVED, That pursuant to the Workers' Compensation Law and Chautauqua County Local Law 11-79, as amended by Local Laws 1-82, 4-84, 3-89, 7-93, 4-06, 4-07 and 5-14, the following amounts shall be apportioned in 2022 to each municipal participant, forty percent (40%) of such amounts being based on of the total value of the participant's taxable real property in the proportion that the full valuation of its taxable real property bears to the aggregate full valuation of all participants; and sixty percent (60%) of such amounts being based on the loss- percentile experience of the participant as provided in said plan and by the Workers' Compensation Law; and be it further

RESOLVED, That the amount set forth against the county be levied in the next tax levy and that the Self-Insurance Plan be hereby directed to bill all other participants for the amounts set forth against them for the year 2022:

		Towns	
Arkwright	$34,709.89	Harmony	$53,446.03
Busti	$40,128.84	Kiantone	$11,946.07
Carroll	$19,197.59	Mina	$28,360.99
Charlotte	$10,839.01	N Harmony	$66,331.98
Chautauqua	$124,304.25	Poland	$50,957.50

Cherry Creek	$15,644.64	Pomfret	$81,735.57
Clymer	$11,329.34	Portland	$52,802.59
Dunkirk	$22,381.64	Ripley	$32,358.06
Ellery	$61,842.83	Sheridan	$55,890.13
Ellicott	$124,435.35	Sherman	$10,807.09
Ellington	$13,168.52	Stockton	$12,499.46
French Creek	$15,357.10	Villenova	$28,410.43
Gerry	$15,404.50	Westfield	$22,247.49
Hanover	$54,000.97		
Subtotal Towns			**$1,070,537.88**
		Villages / Cities	
Bemus Point	$9,624.45	Panama	$1,923.37
Brocton	$36,732.24	Sherman	$2,475.18
Cassadaga	$4,490.67	Silver Creek	$33,625.56
Celoron	$4,996.07	Sinclairville	$2,249.40
Falconer	$13,916.00	Westfield	$96,832.14
Fredonia	$199,170.75		
Lakewood	$32,049.54	Dunkirk (City)	$275,154.20
Mayville	$15,502.74	Jamestown (City)	$789,666.72
Subtotal Villages / Cities			**$1,518,409.03**
Chautauqua County			**$2,102,723.08**
Grand Total			**$4,691,670.00**

Signed: Scudder, Vanstrom, Davis, Starks, Niebel, Nazzaro, Harmon, Gould

Unanimously Adopted – July 28, 2021

RES. NO. 156-21
Authorize Early Voting Expansion Grant Award from the New York State Board of Elections

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

WHEREAS, the Chautauqua County Board of Elections received notice that the New York State Board of Elections approved the Early Voting Expansion Grant; and

WHEREAS, the New York State Board of Elections will provide funding for a grant in the amount of $21,605.12 for the performance period of April 7, 2021 through January 28, 2022; and

WHEREAS, these funds will be used by the Chautauqua County Board to offset expenses related to developing or implementing early voting; and

WHEREAS, revenues and expenditures associated with this grant were not included in the 2021 Adopted Budget; now therefore be it

RESOLVED, That Chautauqua County Legislature accepts the $21,605.12 from the New York State Board of Elections; and be it further

RESOLVED, That the County Executive is hereby authorized to execute contract # T004407 with New York State Board of Elections to obtain these funds; and be it further

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2021 Adopted Budget:

INCREASE APPROPRIATION ACCOUNT:

A.1450.----.4	Contractual—Board of Elections	$21,606

INCREASE REVENUE ACCOUNT:

A.1450.----.R308.9007	NYS Aid—Other St Aid: Elections Grt	$21,606

Signed: Scudder, Vanstrom, Davis, Starks, Niebel, Nazzaro, Harmon, Gould

Unanimously Adopted – July 28, 2021

RES. NO. 157-21
Authorize Technology Innovations and Election Resource Grant Award from the New York State Board of Elections

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

WHEREAS, the Chautauqua County Board of Elections received notice that the New York State Board of Elections approved the Technology Innovations and Election Resource Grant; and

WHEREAS, the State of New York will provide funding for a grant in the amount of $123,460.23 for Contract #C004349-1110000 for the performance period of April 7, 2021 through January 27, 2023; and

WHEREAS, these funds will be used by the Chautauqua County Board of Elections for the implementation of early voting in Chautauqua County, specifically for actual expenses related to upgrades of software, technology updates and equipment; and

WHEREAS, revenues and expenditures associated with this grant were not included in the 2021 Adopted Budget; now therefore be it

RESOLVED, That Chautauqua County Legislature accepts the $123,460.33 from the New York State Board of Elections Technology Innovations and Election Resource Grant; and be it further

RESOLVED, That the County Executive is hereby authorized to execute Contract #C004349-111000 with New York State to obtain these funds; and be it further

RESOLVED, That the Director of Finance is hereby directed to make the following changes to the 2021 Adopted Budget:

INCREASE APPROPRIATION ACCOUNT:

A.1450.----.2	Equipment—Board of Elections	$123,461

INCREASE REVENUE ACCOUNT:

A.1450.R308.9007	NYS Aid—Other State Aid: Elections Grt	$123,461

Signed: Scudder, Vanstrom, Davis, Starks, Niebel, Nazzaro, Harmon, Gould

Unanimously Adopted – July 28, 2021

RES. NO. 158-21
Amend 2021 Budget–District Attorney Crime Victims

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

WHEREAS, the District Attorney Crime Victims Unit was awarded the Victim Assistance Through Attorney Services grant through the New York State Office of Victim Services (OVS); and

WHEREAS, a line for equipment purchases was included in the grant budget, but revenue and appropriations for equipment purchases were not included in Chautauqua County's 2021 Adopted Budget; now therefore be it

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2021 Adopted Budget:

INCREASE APPROPRIATION ACCOUNT:

A.1165.1169.2	Equipment - District Attorney-Crime Victims	$4,500

INCREASE REVENUE ACCOUNTS:

A.1165.1169.R308.9003	New York State Aid-OTH ST AID: CRIME VICTIMS	$900
A.1165.1169.R408.9003	Federal Aid-OTH FED AID: CRIME VICTIMS	$3,600
	Total	$4,500

Signed: Niebel, Bankoski, Hemmer, Pavlock, Whitford, Nazzaro, Harmon, Gould

Unanimously Adopted – July 28, 2021

RES. NO. 159-21
Authorize Acceptance of the Gun Involved Violence Elimination ("GIVE") Grant funds for 2021-2022

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 $193,463.00 to Chautauqua County though multiple agencies included in the Gun Involved Violence Elimination ("GIVE") Task Force to reduce gun violence, drug offenses, and other violent crimes in the primary jurisdiction of the City of Jamestown and as well as throughout Chautauqua County; and

WHEREAS, the funded GIVE partnership consists of the City of Jamestown Police Department, and the Chautauqua County agencies of the District Attorney, Office of the Sheriff and the Probation Department; and

WHEREAS, the City of Jamestown Police Department has been awarded $72,221.00 of the total GIVE funding and will sign and administer a separate contract with the New York State DCJS for its portion of said funding; and

WHEREAS, the Chautauqua County agencies will share the balance of such funds as follows: the District Attorney's office $83,306.00; the Chautauqua County Office of the Sheriff $27,436.00; and the Probation Department $10,500.00; and

WHEREAS, the offices of the District Attorney, Sheriff and Probation have included a portion of these grant funds in their 2021 Adopted Budgets, with the balance to be included in their proposed 2022 budgets; now, therefore be it

RESOLVED, That the County of Chautauqua accepts the grant and authorizes the County Executive to execute the Gun Involved Violence Elimination Grant (GIVE) contract with the New York State DCJS in the amount of $121,242.00 for the term of July 1, 2021 to June 30, 2022.

Signed: Niebel, Bankoski, Hemmer, Pavlock, Whitford, Nazzaro, Harmon, Gould

Unanimously Adopted – July 28, 2021

RES. NO. 160-21
Authorize Execution of New York State Office of Homeland Security Grant for Public Safety Answering Point (PSAP) FY20

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

WHEREAS, the Chautauqua County Sheriff received notice the State of New York Office of Homeland Security approved the application submitted to the Office of Homeland Security and Emergency Services Program Grant for the further implementation of the Public Safety Answering Point (PSAP); and

WHEREAS, the State of New York will provide funding in the amount of $165,857.00 with no local funds required for the contract period from January 1, 2021 to December 31, 2021; and

WHEREAS, this grant is included in the 2021 Adopted Budget but needs to be amended to reflect the actual amount, as the original was an estimate; now therefore be it

RESOLVED, That the Chautauqua County Executive is authorized to execute the appropriate agreement with the New York State Office Homeland Security, and be it also

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following change to the 2021 Adopted Budget:

INCREASE EXPENSE ACCOUNT:		
A.3110.GRNT.1	Personal Services – Sheriff – Sheriff Grants	$14,890
INCREASE REVENUE ACCOUNT:		
A.3110.GRNT.R338.9002	Oth Publ Safty: Dispatch Grant	$14,890
DECREASE EXPENSE ACCOUNT:		
A.3020.DISP.1	**Personal Services – Consolidating Dispatch**	**$14,890**

and also be it;

RESOLVED, That the A fund balance is appriated as follows:

DECREASE USE GENERAL FUND BALANCE:		
A.----.----.917.0000	**Unassigned Fund Balance**	**$14,890**

Signed: Niebel, Bankoski, Hemmer, Pavlock, Whitford, Nazzaro, Harmon, Gould (P.S. amended by additional text indicated by bold and underline)

Unanimously Adopted – July 28, 2021

RES. NO. 161-21
Authorize Memorandum of Understanding with the City of Jamestown

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

WHEREAS, the County of Chautauqua subscribes to various Tyler Public Safety software modules via a longstanding contract with Tyler Technologies; and

WHEREAS, the City of Jamestown is seeking to utilize the Fire Records Module of Tyler Public Safety software and would like to enter into a Memorandum of Understanding governing purchase of said software; and

WHEREAS, the County will purchase the Fire Records module and the City of Jamestown will then reimburse, within sixty (60) days, the County for the cost of said module; and

WHEREAS, this expense is not included in the 2021 Adopted Budget; now therefore be it

RESOLVED, That the Chautauqua County Executive is authorized to execute the Memorandum of Understanding with the City of Jamestown as specified above; and be it also

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following change to the 2021 Adopted Budget:

INCREASE EXPENSE ACCOUNT:		
A.3020.W911.4	Contractual – Publ Safety Communication – W911-E911 Wireless	$111,581
INCREASE REVENUE ACCOUNTS:		
A.3020.W911.R114.0000	Non-Property Tax Items-Surchg: Emerg Phone Sys	$11,441
A.3020.W911.R226.0000	Shared Services-Chrgs: Oth Gov-Pub Safety	$100,140
	Total:	$111,581

Signed: Niebel, Bankoski, Hemmer, Pavlock, Whitford, Nazzaro, Harmon, Gould

Unanimously Adopted – July 28, 2021

RES. NO. 162-21
Consolidated Appropriations Act Funding for Older Adults in Chautauqua County

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

WHEREAS, Chautauqua County Offices for Aging Service (OFAS) will receive new funding under Consolidated Appropriations Act from the New York State Office for the Aging (NYSOFA) and the Administration for Community Living to address ongoing nutrition and vaccine access issues for older adults; and

WHEREAS, such funds are to be utilized to provide additional services that correspond to allowable services under the Older Americans Act with maximum flexibility while the Major Disaster Declaration (MDD) is in effect; and

WHEREAS, Chautauqua County OFAS will receive the following funds to be utilized from 12/27/2020 until 9/30/2022, all with no local share requirement:

- HDC5 (Corresponds to IIIC2) = $70,254.00; $40,145.00 to be used in 2021; and,

WHEREAS, Chautauqua County OFAS will receive the following funds to be utilized from 4/01/2021 until 9/30/2022, all with no local share requirement:

- VAC5 Expand Access to Vaccines = $20,859.00; $10,430.00 to be used in 2021
- ADRC funding to Access vaccines = $22,076.00; $11,038.00 to be used in 2021

; and

WHEREAS, such funds have not been included in the 2021 Adopted Budget; now therefore be it

RESOLVED, That the County Executive be and hereby is authorized to accept said funding; and be it further

RESOLVED, That the Director of Finance is authorized to establish the appropriate accounts and directed to make the following changes to the 2021 Adopted Budget:

INCREASE REVENUE ACCOUNT:
A.6772.R477.2000 Federal Aid—OFA Programs $61,613

INCREASE APPROPRIATION ACCOUNT:
A.6772.----.4 Contractual—Office for Aging Services $61,613

Signed: Pavlock, Whitney, Whitford, Niebel, Nazzaro, Harmon, Gould

Unanimously Adopted – July 28, 2021

RES. NO. 163-21
American Rescue Plan Funding for Older Adults in Chautauqua County

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

WHEREAS, Chautauqua County Office for Aging Service (OFAS) will receive new funding under the American Rescue Plan from the New York State Office for the Aging (NYSOFA) and the Administration for Community Living to meet the increasing and ongoing needs of Older Adults who were impacted by the COVID-19 pandemic; and

WHEREAS, such funds are to be utilized to provide additional services that correspond to allowable services under the Older Americans Act with maximum flexibility while the Major Disaster Declaration (MDD) is in effect; and

WHEREAS, Chautauqua County OFAS will receive the following funds to be utilized from 4/1/2021 until 9/30/2024, all with no local share requirement:

- SSC6 (Corresponds to IIIB) = $191,198.00; $40,971.00 to be used in 2021
- CMC6 (corresponds to IIIC1) = $125,125.00; $26,813.00 to be used in 2021
- HDC6 (Corresponds to IIIC2) = $187,265.00; $40,128.00 to be used in 2021
- PHC6 (Corresponds to IIID) = $19,250.00; $4,125.00 to be used in 2021
- FCC6 (Corresponds to IIIE) = $64,004.00; $13,715.00 to be used in 2021

; and

WHEREAS, such funds have not been included in the 2021 budget; now therefore be it

RESOLVED, That the County Executive be and hereby is authorized to accept said funding; and be it further

RESOLVED, That the Director of Finance is authorized to establish the appropriate accounts and directed to make the following change to the 2021 Adopted Budget:

INCREASE REVENUE ACCOUNT:
A.6772.R477.2000 Federal Aid—OFA Programs $125,752

INCREASE APPROPRIATION ACCOUNT:
A.6772.----.4 Contractual—Office for Aging Services $125,752

Signed: Pavlock, Whitney, Whitford, Niebel, Nazzaro, Harmon, Gould

Unanimously Adopted – July 28, 2021

RES. NO. 164-21
Authorize Use of Lake Erie Management Commission Capital Project H.8020.37011 Funds to Co-Fund Barcelona Harbor Dredging

By Planning & Economic Development and Audit & Control Committees:
At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, pursuant to Resolution 178-11, the Lake Erie Management Commission (LEMC) was created by the Chautauqua County Legislature to prioritize and select Lake Erie watershed projects for funding; seek additional funding for Lake Erie watershed projects; and undertake such other initiatives and coordination activities for the betterment of the Lake Erie watershed; and

WHEREAS, over the last ten years, the LEMC has effectively identified, prioritized, and recommended and delivered 2% Occupancy Tax Funding to stakeholders and municipalities in the Lake Erie Watershed; and

WHEREAS, Barcelona Harbor is located on Lake Erie and within the Town of Westfield, and is economically important to the Town of Westfield, Chautauqua County, and Western New York; and

WHEREAS, historically high Lake Erie water levels and severe weather events during 2019 and 2020 caused Barcelona Harbor's breakwaters to be overtopped by damaging waves; and

WHEREAS, tens of thousands of cubic yards of sediment and storm debris were deposited within the Federal Navigation Channel of Barcelona Harbor, rendering it useless as a Harbor of Refuge on the Great Lakes Navigation System, and severely diminished for recreational boating and sport fishing; and

WHEREAS, the United States Army Corps of Engineers Buffalo District is actively working to identify funding to restore the full functionality of Barcelona Harbor; however, it is unlikely that a federally funded dredging project can be implemented in 2021; and

WHEREAS, The Town of Westfield approached the LEMC with a plan to obtain the proper permits and to utilize shared services and rental equipment to dredge approximately 5,000 cubic yards of sediment from Barcelona Harbor's inlet to ensure that the harbor is accessible and usable for recreational boating and sportfishing in 2021; and

WHEREAS, On March 15, 2021, the LEMC unanimously approved a resolution to co-fund the Town of Westfield's local effort to dredge the inlet of Barcelona Harbor at a cost not to exceed $20,000; and

WHEREAS, using 2% Occupancy Tax Funding, capital project H.8020.37011 Lake Erie Mgmt Comm (2020) was created to facilitate projects consistent with the goals of the LEMC, and the capital project has a budget of $62,522; therefore be it

RESOLVED, That the Chautauqua County Legislature authorizes the use of up to $20,000 from capital project H.8020.37011 to reimburse the Town of Westfield for dredging costs in Barcelona Harbor; and be it further

RESOLVED, That the County Executive is hereby authorized to establish accounts and enter into any and all agreements necessary to implement the terms of this resolution.

Signed: Odell, Starks, Rankin, Harmon, Ward, Nazzaro, Gould, Niebel

Unanimously Adopted – July 28, 2021

RES. NO. 165-21
Amend Rules and Regulations of the Chautauqua County Legislature

By Administrative Services Committee
At the Request of Chairman Pierre E. Chagnon:

WHEREAS, the County Legislature's current rules and regulations were enacted and amended pursuant to Resolutions 142-02, 243-02, 74-03, 160-03, 216-03, 55-05, 86- 06, 09-06, 224-07, 82-09, 88-10 and 203-18; and

WHEREAS, Chairman Chagnon has reviewed the current rules and regulations and has recommended amendments to Section I, Section II and Section IV; and

WHEREAS, Section I in the rules and regulations does not specifically require that verbatim minutes be kept of the meetings of the full County Legislature, but verbatim minutes have historically been transcribed; and

WHEREAS, Rule 5(B) of Section II in the rules and regulations currently requires that the minutes of committee meetings shall be verbatim; and

WHEREAS, Rule 1(e) of Section IV in the rules and regulations sets forth the procedures for reimbursement of claims for the expenses of County Legislators; now therefore be it

RESOLVED, That the County Legislature's Rules and Regulations are hereby amended with strikeout and inserted underlined text in Section I, Sections II and IV as follows:

New Rule 1(H) of Section I – LEGISLATURE

Minutes of all meetings of the Legislature shall contain verbatim of the business of the Legislature, together with a record of the decisions made by the Legislature and the time and place of the meeting. Copies of the minutes shall be filed with the Clerk of the Legislature and made available to the County Executive and the public within ten days after each meeting to the extent practicable. Audio recordings and video recordings shall be made of all Legislature meetings, with audio recordings and video recordings retained for no less than the time period specified by the applicable local government retention schedule of the New York State Archives. A failure to successfully make or retain audio or video recordings of a Legislature meeting, due to technological failure or otherwise, shall not invalidate action taken by the full Legislature.

Rule 5(B) of Section II - COMMITTEES

Each committee Chairman shall be responsible for keeping the minutes of his or her committee and may delegate the duty. The minutes shall be kept in a uniform minute book provided by the Clerk of the Legislature. The minutes shall at the minimum contain ~~verbatim of~~ the business conducted by the committee, together with a record of the decisions made by the committee and the time and place and persons present at the committee meeting. Copies of the minutes shall be filed with the Clerk of the Legislature and made available to the County Executive and the public within ten days after each meeting to the extent practicable. Audio recordings and video recordings shall be made of all committee meetings, with audio recordings retained permanently, and video recordings retained for no less than the time period specified by the applicable local government retention schedule of the New York State Archives. A failure to successfully make or retain audio or video recordings of a committee meeting, due to technological failure or otherwise, shall not invalidate action taken by a committee.

Rule 1(e) of Section IV – EXPENSES AND OTHER UNSPECIFIED PROCEDURES

All claims for the actual and necessary expenses of members of the County Legislature shall be made upon properly executed County claim vouchers, with proper documentation and within applicable guidelines as set forth in the Chautauqua County Executive Policy Bulletin B-5-048 for Travel and Expense Claims, ~~which~~ and shall be subject to the review and approval of the Chairman of the Legislature

7/28/21 – Leg: Amended by strike through and new numbers in bold

MOVED by Legislator Nazzaro to AMEND, SECONDED by Legislator Vanstrom – *Unanimously Carried*

Unanimously Adopted – July 28, 2021

RES. NO. 166-21
Quit Claim Deeds

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

WHEREAS, the Administrative Services Committee of the County Legislature has received and hereby recommends acceptance, pursuant to Section 1166 of the Real Property Tax Law, the following offers for the County's Tax Liens as detailed on the attached Schedule 1 under tax sale certificates noted on original papers on file in the office of the Director of Finance; and

WHEREAS, that unless otherwise noted, the County Tax Enforcement Officer has confirmed that the offers received are in compliance with the County's policy regarding tax foreclosure as set forth in Resolution No. 110-17; now therefore be it

RESOLVED, That the Executive and Chairman of this Legislature be hereby authorized to execute Quitclaim Deeds conveying to the offers herein mentioned, the interest of Chautauqua County in said properties under said tax sale certificates; and be it further

RESOLVED, That the Director of Finance of Chautauqua County be hereby authorized to cancel any outstanding taxes, fees, interest and other charges. In adopting this resolution, the Legislature intends to adopt each transaction separately, in the usual form of Resolution, and the failure of any particular transaction to be completed shall in no manner affect the validity of any of the others.

Offer Number	Municipality	S/B/L	Purchaser	Foreclosed Owner	Offer Amount	Taxes Owing
PA-75-2016	City of Jamestown	060800-387.12-2-21	Christina & Mark Phanco	Roanld Parra	$250.00	$4,679.35
				Total	**$250.00**	**$4,679.35**

Signed: Scudder, Vanstrom, Davis, Starks, Niebel, Nazzaro, Harmon, Gould

R/C Vote 17 Yes; 2 Absent – July 28, 2021

_____

MOTION: (On file w/Legislature Data)

3-21 Urging Preservation of Existing Boundaries of New York State 23rd Congressional District – R/C Vote: 11 Yes; 6 No; 2 Absent (Legislators Bankoski, Starks, Nazzaro, Whitney, Whitford, Ward voting "no") Motion is defeated

_____

PRIVILEGE OF THE FLOOR

Chairman Chagnon: 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. Is there anyone wishing to address the second privilege of the floor? Please state your name and address for the record.

My name is Cheryl Feidler and I live in Ellery and I'm representing two groups. Please excuse my shakiness and I'm battling the bifocal issue and turning pages. Like I said, I'm Cheryl Feidler and I'm back to remind you about our petition that you all have received regarding declaring Chautauqua County a sanctuary county to protect our constitutional rights. We have more names and more petitions are circulating. I also have an update that Cattaraugus County, which we patterned our petition after, has formed a resolution that they are in the process of tweaking and should be presented in August. I also received a call today from Erie County- a lady that wants to generate one there and I forwarded ours to her. I'm sorry, I'm not used to microphones.

I don't know what party most of you represent, but it really doesn't matter. I'm appealing to all of you as fellow Americans. If we're all honest, I can't believe there is anyone present that doesn't have at least some concerns about the direction our state and country are taking. Our God given freedoms confirmed in our Constitution and Bill of Rights are disappearing before our eyes. I don't know anything about your families, if you have kids, grandkids, or perhaps others you dearly care about, but if you study history and are paying attention to a nation such as Venezuela and Cuba right now, you must be aware that under a dictatorial, socialist, or communist type of government freedoms are erased. Is that where we're going?

Personally, I have one grandson working hard to raise his family. He would like to own his own home someday, but heavy tax burdens are pushing that dream further away. Another, recently married, they would like to have a baby. Will it be safe to raise kids in this country now that law and order is being turned upside down and sometimes criminals are protected more than we are? I have another grandson in the military. He enlisted because he loves America and wants to keep us safe. I have teenage granddaughters who want to enjoy high school and go to college for an education, not an indoctrination. One has a dream to go to New York City for music, but I know folks who moved out of there because they lost their business and it's no longer safe to live there. I'm old enough to be aware of what happened

in Nazi Germany and I see what's happening right now with forced vaccinations and talks of re-education classes for those who disagree with the government. Isn't our government supposed to be "we the people?" Do you want yourself or a loved one forced to take a vaccination against their will? For the record, I am not against vaccinations, but I'm against the forced part. We're asking you to join us in standing against tyranny. Please consider this; I'm a senior citizen, law abiding, far from perfect Christian with a conservative and fairly loving view, a good neighbor, I always worked hard and pay my bills. Under the current regime, they want to label someone like me a domestic terrorist. Think about that. I have great-grandkids that we're right now babysitting for a week- quite a challenge, but I look into my great-grandkids eyes- those trusting little eyes and I will continue to fight as long as I'm able and I thank you for listening.

Chairman Chagnon: Thank you for your comments. Anyone else wishing to address the second privilege of the floor?

My name is Shirley Leman (?) and I live in the Town of Poland and I'm reading about a request for a resolution supporting a constitutional sanctuary. When the New York State Legislature abdicated its responsibilities and powers in March 2020, the Governor assumed them. We became a land of compliant people who have forgotten the precious and fragile nature of freedom and bowed before an authoritarian, liberty denying state. The government tasked with ensuring our liberties became the government smothering them. Every citizen of our county is obligated to interact with the state and its mandates on a daily basis. Every citizen who resides in this county faces potential negative consequences at the hand of the state should they fail to interact in the prescribed manner. Does the state really have the authority to tell some people their work is essential and some that it is not? When you are feeding your children and paying your bills, you are essential no matter what your job is. Executive order 202 may have been rescinded by Governor Cuomo on June 23, 2021, but many of the mandates created continue to live via agencies *(inaudible)* into official rules and regulations. These stealth mandates without legislative oversite and without public comment are illegal. You, the dully elected legislative body of Chautauqua County can pass a resolution to affirm this county embraces the liberties expressed in the Constitution of the United States, particularly the Bill of Rights. How odd that a resolution is necessary, but it is. How odd that supporting the Constitution and desiring to live up to its high ideals is not considered by academia, the mainstream media, and political elites to be radical. The state and federal governments each use funding as a tool of control. Funding is a noose killing local sovereignty. Governor Cuomo expects you to enforce his lawless executive orders irrespective of the unique circumstances of the citizens of this county. He couldn't care less about the liberties and the livelihoods of the people of Chautauqua County and that is why we, the citizens of this county, expect you to defend and protect the Constitution of the United States of America and the liberties of the people who elected you. You are not alone. There are many in this county who will stand with you. We are not powerful in the eyes of the modern world, but we are the people and we stand with you. We urge you to join Cattaraugus County in passing a resolution declaring Chautauqua County a constitutional sanctuary. Thank you.

Chairman Chagnon: Thank you for your comments. Next?

Mel McGinnis *(inaudible)* Frewsburg, New York. Reviewing the triangle of power. That triangle of power in our constitution shows us that the citizen "c" is huge, government "g" is small. The power resides in the citizen. The weight of the power is in the hands of the citizen, but over the last year and a half things have become inverted. Now, government "G" and the citizen is now a small "s," a subject. Nothing made me feel like a subject faster from being a citizen then when I walked into this building and was told, "do you have your vaccination card?" Wow. Citizen Mel immediately felt like subject Mel. We need to review the policies of what has been transpiring because the first thing to go when there's an emergency is freedom and that's the most valuable thing to protect. The Babylon Bee reported recently of a discovery of a new variant. It's not the delta variant, it's the freedom variant and it's causing people to

ignore government and to live their lives free again. I'm contagious of that. I hope that there would be a favorable response to this resolution that we as a county can tell Albany, looking more like this, that we want our freedom back. Thank you for listening to me and I yield back the remainder of my time.

Chairman Chagnon: Thank you for your comments. Next?

My name is Susan Baldwin. I would like to represent the Improvement Party in the Town of Villanova. I am running against the democrat, Dan DeStasio and the republican Dan DeStasio because in Villanova you haven't any choice, but this year we do. However, I would like to point out also because last month I didn't get to finish what I started with my pictures. This is a couple of trucks that are dumping up on Cleland Road and Boutwell Road. They dumped there for months and they ended up fracking out in Farrington Hollow Road- they didn't report that for three weeks. I reported it to the DEC when I saw it and then the DEC was all over it. Their contract says report a mistake. They didn't do that. That was there. DEC didn't know about it until I told them because they said to me they had not heard from the company. They promised to return Villanova roads to the way they found them. See that coffee cup in this pothole here? That's a big pothole. Another pothole with my coffee cup. There's plenty of them all the way up South Hill Road. They stopped dragging the turbines up there in January. They're still here. We're not allowed in the Town of Villanova to fix them because they contracted to fix it. Here they started the project in our Town of Villanova- this is a- that came off of one of their work trucks. It laid in the road for a week. I swept it up. It's in the DEC's office right now. They're looking into the chemical that was on the road. This is my water. It's in my laundry, it's in my bathtub. This is a drip that took about two weeks to turn this color on my tub, but even worse than that, my drains are plugged. My water doesn't run fast. Something is wrong. They have put something in the dirt in Villanova now. Not sure but the DEC is going to find out what that is because that *(inaudible.)* These are all over the County. PPP future development. They give you an incase of explosion number in case of an emergency. They've replaced the US Energy signs. When you don't see these ones, you see other things like Newcomer LLC and if you look it up, those people are gas and shale people and they're all over Villanova. Now, this is a truck that's going into a brand new gravel pit in the Town of Villanova. It's right across from our Town Supervisor's house, but she never mentioned it at the town board meeting last month.

Chairman Chagnon: Ma'am, you've exceeded your three minutes.

Ms. Baldwin: I thought I was getting five. And this is the ditch that they had to fix next to that *(inaudible*) truck after the DEC came through. The *(inaudible*) one was gone on June 10th when I went back. This is a truck and if you can see, it's leaking right out of the back of it. Right there you can see the swirls in the water. Nobody is there. It's just the truck. It's just running. A lady was about a quarter mile away walking her dog- I told her you shouldn't do that because you don't know what's on the road because sometimes it looks like this. This is that road and this is what's running into the ditches in Villanova. I'm not sure if we matter that much anymore, at least not the way *(inaudible.)* Here's the ditch. What comes down the hill in bubbles and leaves this white mark just like the other one? Right there. Same stuff. This is next to that truck. They even clean the porta-potty and leave that for us.

Chairman Chagnon: Ma'am, you've now exceeded five minutes.

Ms. Baldwin: O.K., well thank you very much for your attention and I hope I've informed you guys to please don't give them PILOTS because these guys shouldn't be hired. Thank you.

Chairman Chagnon: Thank you for your comments. Anyone else wishing to address the second privilege of the floor?

My name is Ida Golden. I have a statement prepared, but it's been touched upon.

Chairman Chagnon: Could you give us your address please?

Ms. Golden: Hunt Road, Ashville.

Chairman Chagnon: Thank you.

Ms. Golden: I'll just read something that hasn't been touched upon. I am also concerned that the state and federal governments are using funding as a tool of control. This funding comes at a price, nothing is free. Governor Cuomo expects you to enforce his lawless executive orders. He could care less about the liberties and the livelihoods of the people of Chautauqua County. When working to feed our families and pay our bills we are essential no matter what the job is. I urge you to oppose further lockdowns, restrictions and medical segregation passports. I'd like to present this to you because I have other information so that it can be put on record.

Chairman Chagnon: O.k., thank you for your comments and you can present that to the Clerk. Is there anyone else wishing to address the second privilege of the floor?

Ms. Engstrom: Yes, Karen Engstrom, Mayville, New York. Last month I told you of two things that have changed regarding issuing of permission to put utility scale solar and wind in our communities. There's a new thing that occurred on the 12th of July. The Governor of Ohio has issued- well, actually he signed a law on July 12th. That law singles out large scale wind and solar projects giving all local county commissioners, that is legislators, the power of veto over industrial wind and solar. The utility scale solar projects and industrial wind, according to the people of Ohio, are causing more damage to the environment than they do good. So, now the State of Ohio has issued its law number, bill number, senate bill number 52 signed into law on July 12th. That's an interesting turn of events in Ohio to bring you back to review the fact that the State of New York is facing a lawsuit from six towns and seven organizations to stop *(inaudible)* from violating the New York Environmental Quality Review Act. This violation is deemed by this lawsuit to site power plants in places that could result in even more significant adverse environmental impacts than any benefit that could be construed to be the result. ORES the Office of Renewable Energy Siting has O.k.'ed with one year limit to the time that they give to the siting of these projects against the rules of SEQR and the constitution of the state. The 700 foot turbines span entire counties and the solar projects cover thousands of acres of farmland and forests. One of the attorneys for this lawsuit, I'd like to quote him, "what we are seeing here is regulatory capture. ORES, the Office of Renewable Energy Siting, hired a renewable energy industry consultant to draft the regulations that favor the industry for all these utility scale solar and wind. Then, they ignored the broad based criticism from nearly everyone else with a stake in the power plant siting."

The third thing that gives us some tools to work with, or could work with if we use the examples that are provided by these people is that Niagara County has passed a law- the legislature of the Niagara County unanimously passed a law June 20th stating that all solar developers must recycle all panels if they are part of an industrial solar project- they must recycle those panels. As it stands now, there is no requirement for that. They simply say we will remove them, but that doesn't account for it.

Chairman Chagnon: Karen, you've exceeded your three minutes.

Ms. Engstrom: You must protect our communities and there are ways to do it. Thank you.

Chairman Chagnon: Thank you for your comments. Anyone else wishing to address the second privilege of the floor?

Hi, I'm Tammy *(?)* from Dewittville. I didn't even prepare a statement, but I was moved by listening to you all and seeing you all and seeing you all in the process we go through of saying the pledge and saying with liberty and justice for all. I thank you for all your service and thank the people who came tonight that are concerned citizens. I'm sure we've all had a long day and want to get home, but I'm confused as to why we need a resolution. I wish it could be explained to me why we need a resolution to enforce our constitutional rights, but since we do, I'm wondering if there's- how you go about it? If there's any member here that I'm speaking to that would sponsor the resolution so that we could move on with it because I think we all agree that we- I'm not anti-anything, I'm just pro freedom and I'm sure we're all pro freedom. I don't think we disagree on that- on both sides of the aisle. And I would just like to ask- I don't know if I'm allowed to ask questions- how does it work? Can somebody sponsor a resolution just to agree that we could be a sanctuary city? I envy Desantis in Florida where people celebrate their freedoms and their choices and we are America and we all stand up and say with liberty and freedoms and justice for all and then we say a little speech and we go home and we're all tired and we all started early and we all end late and it's America. We need to start really doing something or at least finding out how to do it. How do we do it? How do we protect our freedoms? How can we have Chautauqua County be a destination where people can come and have a choice? Maybe a restaurant wants masks, OK let them have it. Maybe they don't, OK people can go there. How do we make our county American? I don't know how to do it and I wonder if anyone here can tell me where to begin? Thank you.

Chairman Chagnon: Thank you for your comments. Anyone else wishing to address the second privilege of the floor? Anyone else for the second privilege of the floor?

MOVED by Legislator Gould, SECONDED by Legislator Bankoski and duly carried the meeting was adjourned. *(7:40 p.m.)*

Regular Meeting
Chautauqua County Legislature
Live Streamed on Social Media
Wednesday, August 25, 2021 6:30 p.m.
Mayville, N.Y. 14757

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

Clerk Tampio called the roll and announced a quorum present (Absent: Nazzaro, Pavlock, Scudder, Ward)

Legislator Niebel delivered the prayer and pledge of allegiance.

MOVED by Legislator Vanstrom, SECONDED by Legislator Bankoski and duly carried the minutes were approved. (07/28/2021)

1st Privilege of the Floor

Chairman Chagnon: That brings us to our first privilege of the floor.. Members of the public may comment on any subject relating to any local law, resolution or motion which appears on the agenda tonight. 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 wishing to address the first privilege of the floor? Hearing none, we will close the first privilege of the floor.

VETO MESSAGES FROM COUNTY EXECUTIVE WENDEL
NO VETOES FROM 07/28/21

Clerk Tampio: There are six communications as listed on the agenda this evening. There are two additional communications that came in after the agenda was filed. Number 7 would be the certificate to fill a vacancy on the County Legislature for District 7. Number 8 is the certificate of acceptance by person nominated to fill the vacancy, Johnathan Penhollow. Both of these items were received in the afternoon of the 24th. Are there any items you wish to have read aloud? Hearing none, if you would like a copy of any of these please notify our office.

Chairman Chagnon: Thank you.

COMMUNICATIONS:

1. **Minutes – Conewango Watershed Commission – August 11, 2021 Meeting**
2. **Report – Bonadio & Co., LLP – Single Audit Report 2020**
3. **Report – Small Business Development Center – Quarterly Report**
4. **Report –Small Business Development Center – Business Permit Center – Quarterly Report**
5. **Report – Chautauqua County Department of Health and Human Services – 2019-2020 Annual Report**
6. **Report (4) – Bonadio & Co., LLP – Results of the 2020 Year-End Audit**
7. **Certificate – Fill Vacancy on County Legislature – District 7**
8. **Certificate of Acceptance – District 7 – Johnathan Penhollow**

COMMENDATIONS:

Department of Public Facilities
CARTS Employee
James Krzyanowicz
By
Chairman Pierre E. Chagnon
and
County Executive Paul M. Wendel, Jr.

PROCLAMATION:

Declaring the Month of September as
"Childhood Cancer Awareness Month"
By
Chairman Pierre E. Chagnon
and
County Executive Paul M. Wendel, Jr.

MOVED by Legislator Gould/SECONDED by Legislator Vanstrom to bring Emergency Resolution No. 185-21 Appointment of Johnathan Penhollow as Legislator from District 7, North East Town of Chautauqua, Towns of Stockton and Portland and Villages of Brocton & Cassadaga to the floor.

Unanimously Adopted 8/25/21

EMERGENCY RES. NO. 186-21
Appointment of Johnathan R. Penhollow as Legislator from District 7, North East Town of Chautauqua, Towns of Stockton & Portland and Villages of Brocton & Cassadaga

At the Request of Chairman Pierre E. Chagnon:

WHEREAS, there exists a vacancy in the Chautauqua County Legislature due to the resignation effective August 17, 2021 of Mark Odell, District 7; and

WHEREAS, a Certificate of Recommendation has been received from the Legislative District 7, (North East Town of Chautauqua, Towns of Stockton & Portland and Villages of Brocton & Cassadaga) Committee recommending the appointment of Johnathan R. Penhollow, 5575 Fenner Road, Sinclairville, NY 14782; and

WHEREAS, a Certificate of Acceptance has been received from Johnathan R. Penhollow; now therefore be it

RESOLVED, That in accordance with Section 2.03 of the Chautauqua County Charter, Johnathan R. Penhollow is hereby appointed Legislator from District 7, comprised of the North East Town of Chautauqua, Towns of Stockton & Portland and Villages of Brocton & Cassadaga.

Unanimously Adopted – August 25, 2021

RES. NO. 167-21
Confirm Appointment – Southern Tier West Regional Planning & Development 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 action by the Chautauqua County Legislature, therefore be it

RESOLVED, That the Chautauqua County Legislature does hereby confirm the following appointment to the Southern Tier West Regional Planning Board.

Rebecca Wurster
214 Pierce Avenue
Hamburg, NY 14075
Term Expires: 12/31/21
Replacing Joe Galati

Signed: Muldowney, Rankin, Starks, Ward, Lawton, Harmon

Unanimously Adopted – August 25, 2021

RES. NO. 168-21
Amend 2021 Budget for DPF Parks Division

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

WHEREAS, some Public Facilities department expenses have exceeded initial budgetary estimates, as well as some appropriations have a surplus; now therefore be it

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2021 Adopted Budget:

INCREASE APPROPRIATIONS ACCOUNT:			
A.7110.----.8	Employee Benefits-Parks		$ 26,840
DECREASE APPROPRIATION ACCOUNTS:			
A.1440.----.1	Personal Services-Engineers		$ 8,358
A.5610.5610.1	Personal Services-Chautauqua County Airport, Jamestown Airport		$ 18,482
		Total	$ 26,840

Signed: Scudder, Nazzaro, Hemmer, Davis, Gould, Niebel, Harmon

Unanimously Adopted – August 25, 2021

RES. NO. 169-21
Authorize Acceptance of American Rescue Plan Act of 2021 (ARPA) Grant to Provide Economic Relief for Chautauqua County Dunkirk Airport

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 Dunkirk Airport, a non-primary public airport in the National Plan of Integrated Airport Systems (NPIAS), in a manner that provides services and facilities on a non-exclusive basis for the general use of the public and enhances current and future economic development in the County; and

WHEREAS, pursuant to Public Law 117-2 (ARPA), Federal funds were made available to U.S. public airports in the NPIAS to "provide economic assistance to airports to prevent, prepare for, and respond to the coronavirus disease 2019 (COVID-19) pandemic"; and

WHEREAS, the County submitted a grant application to the Federal Aviation Administration (FAA) and received American Rescue ~~Grant Program~~ Plan Act (~~ARGP~~ ARPA) Grant Offer, Grant No. 3-36-0022-0XX-2021 in the amount of $32,000 (hereinafter called "the Grant") for the Chautauqua County Dunkirk Airport, and said funds will be used for costs related to operations, personnel, cleaning, sanitization, janitorial services, and combating the spread of pathogens at the airport; and

WHEREAS, the Airport Commission reviewed and recommended that the County accept the Grant for the purpose of offsetting the Chautauqua County Dunkirk Airport's allowable operating costs; and

WHEREAS, the County must accept the Grant and the FAA must obligate the funds no later than September XX, 2021 in order for the Grant to be valid; and

WHEREAS, pursuant to Resolution 84-21, the Chautauqua County Legislature accepted the ~~American Rescue Grant Program (ARGP~~ Coronavirus Response and Relief Supplemental Appropriation Act 2021 (CRRSA) Grant No. 3-36-0022-060-2021 in the amount of $13,000 for the Chautauqua County Dunkirk Airport, but the resolution did not include any budget amendments necessitated by the grant; now therefore be it

RESOLVED, That the Chautauqua County Legislature accepts the ARPA Grant Offer, Grant No. 3-36-0022-0XX-2021 in the amount of $32,000 for the Chautauqua County Dunkirk Airport; and be it further

RESOLVED, That the County Executive is authorized to execute all necessary documents on behalf of Chautauqua County with the FAA in connection with this Grant; and be it further

RESOLVED, That the Director of Finance is hereby directed to make the following changes to the 2021 Adopted Budget:

INCREASE APPROPRIATION ACCOUNT:

A.5610.5612.1	Personal Services—Chautauqua County Airport, Dunkirk Airport	$45,000

INCREASE REVENUE ACCOUNT:

A.5610.5612.R458.9000	Federal Aid—Transportation	$45,000

Signed: Nazzaro, Hemmer, Davis, Gould, Niebel (P.F. Amended by Substitution. Carried with Legislator Scudder Voting "No")

MOVED by Legislator Bankoski to TABLE, SECONDED by Legislator Vanstrom - *UNANIMOUSLY CARRIED*

TABLED – August 25, 2021

RES. NO. 170-21

Authorize Acceptance of American Rescue Plan Act of 2021 (ARPA) Grant to Provide Economic Relief for Chautauqua County Jamestown Airport

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, a non-primary public airport in the National Plan of Integrated Airport Systems (NPIAS), in a manner that provides services and facilities on a non-exclusive basis for the general use of the public and enhances current and future economic development in the County; and

WHEREAS, pursuant to Public Law 117-2 (ARPA), Federal funds were made available to U.S. public airports in the NPIAS to "provide economic assistance to airports to prevent, prepare for, and respond to the coronavirus disease 2019 (COVID-19) pandemic"; and

WHEREAS, the County submitted a grant application to the Federal Aviation Administration (FAA) and received American Rescue ~~Grant Program~~ Plan Act (~~ARPA~~ ARPA) Grant Offer, Grant No. 3-36-0048-0XX-2021 in the amount of $32,000 (hereinafter called "the Grant") for the Chautauqua County Jamestown Airport, and said funds will be used for costs related to operations, personnel, cleaning, sanitization, janitorial services, and combating the spread of pathogens at the airport; and

WHEREAS, the Airport Commission reviewed and recommended that the County accept the Grant for the purpose of offsetting the Chautauqua County Jamestown Airport's allowable operating costs; and

WHEREAS, the County must accept the Grant and the FAA must obligate the funds no later than September XX, 2021 in order for the Grant to be valid; and

WHEREAS, pursuant to Resolution 85-21, the Chautauqua County Legislature accepted the ~~American Rescue Grant Program (ARGP~~ Coronavirus Response and Relief Supplemental Appropriation Act 2021 (CRRSA) Grant No. 3-36-0048-055-2021 in the amount of $13,000 for the Chautauqua County ~~Dunkirk~~ Jamestown Airport, but the resolution did not include any budget amendments necessitated by the grant; now therefore be it

RESOLVED, That the Chautauqua County Legislature accepts the ~~ARGP~~ ARPA Grant Offer, Grant No. 3-36-0048-0XX-2021 in the amount of $32,000 for the Chautauqua County Jamestown Airport; and be it further

RESOLVED, That the County Executive is authorized to execute all necessary documents on behalf of Chautauqua County with the FAA in connection with this Grant; and be it further

RESOLVED, That the Director of Finance is hereby directed to make the following changes to the 2021 Adopted Budget:

INCREASE APPROPRIATION ACCOUNT:

A.5610.5610.1	Personal Services—Chautauqua County Airport, Jamestown Airport	$45,000

INCREASE REVENUE ACCOUNT:

A.5610.5610.R458.9000	Federal Aid—Transportation	$45,000

Signed: Nazzaro, Hemmer, Davis, Gould, Niebel, Harmon (P.F. Amended by Substitution. Carried with Legislator Scudder Voting "No")

MOVED by Legislator Bankoski to TABLE, SECONDED by Legislator Vanstrom – *Unanimously Carried*

TABLED – August 25, 2021

RES. NO. 171-21
Acceptance of Funds from the FAA for Replacement of Snow Removal Equipment (Blower) at the Chautauqua County Dunkirk Airport

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

WHEREAS, Chautauqua County submitted to the Federal Aviation Administration (FAA) a project application and received a grant from the FAA to pay 100% of the allowable costs incurred in accomplishing the following project at the Chautauqua County/Dunkirk Airport: Replace Snow Removal Equipment (blower); Airport Improvement Program (AIP) Project 3-36-0022-XX-2021, (herein called the "Project"); and

WHEREAS, The FAA has approved the Project for the Chautauqua County/Dunkirk Airport consisting of replacement of a 1996 Oshkosh self-propelled blower with a similar rotary plow and carrier vehicle, which is more fully described in the project agreement; and

WHEREAS, Pursuant to Resolution 19-20, Chautauqua County approved the Project as part of the five year Airport Capital Improvement Plan ("ACIP") and approved submission of an application for FAA and NYSDOT grant funds to Acquire Replacement Snow Removal Equipment under ACIP; and

WHEREAS, under provisions of the Department of Transportation Appropriations Act of 2021 and as further amended by the American Rescue Plan Act of 2021, the Federal funding share for the Project shall be 100 percent; more specifically, funding shares for the project are as follows:

Federal	$582,300
State	$ 0
Local	$ 0

; and

WHEREAS, the Airport Commission has considered and recommend that the county seek this funding as the project is crucial for the safe and sustained operation of the Chautauqua County/Dunkirk Airport, now therefore be it

RESOLVED, That Chautauqua County enter into agreements with the FAA for financial assistance for the Project at the Chautauqua County/Dunkirk Airport described above; and be it further

RESOLVED, That the County Executive is hereby authorized to execute all necessary documents on behalf of Chautauqua County with the FAA and NYSDOT in connection with this project, and be it further

RESOLVED, That a certified copy of the resolution be filed with the FAA and New York Commissioner of Transportation by attaching it to any necessary documents in connection with this project; and be it further

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2021 Adopted Budget:

ESTABLISH AND INCREASE APPROPRIATAION ACCOUNT:

H.5610.25219.4	Contractual—Chautauqua County Airport, Snow Removal Equipment - Blower (2021)	$582,300

ESTABLISH AND INCREASE REVENUE ACCOUNT:

H.5610.25219.R459.2000	Federal Aid-Airport Federal Capital Grants	$582,300

Signed: Gould, Nazzaro, Hemmer, Davis, Harmon, Niebel

Unanimously Adopted – August 25, 2021

RES. NO. 172-21
Authorization of Fund Reallocation for Purchase of Replacement Grounds Maintenance Tractor at the Chautauqua County Dunkirk Airport

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

WHEREAS, Chautauqua County Dunkirk Airport incurred an unanticipated capital equipment casualty loss on June 20, 2021 when a grounds maintenance tractor (D-25) was destroyed by fire; and

WHEREAS, a replacement tractor is needed to maintain aircraft movement surfaces and control vegetation on approximately 450 acres of surrounding grounds at the Chautauqua County Dunkirk Airport; and

WHEREAS, replacement cost for a comparably new replacement tractor is estimated at $69,000 based on New York State contract pricing; and

WHEREAS, New York Municipal Insurance Reciprocal determined that fire damage to the tractor constituted a total loss and paid the County $39,244 for the loss under terms of the County's Commercial Inland Marine insurance coverage; and

WHEREAS, the County's capital plan does not anticipate funding for replacement of the destroyed tractor until 2026; and

WHEREAS, the Airport Commission has considered and recommended that the County replace this equipment at the earliest practicable opportunity as it is necessary for the safe and sustained operation of the Chautauqua County Dunkirk Airport; now therefore be it

RESOLVED, That the County Executive is hereby authorized to obligate funds and execute all necessary documents on behalf of Chautauqua County in connection with this equipment purchase; and be it further

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2021 Adopted Budget:

INCREASE APPROPRIATION ACCOUNT:	
A.5610.5612.2 Equipment—Chautauqua County Airport, Dunkirk Airport	~~$69,000~~ **$70,287**
DECREASE APPROPRIATION ACCOUNT:	
A.5610.5612.1 Personal Services—Chautauqua County Airport, Dunkirk Airport	~~$29,756~~ **$31,043**
INCREASE REVENUE ACCOUNT:	
A.5610.5612.R268.0000 Sale of Property/Compensa--Insurance Recoveries	$39,244

Signed: Gould, Scudder, Nazzaro, Hemmer, Davis, Harmon
8/25/21 – Leg: Amended by strike through and new numbers in bold

MOVED by Legislator Bankoski, SECONDED by Legislator Vanstrom to Amend – Unanimously Carried

Unanimously Adopted – August 25, 2021

RES. NO. 173-21
Amend 2021 Budget for County Executive

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

WHEREAS, expenses of the Chautauqua County Ethics Board are paid out of the appropriation accounts of the County Executive department; and

WHEREAS, legal services for the Ethics Board are provided by the County Law Department, but in the event the Law Department has a conflict of interest on a particular matter, the Ethics Board may retain outside counsel to advise the Board; and

WHEREAS, the Ethics Board's retention of outside counsel has caused the County Executive department's 2021 contractual expenses to exceed initial budgetary estimates, while the department's personnel expenses are now projected to have a surplus; therefore be it

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2021 Adopted Budget:

INCREASE APPROPRIATION ACCOUNT:

A.1230.----.4	Contractual - County Executive	$6,788

DECREASE APPROPRIATION ACCOUNT:

A.1230.----.1	Personal Services - County Executive	$6,788

Signed: Muldowney, Vanstrom, Scudder, Davis, Starks, Niebel, Gould, Harmon
Unanimously Adopted – August 25, 2021

RES. NO. 174-21
Amend 2021 Budget–District Attorney

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

WHEREAS, the District Attorney was awarded the Coronavirus Emergency Supplemental Funding Program grant through the United States Office of Justice Programs (OPJ) and the United States Department of Justice (DOJ) for a period of January 20, 2020 through January 31, 2022; and

WHEREAS, the funding was to assist the District Attorney's office with increased incremental expenses related to the COVID-19 pandemic; and

WHEREAS, the District Attorney's office did not incur any incremental increases due to the COVID-19 pandemic in 2021; and

WHEREAS, the District Attorney's office is not able to make any claims for reimbursement for expenses in 2021 to the United States DOJ; now therefore it be

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2021 Adopted Budget:

DECREASE APPROPRIATION ACCOUNTS:

A.1165.----.1	Personal Services - District Attorney	$23,100
A.1165.----.4	Contractual - District Attorney	$2,756
	Total	$25,856

DECREASE REVENUE ACCOUNT:

A.1165.----.R438.9000	Federal Aid-OTHER PUBLIC SAFETY AID	$25,856

Signed: Bankoski, Niebel, Hemmer, Gould, Harmon
Unanimously Adopted – August 25, 2021

RES. NO. 175-21
Accept New York State Department of Health Award to Support Nurse Family Partnership

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

WHEREAS, the New York State Department of Health (NYSDOH) has awarded funds to the Chautauqua County Department of Health and Human Services to support Nurse Family Partnership program expenses for the period of April 1, 2020 – March 31, 2022 in the amount of $23,515; now therefore be it

RESOLVED, That the County Executive is hereby authorized to enter into agreements for, and execute all necessary award-related documents for, the above-named award, for so long as the County continues to be funded by this program; and be it further

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

Signed: Whitney, Rankin, Lawton, Niebel, Gould, Harmon

Unanimously Adopted – August 25, 2021

RES. NO. 176-21
To Accept New York State Office of Children and Family Services (OCFS) Safe Summer NY 2021 Funding

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

WHEREAS, Chautauqua County has been awarded New York State Office of Children and Family Services (OCFS) Safe Summer NY 2021 Funding in the amount of $25,000 for the period of July 1, 2021 – December 31, 2021; and

WHEREAS, the purpose of this funding is to support positive youth development activities that attract youth ages 14-21 at risk of being perpetrators and victims of gun violence in high gun violence neighborhoods and census tracts throughout the state; and

WHEREAS, the City of Jamestown has been specified as a high gun violence area; and

WHEREAS, 2021 revenues for the Youth Bureau are now projected to be higher than the budgeted amount; and

WHEREAS, 2021 expenditures for the Youth Bureau are now projected to be in excess of the budgeted amount; now therefore be it

RESOLVED, That the County Executive is hereby authorized to enter into agreements for, and execute all necessary award-related documents for, the above-named award for so long as the County continues to be funded by this program; and be it further

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

RESOLVED, That the Director of Finance is authorized and directed to make the following changes to the 2021 Adopted Budget:

INCREASE APPROPRIATION ACCOUNT:
A.7310.----.4 Contractual—Youth Programs $ 25,000

INCREASE REVENUE ACCOUNT:
A.7310.R382.0000 New York State Aid—Youth Programs $ 25,000

Signed: Whitney, Rankin, Lawton, Harmon, Niebel, Gould

Unanimously Adopted – August 25, 2021

RES. NO. 177-21
Amend Chautauqua County Health & Human Services 2021 Adopted Budget for Increased Preschool Transportation Costs

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

WHEREAS, 2021 expenditures for Preschool Transportation are now projected to be in excess of the budgeted amount; and

WHEREAS, Preschool Transportation costs are funded at 59.5% by the State of New York; and

WHEREAS, 2021 contractual expenditures for State Training School are now projected to be lower than the budgeted amount; now therefore be it

RESOLVED, That the Director of Finance is authorized and directed to make the following changes to the 2021 Adopted Budget:

INCREASE APPROPRIATION ACCOUNT:
A.2960.ADMN.4 Contractual—Educ: Handicapped Children, Administration $375,000

INCREASE REVENUE ACCOUNT:
A.2960.ADMN.R327.7000 New York State Aid—Ed Handicapped Children $223,125

DECREASE APPROPRIATION ACCOUNT:
A.6129.----.4 Contractual—State Training School $151,875

Signed: Whitney, Rankin, Lawton, Niebel, Gould, Harmon

Unanimously Adopted – August 25, 2021

RES. NO. 178-21
Authorizing Public Hearing Regarding a Potential Application for 2021 Community Development Block Grant Funding through the New York State Homes and Community Renewal Housing Trust Fund Corporation's Office of Community Renewal and the Uses of Said Funding

By Human Services Committee:
At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, the Office of Community Renewal is expected to release a Notice of Funding Availability (NOFA) for the 2021 Unified Funding Round of the Community Development Block Grant (CDBG) program, a federally funded program authorized by Title I of the Housing and Community Development Act of 1974, under its Housing Resources NOFA, during fall 2021; and

WHEREAS, the CDBG Program Housing Resources program provides funding to eligible communities for housing activities including housing rehabilitation, homeownership, manufactured housing rehabilitation or replacement, well and septic replacement, and lateral connection assistance that primarily benefit low- and moderate-income persons; and

WHEREAS, the County is considering applying for funding for the Chautauqua Septics and Wells Program, under this NOFA, for those residing in eligible, non-entitlement communities within Chautauqua County; and

WHEREAS, the County seeks public input on community development, housing needs, and proposed activities under the CDBG program, especially input from low- and moderate- income residents; therefore be it

RESOLVED, That the Chautauqua County Legislature hold a public hearing for the aforementioned purposes during the regular meeting of the County Legislature on September 22, 2021, at 6:40 p.m. in the Legislative Chambers, Gerace Office Building, Mayville, New York; and be it further

RESOLVED, That the Clerk of the Legislature is authorized and directed to post notice of the public hearing in the Gerace Office Building and to publish notice of the hearing at least seven (7) days prior thereto in the official newspapers of the County of Chautauqua in such form as approved by the Chautauqua County Law Department.

Signed: Whitney, Rankin, Lawton

Unanimously Adopted – August 25, 2021

RES. NO. 179-21
Authorizing and Approving a Settlement Agreement in an Action Relating to the Opioid Crisis (J & J)i

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

WHEREAS, there is pending litigation regarding the opioid addiction crisis on behalf of New York State and its local subdivisions, in which the County of Chautauqua is a named plaintiff in the action (the "Action"); and

WHEREAS, the Action is against several defendants, including manufacturers of opioids, distributors of opioids, and chain pharmacies; and

WHEREAS, the Action alleges several causes of action against defendants Johnson & Johnson, Janssen Pharmaceuticals, Inc., Ortho-McNeil-Janssen Pharmaceuticals, Inc. and Janssen Pharmaceutica, Inc. (collectively "J & J"), based on claims that J & J contributed to the opioid epidemic by falsely promoting prescription opioids it manufactured and sold, and by falsely promoting the increased use of opioids directly and generally through various "front groups," and failing to implement measures to prevent diversion of prescription opioids in connection with distribution of its products, all of which contributed to a public health crisis in Chautauqua County; and

WHEREAS, the New York State Attorney General's office has approved a settlement agreement and release form with J & J (the "Agreement") to settle the claims of the State and its subdivisions, and pursuant to the Agreement, J & J shall pay the State and its subdivisions a minimum of approximately $98.5 million and a maximum of approximately $229.8 million, with the County's share between approximately $426,798.33 and approximately $996,051.42 over ten (10) years, and J & J shall agree to cease the manufacture, sale, and promotion of opioids and opioid products in the State of New York, for ten (10) years; and

WHEREAS, the Agreement provides that approximately 21% of the County's final settlement proceeds will be unrestricted as to their use, and approximately 79% of the County's final settlement proceeds may only be used for Approved Uses, which are defined to include the following categories: Treating Opioid Use Disorder; Supporting People in Treatment and Recovery; Connecting People who Need Help to Help; Addressing the Needs of Criminal-Justice Involved Persons; Addressing the Needs of Pregnant or Parenting Women and Their Families, Including Babies with Neonatal Abstinence Syndrome; Preventing Over-Prescribing and Ensuring Appropriate Prescribing and Dispensing of Opioids; Preventing Misuse of Opioids; Preventing Overdose Deaths and Other Harms; Supporting Law Enforcement and First Responders; Supporting Opioid Abatement Research; Supporting Post-Mortem Efforts (such as toxicology tests, autopsies, investigations, indigent burial, and epidemiologic data); and

WHEREAS, it is in the best interest of the County to resolve the Action with J & J without further litigation, and enter into the proposed Agreement as it shall settle all allegations against J & J and avoid protracted litigation; therefore be it

RESOLVED, That the County Executive is authorized and empowered on behalf of the County of Chautauqua to execute the Agreement with J & J to settle the Action of the County against J & J relating to the opioid addiction crisis, and execute such other documents as may be necessary and appropriate to effectuate said settlement with J & J.

Signed: Whitney, Rankin, Lawton, Harmon, Niebel, Gould

Unanimously Adopted – August 25, 2021

RES. NO. 180-21
Authorize Use of Chautauqua County 2% Occupancy Tax Reserve Funds to Remove Debris from Goose Creek

By Planning & Economic Development and Audit & Control Committees:
At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, Chautauqua Lake is an invaluable asset to Chautauqua County but has been designated as an impaired water body and its health and usability are threatened; and

WHEREAS, Goose Creek is a tributary to Chautauqua Lake and a large tree has fallen into Bemus Creek as a result of streambank erosion; and

WHEREAS, the fallen tree has the potential to cause flood damage to residential properties, threaten public transportation infrastructure, and will inevitably increase the cost of in-lake maintenance for Chautauqua Lake; and

WHEREAS, the Chautauqua County Watershed Coordinator recommends a remedy whereby the fallen tree and associated debris be removed from Goose Creek, thereby mitigating potential property and infrastructure damage at less cost than removing the debris once it is deposited in Chautauqua Lake; and

WHEREAS, the Town of North Harmony has secured access agreements from property owners and mobilized equipment and labor suitable to implement the remedy at a cost not to exceed $3,000; and

WHEREAS, the 2% Occupancy Tax Program Reserve has a balance of $238,634 for projects of special opportunity and need; therefore, be it

RESOLVED, That the Chautauqua County Legislature designates $3,000 from the 2% Occupancy Tax Program Reserve to be dispersed to the Town of North Harmony for implementation of the remedy to remove debris from Goose Creek; and be it further

RESOLVED, That the County Executive is hereby authorized to enter into any and all contracts necessary to implement the terms of this resolution; and be it further

RESOLVED, That the Fund Balance be appropriated as follows:

INCREASE THE USE OF FUND BALANCE:

A.----.----.889.WATR	Reserved Fund Balance-MISC RES: Lakes & Watrway	$3,000

; and be it further

RESOLVED, That the Director of Finance is authorized and directed to make the following amendment to the 2021 Adopted Budget:

INCREASE APPROPRIATION ACCOUNT:

A.8020.WTRS.4	Contractual—Planning, Watershed Administration	$3,000

Signed: Muldowney, Rankin, Starks, Ward, Lawton, Harmon, Gould, Niebel

Unanimously Adopted – August 25, 2021

RES. NO. 181-21
Authorize Chautauqua County Visitors Bureau as the Local Tourist Promotion Agency for Matching Funds Program Sponsored by the New York State Division of Tourism

By Planning & Economic Development and Audit & Control Committees:

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

WHEREAS, the New York State Legislature has authorized the New York State Department of Commerce to match funds expended by local and regional organizations promoting tourist travel, resorts, and vacation businesses in this State; and

WHEREAS, the New York State Legislature has made appropriations for such purposes; and

WHEREAS, to participate in this program, the Chautauqua County Legislature must designate a not-for-profit corporation as the local tourist promotion agency for the Matching Fund Program sponsored by the New York State Division of Tourism; therefore, be it

RESOLVED, That the Chautauqua County Legislature hereby designates the Chautauqua County Visitors Bureau as the local tourist promotion agency for the Matching Funds Program sponsored by the New York State Division of Tourism and authorizes the Chautauqua County Visitors Bureau to apply for matching tourism funds, to receive such matching funds, and to represent the County of Chautauqua in tourism promotion efforts; and be it further

RESOLVED, That in making the aforesaid designation, the Chautauqua County Legislature hereby certifies that Chautauqua County Visitors Bureau has been in operation for at least three (3) years immediately prior to making this year's application; and be it further

RESOLVED, That the Chautauqua County Visitors Bureau comply with the following criteria for implementing the Matching Funds Program:
1. A dedicated bank account shall be maintained for the purposes of matching and disbursing Matching Funds provided by the New York State Division of Tourism and the corresponding local share in accordance with the Program guidelines;
2. All interest earned from the Matching Funds Program monies shall be expended for generic County advertising according to the New York State guidelines for the Program;
3. All discounts and refunds be maintained in the Matching Fund program account and be expended for generic County advertising according to the Program guidelines; and
4. Account(s) shall be reconciled monthly and at the end of the Program, and the required quarterly and annual reports be provided to the New York State Division of Tourism in accordance with the Program guidelines; and be it further

RESOLVED, That the Chautauqua County Visitors Bureau is authorized to apply for state matching funds up to $250,000 for the period from January 1, 2022 through December 31, 2022.

Signed: Muldowney, Rankin, Starks, Ward, Lawton, Harmon, Niebel, Gould

Unanimously Adopted – August 25, 2021

RES. NO. 182-21
Amend 2021 Budget – Kayaks Along Chautauqua

By Planning & Economic Development and Audit & Control Committees:
At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, the Department of Planning and Development was awarded the Local Waterfront Revitalization Program grant through the New York State Department of State (DOS) in the amount of $73,155.00; and

WHEREAS, total projects costs include the approved bid, signage, and permit fees in the amount of $109,631.80; and

WHEREAS, funding for the local match was obtained through the five project partners in the amount of $27,476.80 and through Lake Erie Management Commission (LEMC) funding in the amount of $9,000.00; and

WHEREAS, revenues and expenditures associated with the total project costs were not entirely included in the 2021 Capital Budget; now therefore be it

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2021 Adopted Budget:

INCREASE APPROPRIATION ACCOUNT:

H.8020.37006.4	Contractual—Planning, Kayaks Along Chautauqua (2019)	$16,807

INCREASE REVENUE ACCOUNT:

H.8020.37006.R208.9000	Departmental Income—Other Cultural & Recreation Income	$16,807

Signed: Muldowney, Rankin, Starks, Ward, Lawton, Harmon, Niebel, Gould

Unanimously Adopted – August 25, 2021

RES. NO. 183-21
Prospective Cancellation of Uncollectible Tax Liens

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

WHEREAS, the enforcing officer of any tax district may withdraw a parcel of real property tax from a pending foreclosure proceeding pursuant to Section 1138 of the Real Property Tax Law where it is inadvisable the tax district take title to a property, and

WHEREAS the governing body of a tax district pursuant to RPTL Section 1138 may find there is no practical method to enforce the collection of delinquent tax liens arising in the future against a particular parcel; and

WHEREAS, the governing body may direct the enforcing officer to issue a certificate of prospective cancellation, setting forth the relevant facts, and the parcel shall thereby become exempt from

taxation until the governing body determines that the parcel should be restored to the taxable portion of the assessment roll; therefore be it

RESOLVED, That pursuant to section 1138 of the Real Property Tax Law, the Chautauqua County Legislature hereby determines there is no practical method to enforce the collection of delinquent tax liens arising in the future against the parcels listed below; and be it further

RESOLVED, That pursuant to section 1138 of the Real Property Tax Law, the Chautauqua County Legislature hereby directs the County's enforcing officer to issue a certificate of prospective cancellation against said parcels:

Muni	Parcel ID	Location	Assessed Owner	Amount Owing	Reason for Prospective Cancellation
Carroll	062400-406.00-2-15	Falconer St	Keywell LLC	$1,304.48	Vacant, Bankrupt owner, Environmental Issues
Carroll	062400-406.00-2-16	300 Falconer St	Keywell LLC	$281.25	Vacant, Bankrupt owner, Environmental Issues
Carroll	062400-406.00-2-17	300 Falconer St	Keywell LLC	$483,628.5	Vacant, Bankrupt owner, Environmental Issues
Carroll	062400-406.00-2-18	Falconer St	Keywell LLC	$10,115.74	Vacant, Bankrupt owner, Environmental Issues
Carroll	062400-406.00-2-19	200 Falconer St	Keywell LLC	$9,249.63	Vacant, Bankrupt owner, Environmental Issues

Signed: Muldowney, Vanstrom, Scudder, Davis, Starks, Niebel, Gould, Harmon

Unanimously Adopted – August 25, 2021

RES. NO. 184-21
Approving Labor Contract with Deputy Sheriffs' Association of Chautauqua County (DSACC)

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

WHEREAS, the County's negotiating team and the Deputy Sheriffs' Association of Chautauqua County (DSACC) have negotiated a tentative agreement for terms and conditions of employment from January 1, 2022, through December 31, 2025; and

WHEREAS, pursuant to Section 2.05(g) of the Chautauqua County Charter, the County Legislature must approve all labor contracts; now therefore be it

RESOLVED, That the County Legislature hereby approves the tentative agreement between the County and DSACC to include ~~modifications to a step increment~~ increases to the Step 8 increment of 2% in 2022, 1.5% in 2023, 1.5% in 2024 and 1.5% in 2025 (which are in addition to the annual wage increases set forth below), modifications to longevity, modifications to employer and employee cost share

of the health plan, modifications to the retiree cash-out benefit, and a three percent (3%) wage increase in 2022, a three percent (3%) wage increase in 2023, a two and one-half percent (2.5%) wage increase in 2024, and a two and one-half percent (2.5%) wage increase in 2025; and be it further

RESOLVED, That the County Executive is authorized and empowered to execute all necessary documents and agreements to effectuate a new labor agreement with DSACC.

Signed: Muldowney, Vanstrom, Scudder, Davis, Starks, Bankoski, Niebel, Hemmer, Gould, Harmon
(A.C. Amended by strikeout and new language indicated by underline)

R/C Vote 15 Yes; 4 Absent – Unanimously Adopted – August 25, 2021

RES. NO. 185-21
Quit Claim Deeds

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

WHEREAS, the Administrative Services Committee of the County Legislature has received and hereby recommends acceptance, pursuant to Section 1166 of the Real Property Tax Law, the following offers for the County's Tax Liens as detailed on the attached Schedule 1 under tax sale certificates noted on original papers on file in the office of the Director of Finance; and

WHEREAS, that unless otherwise noted, the County Tax Enforcement Officer has confirmed that the offers received are in compliance with the County's policy regarding tax foreclosure as set forth in Resolution No. 110-17; now therefore be it

RESOLVED, That the Executive and Chairman of this Legislature be hereby authorized to execute Quitclaim Deeds conveying to the offers herein mentioned, the interest of Chautauqua County in said properties under said tax sale certificates; and be it further

RESOLVED, That the Director of Finance of Chautauqua County be hereby authorized to cancel any outstanding taxes, fees, interest and other charges. In adopting this resolution, the Legislature intends to adopt each transaction separately, in the usual form of Resolution, and the failure of any particular transaction to be completed shall in no manner affect the validity of any of the others.

Offer Number	**Municipality**	**S/B/L**	**Purchaser**	**Foreclosed Owner**	**Offer Amount**	**Taxes Owing**
PA-12-2018	City of Dunkirk	060300-79.12-5-10.2	Elias Gutierrez	John & Betty sharp	$100.00	$358.56
*PA-56-2019	City of Jamestown	060800-370.15-2-44	Deborah Wiles	Scott Weidrich	$2,000.00	$496.12
~~*PA-56-2019~~	~~City of Jamestown~~	~~060800-370.15-2-44~~	~~Lorraine Miley~~	~~Scott Weidrich~~	~~$1,500.00~~	~~$496.12~~
PA-61-2019	City of Jamestown	060800-370.18-2-37	Guillermo Torres	Royal Housing LLC	$200.00	$152.82
PA-103-2019	City of Jamestown	060800-387.06-6-52	William & Renee Little	Alcon LLC	$350.00	$5,246.85
PA-104-2018	City of Jamestown	060800-387.12-2-56	JKTS LLC	Taylor Bennett	$700.00	$646.57

*PA-108-2018	City of Jamestown	060800-387.13-10-65	Hillcrest Baptist Church	Beverly Parish	$1,250.00	$1,346.01
~~*PA-108-2018~~	~~City of Jamestown~~	~~060800-387.13-10-65~~	~~Ernest Laemmerhirt~~	~~Beverly Parish~~	~~$101.50~~	~~$1,346.01~~
PA-102-2016	City of Jamestown	060800-387.15-8-18	Joe Costanzo	William Soto	$200.00	$2,217.52
PA-175-2019	City of Jamestown	060800-387.25-4-55	Margaret Hallberg	Royal Housing LLC	$1.00	$840.20
PA-160-2018	City of Jamestown	060800-387.39-1-8	Chad Carlson	William Leach	$100.00	$198.25
PA-163-2018	City of Jamestown	060800-387.42-2-36	Maurice Paterniti	Ethel Peters	$1.00	$2,002.16
PA-221-2019	City of Jamestown	060800-388.17-4-2	Richard Franzen	Samuel Blackmar	$100.00	$5,630.22
PA-188-2018	Busti/Lakewood	062201-385.12-5-28	Linda Case	Gary & Betty Thomas	$1.00	$1,614.14
PA-268-2019	Cherry Creek	063000-237.11-2-23.2	Heather Maille & Devlin Byrne	Arthur & Ashley Hubabrd	$500.00	$8,717.55
~~*PA-287-2019~~	~~Ellicott~~	~~063801-369.19-5-48~~	~~Roger Lampo~~	~~Harry Fairley~~	~~$50.00~~	~~$830.72~~
*PA-287-2019	Ellicott	063801-369.19-5-48	Linda Derby	Harry Fairley	$1,500.00	$830.72
PA-238-2017	Hanover/Silver Creek	064603-49.05-1-20	Kyle Moore	Eleanor & Fiegl Bartlett	$1.00	$190.46
~~*PA-428-2019~~	~~Westfield~~	~~067201-193.13-2-11~~	~~Knight Family LLC~~	~~Daniel Lloyd~~	~~$100.00~~	~~$194.99~~
*PA-428-2019	Westfield	067201-193.13-2-11	Thomas & Bernadette Zachary	Daniel Lloyd	$500.00	$195.00
				Total	$9,255.50	$33,550.99
* Denotes Multiple Offers						

Signed: Muldowney, Vanstrom, Scudder, Niebel, Davis, Starks, Harmon, Gould (A.S. Amended to accept highest offers)

R/C Vote 15 Yes; 4 Absent – Unanimously Adopted – August 25, 2021

PRIVILEGE OF THE FLOOR

Chairman Chagnon: 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. Is there anyone wishing to address the second privilege of the floor? Please state your name and address for the record.

Sheriff Quattrone: I am Sheriff Jim Quattrone, 15 East Chautauqua Avenue in Mayville. I just wanted to address the resolution for our contract and thank the Legislature for their support. I think that is huge for all law enforcement to see that unanimous support that we got from the Legislature. I would also like to thank the professionalism of the negotiating team- Kitty, Jean, Allison, Ken Westphal and then the Union also. They were great to work with and I think we all had the same common goal. Also, wanted to address Mr. Niebel's comments about the mainstream media. Truly, in Chautauqua County we have some

great support for law enforcement and if we pretty much ignore the national media I think we can see that we do have support and I thank the people for that. The Post-Journal ran a poll and over two-thirds of the people supported the contract and the surveys we did through the police reform- we had over 90% favorable rates from the public. So, I want to recognize that.

I'm going to call on Tara because she didn't make the announcement, but on Wednesday, September 1st there's an event at Tracey Plaza for Kallies Crusade at 3:30 p.m. and then September 6th at the Bemus Point Tap House. They have their annual fundraiser. I would encourage people- 9 a.m., so come out for a fun time and support a great cause. Thank you.

Chairman Chagnon: Thank you. Anyone else wishing to address the second privilege of the floor?

Mr. McGinnus: Yes, Mel McGinnus, 24 East Main Street, Frewsburg New York. It felt great today walking into our legislative building because last month I felt like a subject when I was asked if I had my vaccine card. Sheriff Quattrone was quick and others worked with him to ensure that that didn't happen time. So, I felt much more like a citizen this time. I *(inaudible)* something yesterday, it was great. I walked into the DMV in Jamestown and saw the employees without masks. That was great. They ought to have the freedom to do that. However, when I walked through the door it said, "No masks, no service, no debate." So I had to go back and get my mask, put on my mask to go into the DMV and it was just strange to see a double standard there, but the County Clerk moved swiftly to remove that sign at the Jamestown office. I really appreciated that. I really appreciated John Davis, my Legislator, because I called him about the resolution to make our County a sanctuary county while on vacation – he got back to me and I really appreciated that. Do you know that Cattaraugus County just passed, making their County a sanctuary county for our constitution- 15 to nothing. It passed just moments ago. So, I will encourage our Legislature here to continue to work on that so that we can be another county that sends a message to Albany and even to Washington, D.C. that we're going to be a county that stands by our constitution. Kathy Hochul said today that all mask will be on kids in our schools. I think we need a provision that says to her that we're going to respect the constitution of our United States, especially when assembly bill A416 is active, meaning if the governor and the health commissioner feels like people are a health threat they can retain them in medical facilities – medical detention centers. That's crossing the line. I feel like the constitution, more than ever, needs to be upheld in our county and I appreciate the work that you're doing to see this thing through and joining Cattaraugus County and making our County a sanctuary county for the constitution. Thank you.

Chairman Chagnon: Thank you. Anyone else wishing to address the second privilege of the floor?

Robert Tompkins, 292 Fifth Street, Sherman New York. I want to echo what was said here about the Sheriff's Department. I knew Jim before and I love him and I respect for what he does to uphold the rights of citizens. I want to remind you all of your oath of office, which echo's what Mel was just talking about. "I do solemnly swear that I will support the Constitution of the United States and the State of New York and that I will faithfully discharge the duties of the Office of-" and then your office. So, I think what Mel was saying about making this a sanctuary for the Constitution should be a no brainer if you're men and women of honor of your word of the oath that you swore. Oh, and I'm a United States Service *(inaudible)* connected disabled veteran, so upholding that oath means a lot to me too because I swore up to and including my life to defend the Constitution.

Chairman Chagnon: Thank you. Is there anyone else wishing to address the second privilege of the floor?

Hello. My name is Kathy Abbate, Ashville New York. Up until a few weeks ago I didn't even know who my Legislator was. The last year has really been hard on a lot of us and we have felt very stressed about things that are happening in our government. When I was raising my kids I wasn't concerned about what my government was doing, but more so now than ever, I've very concerned about what our government is doing. I swore to myself that I would become more involved, become more educated and more knowledgeable about what's being done locally and federally. Mel just gave the information about Cattaraugus County adopting the constitutional sanctuary for their county and it sounds kind of strange that we would even have to ask you to do that, but I'm asking you to do that. I'm asking you to put something in place that we, as residents of Chautauqua County, can feel very secure that when our federal government starts putting mandates and executive orders in place that are going to go against our constitutional rights, for example vaccine passports- I'm very, very concerned about that. I don't care if you are on the right or the left, if you believe that vaccines are important or that you don't, what I believe is that we should have our liberty and freedom and our medical autonomy to make that decision for ourselves. I'm asking you when things get tough to make those tough decisions for us as residents. I thank you very much for listening and I had a nice conversation with Mr. Gould, who I didn't know was my Legislator, but now I know who he is and he knows who I am. Thank you very much.

Chairman Chagnon: Thank you. Anyone else wishing to address the second privilege of the floor?

My name is Susan Baldwin. I live in Villenova and I've been here before. I've been here showing you photographs of my water and my bathtub that's *(inaudible)* and I wanted to point out- before I get any farther I want to say Villenova has already given the PILOT for 204 acres of solar power and when the people from Ontario Northland Power came to present this lovely brochure to us peasants, we found out that it was going right down in the direction of that lovely South Dayton Super Duper that so many of you love to buy the doughnuts from. Anyways, going on, we didn't get a whole lot of say, in fact, our Town Supervisor said will you have any problems with anything we've got and she said maybe our height limits might be a problem and our supervisor said 8 feet is too low- 16 feet- how about that? Just like that we're going to get 16 foot, 204 acres worth of solar in Villenova and that's just one of the farms to go right along with our 600 foot turbines. Now, this is a photo I tried to get a poster made of it. This is our Town Councilmember on her lawnmower. This is the driveway in the direction of the turbine that's going to be placed in her back yard. This is a *(inaudible)* that are permits for gas wells- for fracking of gas wells because apparently, I went online and there's a thing called the drillers edge and it will tell you all the gas wells that are being permitted in Chautauqua County for fracking. They call it unconventional drilling. The reason being, to be able to give gas to new factories. Now, there's no factories in Villenova unless you guys got a different map than I do and I live there. We've got two churches and no stores, but they're putting gas wells. Why? I ask you to please look up PPP Future Development LLC and you will see they are for fracking and shale investment and I am terribly worried because my blood pressure- oh, I've got to show you that one before I go- 140 over 105. My doctor asked if there was something wrong with my cuffs. I had never had one that high, but I'd been drinking that shiny water. Let's not be a Hinkley California. This is what's going to happen to Chautauqua County, I can promise it. Thank you.

Chairman Chagnon: Thank you. Are there any other people wishing to speak to the second privilege of the floor?

Mrs. Dennison: My name is Kathleen Dennison and I live at 50 Eagle Street in Fredonia. I come to these meetings every month because I'm also the Budget Director for Chautauqua County. At these meetings I usually don't say anything because my job requires me to be impartial, but I'm speaking tonight as a citizen and not as the Budget Director. Last month and this month I heard people come and speak about needing a resolution for a constitutional sanctuary because of government mandates for Covid related items. I don't think we need a constitutional sanctuary or a resolution for a constitutional

sanctuary. I was confused last month and I'm confused again tonight about complaints about these laws that people think are infringing on their personal freedom. There are lots of laws that infringe on personal freedom- laws against drunk driving, laws against speeding, laws against smoking in public places. So, all of those have something in common. They do infringe on our personal freedoms, but they also protect public health and they protect public health against actions of individuals that might not be in the public's best interest. So, I think that the mask mandates fall into that category. They're there to protect public health. Instead of a resolution for a constitutional sanctuary, I just think people need to get vaccinated because then we won't need these executive orders. Also, if people are vaccinated it will protect my personal freedom to live in a world that is pandemic free. Thank you for your time.

Chairman Chagnon: Thank you. Anyone else wishing to address the second privilege of the floor?

Legislator Whitney: Bob Whitney, 41 Hallock Street, Jamestown. I just want to repeat what Kathleen said. Thanks for standing up and I agree with you.

Chairman Chagnon: Thank you. Anyone else wishing to address the second privilege of the floor?

Yes. Loren Kent, 413 Route 62, Conewango Valley. That's in the Town of Ellington. Kathleen, I agree with you also.

Chairman Chagnon: Thank you. Anyone else wishing to address the second privilege of the floor?

MOVED by Legislator Gould, SECONDED by Legislator Bankoski and duly carried the meeting was adjourned. *(7:15 p.m.)*

Regular Meeting
Chautauqua County Legislature
Live Streamed on Social Media
Wednesday, September 22, 2021 6:30 p.m.
Mayville, N.Y. 14757

Chairman Chagnon called the meeting to order at 6:35 p.m.

Clerk Tampio called the roll and announced a quorum present

Moment of Silence for Ron Szot by Legislator Bankoski

Legislator Nazzaro delivered the prayer and pledge of allegiance.

MOVED by Legislator Bankoski, SECONDED by Legislator Vanstrom and duly carried the minutes were approved. (08/25/2021)

1st Privilege of the Floor

Chairman Chagnon: That brings us to our first privilege of the floor. Members of the public may comment on any subject relating to any local law, resolution or motion appearing on the agenda. Individual comments are limited to three minutes and comments representing a group shall be limited to five minutes. Is there anyone wishing to speak to the first privilege of the floor?

My name is Norman Green – 54 Oneida Drive, Dewittville, New York. I'm there to talk about the American Rescue Act Plan and how the County has handled it, thus far, I think that it's been an incomplete process in the fact that we didn't have public meetings, we didn't have public input and most importantly, Dunkirk, Fredonia, Jamestown – those communities – Ellicott, Falconer, Celeron- those communities with an established government, so to speak, have been left out of the process and one has to understand how government works and how the county government fills the void. They filled the void over the years and over the decades. They fill the void when government wasn't in place, we had to as a county, provide, but in the case of Dunkirk, Fredonia, Jamestown they were already an established municipalities. They were able to provide for themselves, so to speak. The County Executive, this past week, suggested that he's reached out to Dunkirk and Jamestown Mayors about the expansion of internet and he said that he was turned down to have a partnership. Well, why would Dunkirk and Jamestown be involved? They already have internet. Any person in Dunkirk and Jamestown if you want internet you call up and you have it set up. So, that was a weak excuse. As far as the spending plan goes itself, there is a lot of ideas that were not heard from the general public. One idea is the fact that we need to do something about our work force. The basic thing we need to do about our workforce is get our workforce to work. Our CARTS system should be expanded so that when Well's Ice Cream needs someone to go to work at 11 o'clock at night, we need to be transporting people. These companies are begging for people. Many companies are begging for people and we have an opportunity with this federal money, this windfall, we have an opportunity to do lots of good things to put people back to work to help people get to the jobs that they need to get to. That is true workforce development where actually people can get to work. In conclusion, as I've said before, and I appreciate your time, you've all be very attentive as I've come to committee meetings, very respectful- I appreciate it. In conclusion, we really should start this process over. The process is flawed, has been flawed and Dunkirk, Fredonia, Jamestown, Ellicott, Westfield, Silver Creek, Falconer, Mayville, even Lakewood has been pretty much left out of this process. I hope that you'll rethink what you've done and I thank you for your time tonight.

Chairman Chagnon: Thank you for your comments. Is there anyone else wishing to address the first privilege of the floor.

My name is Katelyn Vacinek. I'm a resident of Silver Creek, New York, Chautauqua County. I'm standing here today to speak for an organization of people. I've reached out to all 19 legislators through email.

Chairman Chagnon: Excuse me, is this related to something on the agenda?

Ms. Vacinek: No, it is not.

Chairman Chagnon: You would have the opportunity to speak at our second privilege of the floor.

Ms. Vacinek: I'm sorry, I was told the first.

Chairman Chagnon: Sorry, that was a misunderstanding. You're welcome back at the second privilege of the floor. Is there anyone else wishing to speak to the first privilege of the floor?

I'm Doug Champ. I live in Jamestown, New York. Again, my daughter said another night you're going out being an activist and I said that's what the old man does to stay involved because I can't tell you how many times I've been in front of this Legislature- this one and many others before. I think government citizens input is extremely important, especially now. So, this old man has some ideas regarding the American Rescue Plan. What I did, is to crunch some numbers out and the reality of talking about percentage of impact on specific areas and target areas. For the record, so you know where I'm coming from, I was trained as a biologist, but I spent 40 years in the energy business, both locally and I've talked all over the Country on *(inaudible)* energy systems and development. That brings me here to these points that I really want to represent and how the American Rescue Plan was basically developed and its formats and what the target zones both indirect and funding applications are all about. What I find kind of difficult to understand was the fact that the impacts of the percentages for allocations are not really fully understood. In other words, the amount of money going to agriculture is only 1% of this budget - $232,000 plus or minus. Agriculture is a necessary economy for this community, for this county, for this state. One percent? That's the percentage of impact. In addition to that, when I find that public safety and the allocations to the Sheriff's Department are less than the resurrection of the Ag. Center Building- in other words, the Ag. Center Building is $1,100,000 and all the money going to public safety is $985,000 and by the way, I want to congratulate the heroic efforts of Christine Schuyler and all her people and what they've done for us in this county because they really have shown what can be done with all that hard work. I know a lot of hard work went into this concept, but again, talking about clean water- most of your projects are going in *(inaudible.)* The lake issues are important. I grew up on the lake. I know all about the lake, but it's not clean water. The sewer system around the lake is viable and necessary, but it's waste water. Where is potable water in the equation here? Where is storm drainage in the equation here for clean water allocations? It's not in there. In addition, when you're looking at creating industrial parks- we have some- the *(inaudible)* rate might be low, but I want you to remember one thing. Where you reside those industrial parks there is going to be of impact on energy costs. If you put them in National Grid, you're going to be paying three or four times more than if you put them in the areas like Westfield, Mayville and Brocton. Why? Because they're able to utilize hydroelectric power at a much cheaper rate versus National Grid.

Chairman Chagnon: Doug, you've exceeded your three minutes.

Mr. Champ: I could go on for hours and I'm sorry that I don't have more time. I appreciate the efforts that you all have done, but I would say one last thing. I suggest that this be tabled tonight and more

input be done on the American Rescue Plan for one more month to solve some of the issues and questions that either the public have or the Legislature does.

Chairman Chagnon: Thank you for your comments. Is there anyone else wishing to address the first privilege of the floor?

VETO MESSAGES FROM COUNTY EXECUTIVE WENDEL
NO VETOES FROM 08/25/2021

COMMENDATIONS:

Accreditation of Chautauqua County
Sheriff's Department
By
NYS Sheriff's Association

PROCLAMATION:

Declaring October 24, 2021 as
"World Polio Day"
By
Chairman Pierre E. Chagnon
and
County Executive Paul M. Wendel, Jr.

6:40 P.M. PUBLIC HEARING

Regarding a Potential Application for 2021 Community Development Block Grant Funding through the New York State Homes and Community Renewal Housing Trust Fund Corporation's Office of Community Renewal and the Uses of Said Funding

(*7:03 p.m.)*

Chairman Chagnon: Next on the agenda is a public hearing, "Regarding a Potential Application for 2021 Community Development Block Grant Funding through the New York State Homes and Community Renewal Housing Trust Fund Corporation's Office of Community Renewal and the Uses of Said Funding." Is there anyone wishing to address the public hearing at this point? The public hearing is open. Is there anyone wishing to address the public hearing? One last time, anyone wishing to address the public hearing? Seeing no one, I will close the public hearing.

(7:04 p.m.)

PRESENTATION:

2022 CHAUTAUQUA COUNTY
TENTATIVE BUDGET
By
COUNTY EXECUTIVE PAUL M. WENDEL, JR.
(https://chqgov.com/sites/default/files/inline-files/2021%20State%20of%20the%20County%20Address%20-%20Final%20for%20Posting_0.pdf)

COMMUNICATIONS:

1. Letter – NY Connects – Chautauqua County Long Term Care Council (CCLTCC)
2. Letter – Chautauqua County Department of Planning and Development – County Ag. and Farmland Protection Board Concerns Regarding Renewable Energy Projects on Ag. Lands
3. Letter – NYS Agriculture and Markets – Consolidation of Agricultural Districts
4. Reports (2) – Department of Finance – 2021 Investment Reports – Re: June & July
5. Affidavit of Publication – Post-Journal – Re: Community Development Block Grant Public Hearing
6. Affidavit of Publication – Observer – Re: Community Development Block Grant Public Hearing
7. *2022 Tentative Budget – County Executive Wendel*

Clerk Tampio: I will note that there are 6 communications on your agenda this evening and I would like to add one communication that came in this afternoon. That is the Chautauqua County 2022 Tentative Budget. Are there any items you wish to have read aloud? Hearing none, if you'd like a copy of any of these please notify my office.

RES. NO. 187-21
Authorization for Agreements with New York State to Maintain Overland Trails

By Public Facilities Committee:
At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, Chautauqua County maintains private and public land for the purpose of the Overland Trails; and

WHEREAS, the public land is located within New York State Reforestation Areas and a Wildlife Management Area to minimize impacts and reduce costs; and

WHEREAS, in order for the County to continue maintaining the Overland Trails on the public land owned by New York State, agreements must be entered into between the County and New York State; and

WHEREAS, the Parks Commission has reviewed and supports having ongoing agreements between the County and New York State for purposes of continuing the use of this land; now therefore be it

RESOLVED, That the Chautauqua County Legislature hereby authorizes the County Executive to enter into agreements with New York State in order to continue County maintenance of public land for the purposes of the Overland Trails.

Signed: Nazzaro, Scudder, Davis, Gould
Unanimously Adopted – September 22, 2021

RES. NO. 188-21
Amend 2021 Budget for Public Facilities Maintenance of Roads

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

WHEREAS, some expenses in the Public Facilities Maintenance of Roads Department are anticipated to exceed initial budgetary estimates; and

WHEREAS, the Public Facilities Maintenance of Roads Department has received revenues 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 2021 Adopted Budget:

INCREASE APPROPRIATION ACCOUNTS:			
D.5110. ----.4	Contractual –Maintenance of Roads		$160,000
D.5110.3310.4	Contractual-Maintenance of Roads, Pavement Marking		$ 25,810
		Total	$185,810
INCREASE REVENUE ACCOUNTS:			
D.5110.----.R270.1000	Miscellaneous--Refunds: Prior Yr Exp	$106,924	
D.5110.----.R396.0000	NYS Aid--Emergency Disaster Assistance		$ 38,946
D.5110.----.R496.0000	Federal Aid--Fema Disaster Reimbursement		$ 39,940
		Total	$185,810

Signed: Nazzaro, Scudder, Davis, Gould, Niebel, Harmon
Unanimously Adopted – September 22, 2021

RES. NO. 189-21
MOA with NYS DHSES for Temporary Loan of Interoperable Communications Resources

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

WHEREAS, New York State Department of Homeland Security and Emergency Services (NYS DHSES) has acquired the hardware, software and user Mutualink Edge Subscription Services for Mutualink Interoperability platforms and wishes to temporarily loan or continue to loan such equipment at no cost to New York State counties for communications purposes; and

WHEREAS, the State and County have tentatively negotiated a Memorandum of Agreement (MOA) which establishes the responsibilities, rules, and procedures for the deployment and use of the equipment, software, and user subscriptions provided to the County by NYS DHSES; and

WHEREAS, the term of this Agreement shall commence on the first Monday immediately following approval by the Office of the State Comptroller and shall terminate March 31, 2024; and

WHEREAS, the County acknowledges receipt of said equipment; and

WHEREAS, this agreement is at no cost to the County so no budget amendment is needed at this time; now therefore be it

RESOLVED, That the County Executive is authorized to execute an agreement with the NYS DHSES as set forth above.

Signed: Bankoski, Pavlock, Whitford, Niebel, Nazzaro, Harmon, Gould

Unanimously Adopted – September 22, 2021

RES. NO. 190-21
Amend 2021 Budget for Office of the Sheriff

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

WHEREAS, some Office of the Sheriff expenses have exceeded initial budgetary estimates; and

WHEREAS, the Office of the Sheriff will receive revenues less than budget; now therefore be it

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2021 Adopted Budget:

INCREASE APPROPRIATION ACCOUNTS:		
A.3189.3111.4	Contractual – Navigation/Snowmobile	$9,504
DECREASE APPROPRIATION ACCOUNTS:		
A.3189.3111.1	Personal Services – Navigation/Snowmobile	$9,504
A.3110.GRNT.1	Personal Services – Sheriff Grants	$12,738
A.3110.GRNT.8	Employee Benefits – Sheriff Grants	$1,163
	TOTAL	$23,405
DECREASE REVENUE ACCOUNTS:		
A.3110.GRNT.R438.9004	Federal Aid – Sheriff Grants	$13,901

Signed: Bankoski, Pavlock, Whitford, Niebel, Nazzaro, Harmon, Gould

Unanimously Adopted – September 22, 2021

RES. NO. 191-21
FEMA Hazard Mitigation Grant Program (HMGP)

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

WHEREAS, the Office of Emergency Services was awarded funds from the New York State Division of Homeland Security and Emergency Services in the total amount of $85,333.00 with a twenty-five percent (25%) in kind match from the County in the amount of $21,333.00; and

WHEREAS, the grant is to update the Chautauqua County Multi-Jurisdictional Hazard Mitigation Plan (HMP), last revised in 2016; and

WHEREAS, the grant period runs from July 28, 2021 through June 17, 2024, or as may be amended; and

WHEREAS, the expenses and revenues for the grant agreement are within the financial parameters of the proposed 2022 County Budget; now therefore be it

RESOLVED, That the County Executive is hereby authorized to sign and execute all necessary agreements to accept the award and subsequent changes to work plans.

Signed: Bankoski, Pavlock, Whitford, Niebel, Nazzaro, Harmon, Gould

Unanimously Adopted – September 22, 2021

RES. NO. 192-21
Authorize Execution of New York State Governor's Traffic Safety Committee Grant for the Police Traffic Services Program FY22

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

WHEREAS, the Chautauqua County Sheriff received notice the State of New York Governor's Traffic Safety Committee has approved the application submitted for the Police Traffic Services Program; and

WHEREAS, the State of New York will provide funding in the amount of $22,700 with no local funds required for the contract period from October 1, 2021 to September 30, 2022; and

WHEREAS, this grant is new to the Chautauqua County Office of the Sheriff and is not included in the 2021 Adopted Budget, but is included in the proposed 2022 Budget; now therefore be it

RESOLVED, That the Chautauqua County Executive is authorized to execute the appropriate agreement with the New York State Governor's Traffic Safety Committee to secure the grant funding as set forth above; and also be it

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2021 Adopted Budget:

INCREASE APPROPRIATION ACCOUNTS:

A.3110.GRNT.1	Personal Services – Sheriff, Sheriff Grants	$2,600

INCREASE REVENUE ACCOUNT:

A.3110.GRNT.R338.9000	NYS Aid—Other Public Safety	$2,600

Signed: Bankoski, Pavlock, Whitford, Niebel, Nazzaro, Harmon, Gould

Unanimously Adopted – September 22, 2021

RES. NO. 193-21
Amend Chautauqua County Health & Human Services 2021 Adopted Budget for Employee Benefits Costs

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

WHEREAS, 2021 expenditures for Employee Benefits for the Home Energy Assistance Program are now projected to be in excess of the budgeted amount; and

WHEREAS, 2021 expenditures for Employee Benefits for Social Services Administration are now projected to be less than the budgeted amount; now therefore be it

RESOLVED, That the Director of Finance is authorized and directed to make the following changes to the 2021 Adopted Budget:

INCREASE APPROPRIATION ACCOUNT:
A.6141.----.8 Employee Benefits—Home Energy Assist Prog $21,000

DECREASE APPROPRIATION ACCOUNT:
A.6010.----.8 Employee Benefits—Social Services Admin $21,000

Signed: Whitney, Rankin, Pavlock, Lawton, Whitford, Niebel, Nazzaro, Harmon, Gould

Unanimously Adopted – September 22, 2021

RES. NO. 194-21
Authorize Grant Application for 2021 Community Development Block Grant Funding through the New York State Homes and Community Renewal Housing Trust Fund Corporation's Office of Community Renewal – Septic and Wells Program

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

WHEREAS, the County desires to submit a 2021 Community Development Block Grant (CDBG) Unified Funding Round application to the New York State Office of Community Renewal seeking $224,950.00 for a private water and wastewater assistance project (the Project), designed to assist low and moderate income persons with repair and replacement of their water and wastewater systems; and

WHEREAS, pursuant to Resolution 178-21, the Chautauqua County Legislature held a public hearing to obtain public input relevant to the proposed Project; and

WHEREAS, the Project grant application requires the applicant to certify that the governing body has authorized and directed certain actions by a designated representative of the County; therefore be it

RESOLVED, That the Director of Health and Human Services, Christine Schuyler, is hereby designated as the official representative of the County to act in connection with the submission of this CDBG Project application; and be it further

RESOLVED, That the Director of Health and Human Services is authorized and directed to submit a Project application for CDBG funding and all understandings and assurances contained therein, and to provide such additional information as may be required; and be it further

RESOLVED, That the County Executive is authorized to execute any agreements and associated documents necessary to receive such funding.

Signed: Whitney, Rankin, Pavlock, Lawton, Whitford, Niebel, Nazzaro, Harmon, Gould

Unanimously Adopted – September 22, 2021

RES. NO. 195-21
Amend Chautauqua County Health & Human Services 2021 Adopted Budget for Increased ELC COVID Grant

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

WHEREAS, Chautauqua County was awarded New York State Department of Health (NYSDOH) funding in the amount of $303,643 for Epidemiology and Laboratory Capacity for Infectious Diseases (ELC) for the two year period from July 1, 2020 to June 30, 2022; and

WHEREAS, the amount of the ELC COVID grant has been increased to $717,015 and the term of the grant has been modified to July 1, 2020 to March 31, 2023; and

WHEREAS, 2021 revenue for the ELC COVID grant is now projected to be higher than the budgeted amount; and

WHEREAS, 2021 expenditures for the ELC COVID grant are now projected to be in excess of the budgeted amount; now therefore be it

RESOLVED, That A Fund Balance is appropriated as follows:

DECREASE THE USE OF FUND BALANCE:

A.----.----.917.0000	Unassigned Fund Balance— Unassigned Fund Balance	$ 36,256

; and be it further

RESOLVED, That the Director of Finance is authorized and directed to make the following changes to the 2021 Adopted Budget:

INCREASE REVENUE ACCOUNT:

A.4010.---- R440.1001	Federal Aid — Publ Hlth: ELC & CDC COVID Grants	$137,627

DECREASE REVENUE ACCOUNT:

A.4010.PHSA.R340.1000	New York State Aid — Public Health Grant	$ 11,037

INCREASE APPROPRIATION ACCOUNTS:

A.4010.----.1	Personal Services— Public Health Admin	$ 26,288

A.4010.----.2	Equipment— Public Health Admin	$ 11,466
A.4010.----.4	Contractual— Public Health Admin	$ 36,791
A.4010.----.8	Employee Benefits— Public Health Admin	$ 15,789
	Total	$ 90,334

Signed: Whitney, Rankin, Pavlock, Lawton, Whitford, Niebel, Nazzaro, Harmon, Gould

Unanimously Adopted – September 22, 2021

RES. NO. 196-21
Accept New York State Department of Health COVID 19 Vaccine Response Award

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

WHEREAS, the New York State Department of Health (NYSDOH) has awarded a COVID 19 Vaccine Response Award to the Chautauqua County Department of Health and Human Services to promote and increase COVID-19 vaccine and other vaccine uptake for the period January 1, 2021 through June 30, 2024 in the amount of $142,088.42; now therefore be it

RESOLVED, That the County Executive is hereby authorized to enter into agreements for, and execute all necessary award-related documents for, the above-named award, for so long as the County continues to be funded by this program; 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: Whitney, Rankin, Pavlock, Lawton, Whitford, Niebel, Nazzaro, Harmon, Gould

Unanimously Adopted – September 22, 2021

RES. NO. 197-21
Amend Chautauqua County Health & Human Services 2021 Adopted Budget for New York State Department of Health ELC Reopening Schools Award

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

WHEREAS, Chautauqua County has been awarded a New York State Department of Health Epidemiology and Laboratory Capacity for Infectious Diseases (ELC) Reopening Schools Award in the amount of $4,339,779 for the period July 1, 2021 through July 31, 2022; and

WHEREAS, revenues and appropriations associated with this award were not included in the 2021 Adopted budget; now therefore be it

~~WHEREAS, 2021 revenue for the ELC Reopening Schools Award is now projected to be higher than the budgeted amount; and~~

~~WHEREAS, 2021 expenditures for the ELC Reopening Schools Award are now projected to be in excess of the budgeted amount; now therefore be it~~

RESOLVED, That A Fund Balance is appropriated as follows:

DECREASE THE USE OF FUND BALANCE:

A.----.----.917.0000	Unassigned Fund Balance— Unassigned Fund Balance	$ 20,637

; and be it further

RESOLVED, That the Director of Finance is authorized and directed to make the following changes to the 2021 Adopted Budget:

INCREASE REVENUE ACCOUNT:

A.4010.---- R440.1001	Federal Aid — Publ Hlth: ELC & CDC COVID Grants	$1,606,054

DECREASE REVENUE ACCOUNT:

A.4010.PHSA.R340.1000	New York State Aid — Public Health Grant	$ 5,988

INCREASE APPROPRIATION ACCOUNTS:

A.4010.----.1	Personal Services— Public Health Admin	$ 14,663
A.4010.----.4	Contractual— Public Health Admin	$1,555,958
A.4010.----.8	Employee Benefits— Public Health Admin	$ 8,808
	Total	$1,579,429

Signed: Whitney, Rankin, Pavlock, Lawton, Whitford, Niebel, Nazzaro, Harmon, Gould (A.C. – Amended by strike through and additional text indicated by bold)

Unanimously Adopted – September 22, 2021

RES. NO. 198-21
Amend 2021 Budget Appropriations to Include Additional IGT Matching Funds

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

WHEREAS, for the period April 1, 2018 through March 31, 2019, free-standing mental health clinics operated by the Chautauqua County Department of Mental Hygiene (CCDMH) can qualify for a match of federal funds, expected to be no less than 50%, through the Intergovernmental Transfer (IGT) program; and

WHEREAS, the County must provide a local share contribution separate and apart from CCDMH operating revenues in order to qualify for the IGT match; and

WHEREAS, the County has been notified that the IGT for the State Fiscal year 2018-2019 is now being offered; and

WHEREAS, it is optimal that the surplus revenue from the IGT program be made available to the CCDMH so it can offset the expenses associated with a recently settled grievance filed by current and former employees of CCDMH; now therefore be it

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2021 Adopted Budget:

INCREASE APPROPRIATION ACCOUNTS:

A.6101.----.4	Contractual—Medical Assistance	$131,213
A.4320.----.1	Personal Services—Mental Hygiene Programs	$ 82,000
A.4320.----.8	Employee Benefits—Mental Hygiene Programs	$ 49,213
	Total	$262,426

INCREASE REVENUE ACCOUNTS:

A.4320.----.R349.0000	NYS Aid—Mental Health	$131,213
A.4320.----.R449.0000	Federal Aid—Federal Aid-Ment Hlth	$131,213
	Total	$262,426

Signed: Whitney, Rankin, Pavlock, Lawton, Whitford, Niebel, Nazzaro, Harmon, Gould

Unanimously Adopted – September 22, 2021

RES. NO. 199-21
Authorize Use of Chautauqua County 2% Occupancy Tax Reserve Funds for Mallard Cove Repairs

By Planning & Economic Development and Audit & Control Committees:
At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, Chautauqua Lake is an invaluable asset to Chautauqua County but has been designated as an impaired water body and its health and usability are threatened; and

WHEREAS, in 2017 a 2% Occupancy Tax grant-funded streambank stabilization project was implemented on an unnamed tributary to Chautauqua Lake that adjoins the Mallard Cove Subdivision; and

WHEREAS, the severe storm event of July 17-18, 2021 resulted in the failure of the streambank and streambed immediately upstream of the 2017 project, and the failing streambank and streambed will eventually cause the 2017 project to also fail unless remedial measures are implemented; and

WHEREAS, the Chautauqua County Soil & Water Conservation District recommends a remedy whereby large rock riprap will be used to stabilize the failing streambed and the existing streambank stabilization materials will be re-oriented in a manner that better protects the adjoining properties and extends the useful life of the project, at a cost not to exceed $8,500; and

WHEREAS, the 2% Occupancy Tax Program Reserve has a balance of $235,634 for projects of special opportunity and need; therefore be it

RESOLVED, That the Chautauqua County Legislature designates $8,500 from the 2% Occupancy Tax Program Reserve to be dispersed to the Chautauqua County Soil & Water Conservation District for implementation of the remedy; and be it further

RESOLVED, That the County Executive is hereby authorized to enter into any and all contracts necessary to implement the terms of this resolution; and be it further

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

INCREASE THE USE OF FUND BALANCE:
A.----.----.889.WATR Reserved Fund Balance-MISC RES: Lakes & Watrway $8,500

; and be it further

RESOLVED, That the Director of Finance is authorized and directed to make the following amendment to the 2021 Adopted Budget:

INCREASE APPROPRIATION ACCOUNT:
A.8020.WTRS.4 Contractual—Planning, Watershed Administration $8,500

Signed: Niebel, Nazzaro, Gould, Muldowney, Harmon, Rankin, Starks, Ward, Lawton, Penhollow

Unanimously Adopted – September 22, 2021

RES. NO. 200-21
Amend 2021 Budget – Village of Lakewood Loan

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

WHEREAS, Chautauqua Lake is an invaluable asset to Chautauqua County but has been designated as an impaired water body and its health and usability are threatened; and

WHEREAS, the Chautauqua County Department of Planning and Development (CCDPD), the Chautauqua Lake and Watershed Management Alliance (Alliance), the Village of Lakewood, and the Town of Busti successfully partnered in 2016 to procure previous state funding pursuant to Resolution No. 193-16, which produced a stormwater engineering study and report completed May 2018, identifying stormwater projects located within the Village of Lakewood and Town of Busti that were then pursued through 2018 CFA grant funding, implementation of which will have a positive impact on the environmental health of Chautauqua Lake; and

WHEREAS, the Chautauqua County Legislature committed to extending a 0% loan for up to $450,000 in Resolution 22-19, with a term no longer than the corresponding state assistance contracts between the Village of Lakewood and New York State granting agencies, generally 5 years in length, to assist the Village of Lakewood in accessing working capital to offset the burden of the reimbursable nature of these two grants; and

WHEREAS, revenues and expenditures associated with the loan were not included in the 2021 Adopted Budget; now therefore be it

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2021 Adopted Budget:

INCREASE APPROPRIATION ACCOUNT:		
A.8020.----.4	Contractual—Planning	$450,000
ESTABLISH & INCREASE REVENUE ACCOUNT:		
A.8020.----.R238.9002	Shared Services—Oth Home & Community Svcs-Oth Govts	$450,000

Signed: Muldowney, Harmon, Rankin, Starks, Lawton, Penhollow, Ward, Niebel, Nazzaro, Gould

Unanimously Adopted – September 22, 2021

RES. NO. 201-21
Authorizing and Approving a Settlement Agreement in an Action Relating to the Opioid Crisis (Big 3 Distributors)

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

WHEREAS, there is pending litigation regarding the opioid addiction crisis on behalf of New York State and its local subdivisions, in which the County of Chautauqua is a named plaintiff in the action (the "Action"); and

WHEREAS, the Action is against several defendants, including manufacturers of opioids, distributors of opioids, and chain pharmacies; and

WHEREAS, the Action alleges several causes of action against defendants McKesson Corporation, Cardinal Health, Inc., AmerisourceBergen Drug Corporation, PSS World Medical, Inc., Kinray, LLC, Bellco Drug Corporation, and American Medical Distributors, Inc. (the "Big 3 Distributors") based on claims that the Big 3 Distributors contributed to the opioid epidemic by failing to comply with their obligations under the federal Controlled Substances Act and the New York Controlled Substances Act to implement adequate measures to prevent diversion of the prescription opioids they distributed to pharmacies and others in Chautauqua County, all of which contributed to a public health crisis in Chautauqua County; and

WHEREAS, the New York State Attorney General's office has approved a settlement agreement and release form with the Big 3 Distributors (the "Agreement") to settle the claims of the State and its subdivisions, and pursuant to the Agreement, the Big 3 Distributors shall pay the State and its subdivisions a minimum of approximately $550 million and a maximum of approximately $1 billion, with the County's share between approximately $2,544,362.32 and approximately $4,494,579.61 over eighteen (18) years, and the Big 3 Distributors shall agree to create and maintain a national clearinghouse with strict requirements on data sharing designed to account for opioid shipments by the distributors and others; and

WHEREAS, the Agreement provides that approximately 21% of the County's final settlement proceeds will be unrestricted as to their use, and approximately 79% of the County's final settlement proceeds may only be used for Approved Uses, which are defined to include the following categories: Treating Opioid Use Disorder; Supporting People in Treatment and Recovery; Connecting People who Need Help to Help; Addressing the Needs of Criminal-Justice Involved Persons; Addressing the Needs of Pregnant or Parenting Women and Their Families, Including Babies with Neonatal Abstinence Syndrome; Preventing Over-Prescribing and Ensuring Appropriate Prescribing and Dispensing of Opioids;

Preventing Misuse of Opioids; Preventing Overdose Deaths and Other Harms; Supporting Law Enforcement and First Responders; Supporting Opioid Abatement Research; Supporting Post-Mortem Efforts (such as toxicology tests, autopsies, investigations, indigent burial, and epidemiologic data); and

WHEREAS, it is in the best interest of the County to resolve the Action with the Big 3 Distributors without further litigation, and enter into the proposed Agreement as it shall settle all allegations against the Big 3 Distributors and avoid protracted litigation; therefore be it

RESOLVED, That the County Executive and the County's counsel are each authorized and empowered on behalf of the County of Chautauqua to execute the Agreement with the Big 3 Distributors to settle the Action of the County against Big 3 Distributors relating to the opioid addiction crisis, and execute such other documents as may be necessary and appropriate to effectuate said settlement with the Big 3 Distributors.

Signed: Whitney, Rankin, Pavlock, Lawton, Whitford, Niebel, Nazzaro, Harmon, Gould

Unanimously Adopted – September 22, 2021

RES. NO. 202-21
American Rescue Plan Act (ARPA) Spending Plan

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

WHEREAS, President Biden signed into law the American Rescue Plan Act (ARPA) on March 11, 2021, and this legislation contains a wide array of stimulus and recovery funding designed to ensure the nation's swift economic and public health recovery from COVID-19; and

WHEREAS, as part of the $1.9 trillion package, $350 billion was allocated into a State and Local Fiscal Recovery fund to help offset revenue losses and address specific public health and economic initiatives; and

WHEREAS, the U.S. Treasury Department issued detailed guidelines for the allowable use of this funding by county governments, which include four categories:

- Respond to COVID-19 and its economic effects
- Provide premium pay to essential workers
- Restore lost revenue
- Water, Sewer, and Broadband Infrastructure Projects; and

WHEREAS, Chautauqua County received an award of $24,600,000 in ARPA funding, of which $18,219,169 is available for general county spending based on the Treasury Department's revenue loss formula and other guidance, and the remaining $6,380,831 in funding can only be spent on designated ARPA categories including premium pay; water, sewer, and broadband projects; and responding to the COVID-19 pandemic and its associated economic impacts; and

WHEREAS, the ARPA funding is to be committed in two equal tranches of $12,300,000, and unexpended funds are not subject to recapture or return until December 31, 2026; and

WHEREAS, an ARPA Committee consisting of the County Executive, several legislators, and several department heads worked for many months to create an ARPA Plan (Plan) consisting of projects that will be implemented to address the key strategic categories as defined by the Department of Treasury; and

WHEREAS, a request for projects addressing the key strategic categories as defined by the Department of Treasury was sent to all County department heads; and

WHEREAS, the County Executive and the ARPA committee are placing a special emphasis on Public Health, Infrastructure, Economic/Workforce Development, Clean Water, and Public Safety projects; and

WHEREAS, a work group session, open to the public, was held on September 8, 2021 with the County Legislature wherein the Plan was presented and discussed; and

WHEREAS, the Plan has been thoroughly reviewed by the ARPA Committee who recommended its adoption to the County Executive, who, in turn, is recommending approval of this Plan to the County Legislature; and

WHEREAS, the projects in the Plan identified in the table below, and recommended for approval by County Legislature, are sustainable, and have a County-wide impact; and

Public Health	
Healthy Housing/Lead-based Paint Remediation (Yr. 1)	$700,000
Strong Starts Chautauqua (Yr. 1)	$378,000
IT Upgrades for PH (Yr. 1)	$110,000
Ag Bldg Upgrades/Building Consolidations/Relocation Costs (Yr. 1)	$1,100,000
Replenish PPE (Yr. 1)	$90,000
Purchase Deterra Pouches (Yr. 1)	$45,000
Address Isolation/Quarantine Housing (Yr. 1)	$100,000
HVAC/Indoor Quality Improvements for County-owned Properties (Yr. 1)	$640,000
Paving Project at EOC for drive through PH Clinic (Yr. 1)	$250,000
Community Contracts/ PH Emergency Response Planning & Preparation (Yr. 1)	$200,000
Infrastructure	
Provide Broadband to Unserved or Under-served Communities (Yr. 2)	$2,500,000
County Internet Bandwidth Upgrades (Yr. 1)	$173,000
Water/Sewer Infrastructure for Shovel-Ready Site(s) (Yr. 2)	$1,400,000
Purchase 60 Ton Crane (Yr. 1)	$650,000
Purchase 2 new dump/plow Trucks (Yr. 1)	$480,000
Purchase 1 new snow blower (Yr. 1)	$810,000
Purchase Long Arm Excavator (Yr. 1)	$400,000
Air Service Development Study (Yr. 1)	$72,000
Conewango Watershed Dam Rehabilitation	**$500,000**

Economic/Workforce Development	
Site Acquisition for Shovel-Ready Site(s) (Yr. 1)	$1,400,000
Occupancy Tax Program Bolster (Yr. 1)	$800,000
CCPEG - Multitude of Economic Development Initiatives (Yr. 1)	$500,000
Workforce Dev. Initiative - WIB, JCC, CCVB, and other workforce partners (Yr. 1)	$352,000
Environmental Permit Fee Waiver Program (Yr. 1)	$240,000
CCE Agricultural Improvement Program (Yr. 1)	$232,540
Marketing Assistance to Businesses & NFPs via CCCC & CCIDA (Yr. 1)	$400,000
Clean Water	
Phase 2 of the S&CCLSD west side extension from Stow to the terminus of the NCLSD at Prendergast Creek (Yr. 1: $108,342 & Yr. 2: $8,300,000)	~~$8,408,342~~ ~~**$7,545,342**~~ ***$7,045,342***
Soil & Water Conservation District (Yr. 1)	$250,000
Chautauqua Lake District Work Plan (Yr. 1)	$150,000
Jefferson Project County Contribution (Yr. 1)	$250,000
Repair & Rehabilitation of NCIWD Water Storage Tank	**$863,000**
Public Safety	
Remodel Print Shop to expand Dist. Att. Office (Yr. 1)	$70,000
New Handguns (Yr. 1)	$64,610
Personal Ballistic Vests (Yr. 1)	$30,000
Body & Mail Scanners (Yr. 1)	$318,000
Communications (Yr. 1)	$175,000
Message Board (Yr. 1)	$30,000
EOC Upgrades (Yr. 1)	$41,500
Replace Dive Boat (Yr. 1)	$135,000
EMS Equipment (Yr. 1)	$121,200
Miscellaneous	
Digitize County Records (Yr. 1)	$33,808
Upgrade County Trails (Yr. 1)	$250,000
ARPA Administrator (Part-Time) (Yr. 1)	$250,000

WHEREAS, that while the descriptions and funding amounts for projects recommended in the Plan have been ascertained, they are subject to change in terms of the scope of each project, funding amounts, or in other ways, and maximum flexibility needs to be granted to the Department Heads managing these projects so that legislative review is not required every time a project undergoes a non-substantive change; therefore be it

RESOLVED, that the Chautauqua County Legislature hereby approves the projects in the ARPA Plan **as priority projects, subject to further review and final approval upon passage of appropriation resolutions;** and it is further

RESOLVED, That projects that change substantively or are removed from the ARPA Plan, and/or the introduction of new projects using ARPA funds, will require the Department

Head responsible for managing the project to propose an amendment to the ARPA Plan; and be it further

RESOLVED, That the Director of Finance is authorized to make any technical adjustments necessary to facilitate this resolution.

Signed: Nazzaro, Niebel, Gould, Bankoski, Pavlock, Whitford, Whitney, Harmon, Rankin, Whitford, Lawton (P.S – Amended by strike through and additional project added)(A.C. – Amended by strike through and additional project added) (LEG – Amended by additional text in first "Resolved" Clause)

MOVED by Legislator Nazzaro to AMEND, SECONDED by Legislator Gould – *Unanimously Carried*

AMENDED – September 22, 2021

Unanimously Carried - R/C Vote 19 Yes; 0 No – September 22, 2021

RES. NO. 203-21
Quit Claim Deeds

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

WHEREAS, the Administrative Services Committee of the County Legislature has received and hereby recommends acceptance, pursuant to Section 1166 of the Real Property Tax Law, the following offers for the County's Tax Liens as detailed on the attached Schedule 1 under tax sale certificates noted on original papers on file in the office of the Director of Finance; and

WHEREAS, that unless otherwise noted, the County Tax Enforcement Officer has confirmed that the offers received are in compliance with the County's policy regarding tax foreclosure as set forth in Resolution No. 110-17; now therefore be it

RESOLVED, That the Executive and Chairman of this Legislature be hereby authorized to execute Quitclaim Deeds conveying to the offers herein mentioned, the interest of Chautauqua County in said properties under said tax sale certificates; and be it further

RESOLVED, That the Director of Finance of Chautauqua County be hereby authorized to cancel any outstanding taxes, fees, interest and other charges. In adopting this resolution, the Legislature intends to adopt each transaction separately, in the usual form of Resolution, and the failure of any particular transaction to be completed shall in no manner affect the validity of any of the others.

Offer Number	Municipality	S/B/L	Purchaser	Foreclosed Owner	Offer Amount	Taxes Owing
PA-56-2016	City of Jamestown	060800-387.08-4-72	Harold & Virginia Sweet	Adam Pirtz	$300.00	$526.37
PA-147-2019	City of Jamestown	060800-387.12-4-47	Voyl Thomas Meacham	Christopher & Tabitha Mascelli	$1,000.00	$435.45

PA-149-2018	City of Jamestown	060800-387.32-1-4	Barbara Johnson	Samuel Pollino	$1.00	$201.11
				Total	$1,301.00	$1,162.93

Signed: Vanstrom, Scudder, Davis, Starks, Muldowney, Niebel, Nazzaro, Harmon, Gould

Unanimously Carried - R/C Vote 19 Yes; 0 No – September 22, 2021

MOVED by Legislator Rankin/SECONDED by Legislator Nazzaro to bring Emergency Resolution No. 204-21 Rescind 2020 Tax Foreclosure Redemption Date and Consolidate 2020, 2021, and 2022 Tax Foreclosure Proceedings to the floor.

Unanimously Carried to bring Emergency Res. No. 204-21 to the Floor

EMERGENCY RES. NO. 204-21
Rescind 2020 Tax Foreclosure Redemption Date and Consolidate 2020, 2021, and 2022 Tax Foreclosure Proceedings

At the Request of County Executive Paul M. Wendel, Jr., Legislator Chuck Nazzaro, and Legislator Bob Scudder:

WHEREAS, due to the COVID-19 crisis, the County previously extended the 2020 tax foreclosure redemption date to October 30, 2021 to afford additional time for property owners affected by the pandemic to redeem their foreclosed property; and

WHEREAS, also due to the COVID-19 crisis, the County postponed the 2021 tax foreclosure proceeding that would have otherwise commenced in January 2021; and

WHEREAS, in a September special session, the New York State Legislature has further extended COVID-19 hardship provisions applicable to tax foreclosure proceedings through January 15, 2022; and

WHEREAS, as a result of the additional extension of hardship provisions by the New York State Legislature, it is now appropriate to consolidate the 2020 tax foreclosure proceeding with both the postponed 2021 tax foreclosure proceeding and the 2022 tax foreclosure proceeding to be commenced in early 2022; now therefore be it

RESOLVED, that the Chautauqua County Legislature hereby rescinds the 2020 redemption deadline of October 30, 2021 for the 2020 tax foreclosure proceeding, and requests and authorizes the County Executive to consolidate the 2020 tax foreclosure proceeding with both the postponed 2021 tax foreclosure proceeding and the 2022 tax foreclosure proceeding that will be commenced in early 2022, and be it further

RESOLVED, that said consolidated tax foreclosure proceedings should be commenced in early 2022 even if the tax foreclosure proceedings remain subject to COVID-19 hardship provisions enacted by the New York State Legislature.

Unanimously Adopted – September 22, 2021

MOTION: (On file w/Legislature Data)
4-21 Proclaiming October 3-9, 2021 as 4-H Week in Chautauqua County – Unanimously Adopted

---

PRIVILEGE OF THE FLOOR

Chairman Chagnon: 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. Is there anyone wishing to address the second privilege of the floor? Please state your name and address for the record.

Mr. Green: Norman Green – 54 Oneida Drive, Dewittville, New York. Again, I'll go back to the American Rescue Plan. It's adopted. Particularly of concern is the $8 million for the extension of the sewage treatment along the western side of Chautauqua Lake. One-third of the entire money that's been awarded by the federal government for Chautauqua County is going for this line. Is it important? Yes. Is it going to get funded some day? Yes. Money is coming, somewhere, someway. Is it more important than funding things like expanded bus service, or rescuing the White Inn, or having a bus service that goes from Dunkirk to Fredonia to Jamestown so our workers can get to work from Jamestown to the Wells Ice Cream Plant? Is it more important than- and read the headlines- the dam in Fredonia. Speaking of dams, we're talking about these other dams and I'm not suggesting they're not important- the dam in Fredonia is way more important than the sewage line and it's been masked and the masking of it says that its for clean water. It's got nothing to do with clean water. Will Chautauqua Lake be measurably cleaner? Probably, maybe. It will be a measurement like science. It's a bad idea that's going to benefit a dozen millionaires from Cleveland, Ohio. There's a couple hundred people that are going to be effected here. They all have septic systems now- functioning septic systems. The health director says they all don't. If they're dumping sewage in Chautauqua Lake directly then we've got a problem and we need to send the Sheriff there and we need to send the Health Department there. A bigger problem we have is the dam in Fredonia, the water in Fredonia, the opportunity in Dunkirk-Fredonia to do an inter-connect and to have two sources of water. We've got a golden opportunity- a golden amount of money. It's a shame to not take advantage of this money at this time for a problem that is affecting thousands and thousands of Fredonians and Pomfret people. Thank you for your time.

Chairman Chagnon: Thank you. Next, wishing to address the second privilege of the floor?

My name is Katelyn Vacinek. I'm a resident of Silver Creek, New York. I'm standing here today to speak for an organization of people. I've reached out to all 19 legislators through email. I have also emailed the Chairman of the Legislature and called him since August 26th, with no response back from Mr. Chagnon. District 1 and District 6 are the only ones out of 19 to reply. I have asked the legislators to follow suit and uphold the constitution. Cattaraugus County voted anonymously on August 25, 2021. I am asking Chautauqua County to follow the same for all 2020 census of 127,657 residents. It is extremely disheartening that we the people chose you to protect we the people to follow the constitution and continue to do what is best for we the people. No replies speaks volume. When a brave man takes a stand the spines of others are stiffened. Ronald Regan stated, "Freedom is never more than one generation away from extinction. We didn't pass it to our children in bloodstream. It must be fought for, protected and handed on for them to do the same or one day we will spend our sunset years telling our children and our children's children what it was once like in the United States when men were free." Our country is becoming entangled into a web of deception, betrayal and fear. Last two years we have all been in fear about Covid, but we need to reunite as one. We the people did not shed the blood of our ancestors 244 years ago to be silenced into submission for fear of bias political agenda. What is happening is

unconstitutional. Mandate is not law. According to Section 564 of the Federal Food Drug and Cosmetic Act, *(inaudible)* unlawful emergency use authorization – EUA. *(Inaudible)* includes the option to accept or refuse administration of the product according to *(inaudible)*, which is also a federal law. No person shall be coerced, bullied or threatened into participating to any medical experiment. As you all know, all Covid vaccines are for only federal emergency use authorization. Pfizer was extended emergency use authorization. It was never FDA approved. Freedom is the ability to say no. We also have laws like 3700 that protect the people from the government. I am standing in front of the legislators to have an emergency meeting to vote anonymously to stand behind the Constitution and oath they took prior to accepting their positions. Thank you.

Chairman Chagnon: Thank you. Anyone else wishing to address the second privilege of the floor?

Good evening. My name is Kathy Abbate from Ashville, representing the Western New York Freedom Seekers, a fast growing group of concerned, frustrated and upset residents. We come here as citizens of the United States grateful for the inalienable rights given to us by God and acknowledged in our Constitution and Bill of Rights. You were elected into the County Legislature position to represent the will of the people in Chautauqua County. There's a high level responsibility to uphold your legislative roles. We constituents implore you to uphold the oath to which you swore to defend the Constitution of the United States and the Constitution of New York. Over the past few months you were urged to adopt a constitutional sanctuary resolution. Last month, Cattaraugus County passed such a resolution and it was actually noted in a very large newspaper. They're only one of three in the Country. Many of you have been contacted by your constituents regarding moving forward with this, however today we gather outside, as I'm sure most of you saw, not for a resolution but to take a stand against the New York State Government, Federal Government and corporation overreach. There is an immediate threat that needs to be addressed. Allowing tyrannical and unconstitutional mandates to be implemented in our County is unacceptable and we will not stand for it. Forcing people to choose between their livelihoods or nonconsensually putting something in or on their body is not really a choice, but coercion. We want to be very clear with each of you. We expect our local government to protect and uphold our right to provide our families and our medical freedoms. New York law states that that no person shall be denied equal protection. We are demanding equal employment protection. We have a right to work and shop free from unconstitutional mandates. We are asking you to stand for the rights of workers and adopt a freedom ordinance of which we are petitioning. We have hundreds. As of today, we have over 500 signatures and we just started the petition one week ago and we are just getting started. People of Chautauqua County have had enough. With that said, the petition reads as follows, "We, the undersigned, as patrons to our legal residents of Chautauqua County, New York, are expressing our desires to the Chautauqua County Legislature, the County Executive and all county administration regarding the threat being imposed up us regarding our freedoms as guaranteed by the United States Constitution. We are requesting and directing the officials of Chautauqua County Government to draft, approve, and enforce an ordinance and any regulations and policies pertaining to the same which will protect and employment and way-of-life of those persons working for or doing business with any for-profit or non-profit business or organization. Specifically, we feel our medical background is a private matter and it should not be a condition of employment or commerce. We strongly oppose any condition of employment or commerce directly linked to one's vaccination status; mandatory mask wearing; compliance with testing, maintaining, or possessing a Covid "passport'; or any required medical policy or procedure regarding this Covid-19 virus. We feel it is a unilateral, arbitrary, and capricious overreach by those for-profit or non-profit businesses and organizations to impose policies at this time which are contrary to longstanding and established past practice. At no other time until now has one's medical privacy been so threatened. We request, Chautauqua County Government to impose penalties, fines and administrative censure on any for-profit or non-profit business and organization which would terminate or furlough any employees or deny individuals the opportunity for commerce on the basis of their mandatory compliance with Covid-19

policies and procedures." Who here, now, will sponsor this ordinance? Any one of you? We are asking that from you and we are collecting signatures and we are planning on getting thousands of signatures. Thank you for the privilege of the floor.

Chairman Chagnon: Thank you. Anyone else wishing to address the second privilege of the floor?

Ms. Baldwin: I'm changing the subject a little bit here-

Chairman Chagnon: Please remind us of your name and address.

Ms. Baldwin: Sorry, Susan Baldwin Town of Villanova Chautauqua County. They have been doing their major construction in Villanova and I do believe that you may recognize- no you won't recognize her here on her lawn more, but this is the town council member of Villanova her name is Sarah Lomanto. She is right here mowing her lawn and I pulled up to take a picture of these two signs, they are gas well signs, they are gas well signs. They are gas well permits. I looked up the gas well permits and the County Chautauqua has over 800 permitted gas wells to be drilled or run conduits to or plugged. Those are the permits allowed for 800 wells in Chautauqua County. Right now, I turned this into the DEC. I called them up and I said hey they are drilling or working on the gas wells in Chautauqua County. Four members of the DEC told me why yes, they are, they have permits to do that. In 2005 through 2012 about five gas wells every time were permitted by assortments of gas well companies here in Chautauqua county including U.S. Energy, Stearns, Newcomer Energy, all of those energy places. They were giving getting permits. What that page looks like- Chautauqua County, Mansfield, Marsh, McChesney Miller, Mount Nelson there were 16 pages, 50 on each page. They're working on gas wells, however, it just happens to be here next to T28- that's a turbine. Now, we've always wondered how fast they go. The same rate of speed. We have some questions here because this is my water and I've collected some samples. These are samples from dirt's, muds and deposits they've been leaving behind. I turned them in with enviro technics I took my samples to them because when I turned it into the county they said we don't have the technology to test those samples, and I said, you should send for technology if you don't have it, so I did and it has arsenic- it's in my water. I had my water tested one of these is my own water and right here in one of these cans is a bunch of crystals and the crystals I picked up off the road between one of the job sites in the place where they park all their trucks. And I swept it up, they left it there, so I swept some up put it in a jar and I sent it enviro technics. Arsenic, lead, chromium, strontium and a huge amount sulfur and salt was in these crystals. And those are the kind of crystals that frack wells they're drilling-

Chairman Chagnon: Mrs. Baldwin, you've exceeded your three minutes, could you please wrap it up?

Ms. Baldwin: Yes, I will, and this, ladies and gentlemen, is the color of my water. It looks atomic and I don't want to drink it I drink the water- I mean not my water but bottled water because I'm not going to take any chances on having an atomic stomach. My blood pressure was already sky high and that's why I stopped drinking my water. Thank you for your time.

Chairman Chagnon: Thank you. Next to address the second privilege of the floor?

I am Jonathan Golden just tell me when to shut up because I'll just rattle on. What I have say I feel concerns everybody in this country *(inaudible)* people. As a nation we either succeed together or you fail together not *(inaudible)* the vision that our country is in grave danger. We can continue to go on with politics, parties and bias in one way or the other, and we still end up in the same place that gets us nowhere. The reality is, America can fail, a country can fail, it is a country made up of people that's constructed of brick and mortar and it can be destroyed. And the reality is, we all are a part of the fall, we

can't just dictate it on a specific group of people and what's going on in the world *(inaudible)* how serious it is, and I just wanted to give people a brief history of China, just one obstacle it's one of many. But in China, they call it the People's Republic of China. They deliberately put the People's Republic in it. So if you say something bad about China you're not just talking about the government, you're talking about the people as well, and then that way that people can hate you as well and that's why they did it. The PLA- the People's Liberation Army is involved in things that are astronomically horrible and it's so far out there, that people don't even believe it- I can't even believe it myself. We have to change our system in our government, and that starts with places like this – communities. The government is not going to fix itself. A failing government or corrupt people are not going to put it back together and we can remove them and we're still going to have the same problem because it's not just government, it is a cancer that is riddled our country for years. China believe sincerely that they could not beat us in a war, so what they decided to do was Marxism- incited to infiltrate our institutions for decades in order to corrupt our people and, as they say, tear down our institutions pillar by pillar. China doesn't look at things from our perspective, like 5 years or 10 years, they look at it from 100 years. They are methodical they are *(inaudible)* the people are not horrible but the government is, it is a horrible government, it is evil. You cannot rationalize with evil. There's just- that's the way that it is. They want one thing. They have a plan, it's written down, it specifically tells what they're going to do, and why nobody's paying attention to it because they're doing exactly that. It's not just China. It's going to be the first time in history that we're going to be outnumbered by communist nations. Democracy is failing. What they want is to see America on CNN us destroying our cities and burning it down, then they can go look at democracy, look with that is, look how horrible it is. Communist nations utopia *(inaudible)* impossible because utopias are subjective. What I feel is the most amazing thing- somebody else's misery. That's the reality and I just wanted to say that we really need to take action immediately. It has to be in places like this, we have to take risks, we have to put our politicians right on the chopping block and if they don't do what we need the to do, we need to stand up and do something, because otherwise we're not going to have a nation left. Thank you.

Chairman Chagnon: Thank you.

I'm James Baldwin from Cherry Creek, New York. I'm here to complain about the windmills there. My daughter is healthy, she's 22 years old, she gets regular headaches, we hear noises inside our house, wife can't sleep at night, she feels mad constantly for no reason. It goes boom, boom loudly and *(inaudible)* turbines are miss matched so they're making extra noise while they're doing it. Wife has headaches too and the amplifiers and stuff like that are getting interfered in my recording studio and stuff like that. It has some kind of frequency that's going and showing up in there, and my sister in law- she's starting to lose it. She went and shaved her head. I don't know why, but I guess that's all that I got to say.

Chairman Chagnon: Thank you. Anyone else wishing to address the second privilege of the floor?

My name is Kathleen Dennison I live at 50 Eagle Street in Fredonia. You may recall that I spoke last month at the privilege of the floor to express my opposition to a resolution to declare Chautauqua County a constitutional sanctuary. It's my opinion, as I stated last month that we don't need a resolution for constitutional sanctuary- we need everyone to get vaccinated because if we are all vaccinated, then the personal liberty issues with which you are concerned will take care of themselves. I want to draw your attention to an article that was in the Post-Journal a couple of weeks ago. It was about a woman who was fully vaccinated and then contracted Covid and she said two things that I thought were very important and very interesting and informative. The first thing she said was that we all need to work together and she's right. If we're all together and vaccinated together, we will get rid of mask mandates and work stoppages, we need to do it together. The other thing, she said was that doctors, not parents should decide about mask mandates in schools. And I think what she meant by this was that we need to listen to the experts. It's a

funny example, but when my car breaks down, I take it to a mechanic because I don't know anything about cars, so I take it to a mechanic so he can diagnose the problem and fix it. I'm also not an expert on infectious diseases so that's why I trust the science and the doctors who all encouraged vaccinations, so, as I said, I am not in favor of a constitutional sanctuary. We just need to get vaccinated because if you don't- for all of those that you don't, you are infringing on my personal liberties to speak now, and also my personal liberty to live in a world that's free of Covid. Thank you.

My name is Rhonda Smith. I didn't expect to speak and obviously I'm not dressed to the nines, but I can tell you one thing. I'm a registered nurse, I've been in home care for a very long period of time, and I look around and I'm very disturbed, I'm looking around at the generation that fought. Not *(inaudible)*- what a disgraceful bunch honestly, so I just want to say something logically if Covid was as horrible as it is, why are we allowing immigration to come over 1.6 million without vaccinations, without masks, anybody think logically? Right, I mean it makes no sense so here's something to think about. In the 80s, looking around I was in the 80's, majority of you were too. AIDS- right? It's a virus. O.k., killed hundreds of thousands of people around the world. Didn't know how it was spread, didn't know- you couldn't even touch people's hands don't kiss him on the cheek, don't kiss him at all, right? We went on and on and on, and I'm not going to ask you guys to raise your hands, because you're all robots but you remember this right? Was there any pandemic masks? No? How about I hear doctors that say, "oh, you know what, we're going to test for the flu, because you know what it's going to come up as a Covid because I get more money for that." That's o.k.? You guys are disgraceful.

Chairman Chagnon: Thank you.

My name is Victoria Knap, I live in Jamestown, New York. I wasn't planning on speaking tonight. I'm standing with many of my colleagues from the healthcare field. Collectively, we have many years of experience under our belt from various disciplines in the healthcare field. I'm on my way to work actually, possibly it's my last shift because of a mandate that the state has come down with for those of us that are non-vaccinated against Covid, will lose our job. There is no opt out for us at this time, however, a very brave man, a very brave judge in upstate New York granted us an injunction until October 12th. I'm very thankful for that. I'd like to just talk about the possibility of this leading to very negative consequences in our in our county. It was estimated that possibly 700 healthcare workers are affected by this mandate. I challenge that number. I think it's much higher than that. And we're already seeing lost services. OR's are closing down, upstate New York also received a closure of delivering babies. And I think that's just the beginning of closure of necessary services in our healthcare field. I work for two facilities, I know many of us, we work from number of facilities and our ER's are packed to the gills for various reasons, not because of Covid only, many, many reasons. I just asked you to consider looking at this mandate and overturning it or going to your powers that be to help us to continue to do our jobs because we love what we do, we love, taking care of people, and we ask that you help us to continue to take care of you and your loved ones. Thank you.

Bob Whitney, 41 Hallock Street, Jamestown, New York, I want to face one accusation made tonight that we didn't respond to emails. I receive many emails. I did not get anybody from in my district, therefore, I did not respond to anybody, but I did receive them. If it would have been something my district I would have responded. And the other thing I want to remind everybody that today we declared the 24th of October as World Polio Day. Where'd polio go? Think about it- vaccine. Thank you.

Danielle Conroe, I am a Falconer resident, Chautauqua County. I'm a registered nurse for 15 years. Two years ago, Governor Cuomo removed our religious exemptions which kicked 25,000 children out of the State of New York. I decided to homeschool. Those children that had a religious exemption did not pose a risk to the vaccinated children in their school. So I homeschool and now we're in the same position. I'm a registered nurse, I'm losing my job. I am a single mom, I have three kids. If you look at the

number of vaccines that were given to you guys that you all have, probably about five maybe more. Our children, now, going to school in New York State are getting 23 to 50 vaccines by the time they're age 17 or 18- I don't know the exact numbers. There's a lot of chemicals going in our children. That's all I have to say.

Chairman Chagnon: Thank you. Next?

Hello, my name is Aaron Billquist I work at a couple different facilities, as well. I live in Falconer, New York. I wasn't going to speak, either, but after Victoria spoke, I worked with her as well, I figured I might as well put my input in a little bit. I'm going to read something that I put on Facebook not too long ago- kind of sums up a lot about what we've been talking about. I've been a registered nurse for approximately 16 years spending the majority of my career in critical care and emergency medicine. I'm one of many healthcare workers who battled the front lines last year during the Covid outbreak in our area. Many of us went above and beyond our call to help out others in our community, with much of the time spent with little to no proper PPE. I know you guys also know, we ran out of PPE in a couple facilities and had to reuse and go against CDC guidelines in order to make it work. As with the rest of the country, we are forced to reuse N95 surgical masks. Even though the conditions were grim we continued to show up, day after day, to save our patients. Many of us swam in Covid week after week, some of us succumbed to sickness, but the majority of us did survive. As healthcare workers there aren't many of us who would consider us ourselves anti vaxers. We generally understand that there are diseases that are better maintained with vaccines, such as Polio I don't remember who just said that, measles, mumps, rubella, tetanus, etc. The majority of those illnesses can be avoided, with a couple of vaccines that offer lengthy immunity. Illnesses like Covid, influenza, RSV are very difficult to eradicate due to their mutation and transmission rates. Even though the current Covid vaccines are good at decreasing your risk of being hospitalized, they are not foolproof. We have seen this, I have seen this day in and day out. You can still be infected, hospitalized and transmit the disease. The length of immunity offered from them lasts at most eight months. We're seeing this in studies right now. Regardless of the number of booster shots that are offered, we, the world will never be rid of Covid. It will become a seasonal illness such as influenza, this was just reported by WHO last week. Something that we must learn to deal with as a society free of shutdowns and forced vaccines. Being in healthcare, especially as a nurse, I find it very important to understand and empathized with my patient's choice, as is their right. I would never withhold care or treat one of them differently, because of the way they chose to live their life. America was built on this freedom. I asked that you support our right to choice. Being medical professionals, we have had time to weight the pros and cons regarding the Covid vaccines, those of those of us who have not yet received that have chosen not to. For the government to say that we are not competent or of sound minds to make the decision for ourselves is appalling, this is our choice, our body. The misguided efforts to politicize this disease, along with the vaccines, has caused many illogical statements to come out things such as we need to protect the vaccinated from the unvaccinated, our patients should know that they're in a facility of fully vaccinated individuals, the pandemic would be over 80% of us are vaccinated, or the complete oversight of natural immunity. I ask that you stand with us, stand next to the freedom of choice, stand next to the healthcare workers who put their life on the line every day for our patients choice. Don't let any more healthcare workers resign over such an infringement of personal choice. We can't afford the loss, we really can't afford the loss, we're on the edge as it is with staffing shortages. And as Victoria had started to say with her statement, the trickle effect has just been-

Chairman Chagnon: You've well exceeded your three minutes, if you could wrap it up.

Mr. Billquist: O.k., the quick wrap up is we can't afford to lose anyone else, we are already at the brink in the hospitals. We're closing down OR's, we're closing down different facilities. We are going to get to a point where the ER's are not going to be able to handle the workload that we're going to have.

People are going to be waiting in the parking lot, people are going to be dying and we can't let this happen. Thank you.

Chairman Chagnon: Thank you.

Gerrit Kane, 2486 FalconerFrewsburg Road, Jamestown New York. I'm here speaking for the Western New York freedom seekers, the Tea Party Patriots of Chautauqua County and the Chautauqua County Libertarians. Good evening, Mr. Chairman, members of the Legislator and County Executive. The past few months, individuals from the groups I'm representing have spoken here in order to urge you adopt the constitutional sanctuary resolution. Last month, Cattaraugus passed such a resolution, many of you have been contacted by your constituents regarding moving forward to this and I also urge you to do so. I also want to clarify why we believe such a resolution is necessary, last month, a few of your colleagues spoke against the constitutional sanctuary resolution in the defense of if we all get vaccinated, then this will just end. It's the government overreach that we're concerned about. I encourage you to study your world history and the rise of tyrannical and totalitarian governments. In March of 2020 the state legislature handed Governor Cuomo sweeping executive powers and he issued sweeping mandates shutting down our schools, many of our local businesses and places of worship. Many of us closely watched a number of cases, hospitalizations and deaths. In our rural area, it seemed like the drastic shutdown and lockdown measures we're doing more damage than the virus. Drug use and domestic violence spiked, businesses that were forced to shut down closed for good, parents and kids were stressed with the closure of schools and transition to remote learning, people suffered from spiritual lethargy from not being able to gather for worship, many of us outside this evening were also on the streets raising our voice against these overreacted mandates in 2020. And what did you do, ladies and gentlemen? You made some emergency adjustments to the budget, we appreciate that and yet, besides that it was business as usual, except you got to zoom from your home and public participation was limited to written statements into the Clerk. No opposition to the mandates that were crippling your constituents. What did our county executive do? You went into the control room with Kathy Hochul and other politicians multiple times a week, a meeting a public officials, without the public or press present. Therefore, no one knows what went on in there, but it was apparent that our Executive offered little to no opposition of these mandates. In our opinion, you missed a golden opportunity to stand up to the State use Home Rule and nullification to push back on these unconstitutional mandates. Fast forward to right now we're staring down the barrel of state and federal mandates that are further threatening the stability of our education system, our health care system and the incomes of our local families. Again, this is in the name of defeating Covid and getting back to normal. Covid Chautauqua County. We hear a lot about the number of cases being high and that these are mostly unvaccinated yet only 49% -less than half of the cases since August are confirmed unvaccinated. I think, by now, we realized that cases should not remain metric. We should look more at severity of symptoms and hospitalizations. Locally, stress in our healthcare system is not overwhelming and the vast majority of cases are recovering quickly at home. Nearly 20% of our population is recovered from Covid and 80% of our most vulnerable population of folks over 65 have been fully vaccinated. In light of recent studies out of Israel, indicating natural immunity from having the virus is as good if not better than the current vaccines, we should be encouraged and not spreading fear or panic. In a free society, each individual should have sovereignty over their medical decisions. No institution, especially government should coerce or otherwise force someone into putting a drug into their body against they're willing conscience. I respect those of you that have chosen to get vaccinated. Many of my friends and family are vaccinated and I hope and pray it's effective. Everyone makes their own risk assessment or cost benefit analysis when it comes to these vaccines. Likewise, everyone can make their own decisions in regards to who their family associates with. My cost benefit may be much different some from someone who is older or has more health issues. What I think is a big factor for many of us who have chosen not to get the vaccine or give it to our children is the fact that there have not been any long term longitudinal studies for these vaccines. Like I said, I hope and pray for the sake of my loved ones who've gotten it that there aren't, but the fact is we just don't know yet. Therefore, we must respect

each other's decisions, if you agree with this statement, it is time to act. Draft an ordinance or resolution that says, our county will not tolerate any level of government mandates that violate our medical freedom or right to privacy of our healthcare information. Please realize that there are a significant number of your constituents paying close attention to what each of you do, or say, or not do in regards to these unconstitutional mandates. We know it won't be easy, and we know the state will likely push back, but it's long past time to take a stand. If you choose not to act, there are people that are ready to replace you in two years. If you do, we'll support you 100%. Please follow the lead of our former County Executive and State Senator Borrello. Start speaking up and pushing back against the bullies in Albany and Washington, thank you.

Hi, my name is Kelly Lisandro(?) and I'm a registered nurse and I've been for 21 years and I just want to say, you know we can battle this Covid issue- Covid not going away- Covid is not going away. I have taken care of the patients in this county for 12 of my 21 years. I have gone into people's homes- I'm a home care nurse. I've been going into your families homes for the last two years without correct PPE. I've been wearing the same blue surgical mask for all six to eight patients that I have in an eight hour day, the same mask on and off thrown in my car taking care of- on and off. I mean come on. Covid- this is what I'm trying to protect people from and what I'm trying to keep on spreading. I just want the choice to decide whether I want this vaccine. Government isn't having *(inaudible)*. Pfizer representatives aren't- people who work for Pfizer and Moderna don't have to take this. Why is a healthcare provider that I- and I've been working for the last two years, through this pandemic- am I being forced to decide whether I'm getting this vaccine, or whether I'm going to have my job. I don't care about all this other crap, but I want to be able to work and take care of people, that is what I love and that's what I've always wanted to do. But you are making this impossible I want someone to stand up for us, we take care of people because we want to, not because it's a fun job or an easy job or a glorious job. Now you want me to take a shot and you want my kids to take a shot too, I mean that's not ever happening, but I want to take care of your families, I want to take care of you, I want to take care of your children. But you are making me make a decision I don't want to make. I'm not getting this shot, I want to work, and I want to take care of people. We have to have a *(inaudible)* I deserve to have a choice, if you want the vaccine go ahead that's fine, but I deserve to have a choice and continue with my job and I'll wear all the equipment you want to give me- the same surgical mask that I'm wearing for eight hours a day, but I deserve to have a choice. You don't understand that is a terrible feeling to not have a choice and what you want to do in order to keep your jobs. I just want a choice I want someone to stand up and say we, we, in Chautauqua County are going to give our health care providers a choice. Let's test them. We love testing- let us test, let us opt out, but give us a choice you guys are going to be in a really bad position. I don't care what you're thinking. You think you're going to be able to replace us. I don't want to be replaced, I want to work, I want to work, and I want to take care of your families, I want to take care of people, I just want to have a choice.

Chairman Chagnon: Thank you.

County Executive Wendel: If I could please, I'm listening. *(Inaudible)* the strongest opposition in those control rooms has been my voice. I have fought. Kathy Hochul will tell you. I said in the meeting last week with County Executive's across the state, two weeks ago when we found out that there was a letter that went out, I immediately sent an email to Melissa *(inaudible,)* the direct executive assistant to the governor. The governor was in New York City with Melissa called me and said County Executive, she read your email. I proposed and then focused on nursing homes that 80% to 90% vaccination- let our employees work, test out, give them an option. County Executives across the state have stood for the same position. We are working. I've spoken with the governor's assistant fighting as County Executive's to have a sit down with the governor. We know this is critical. Our Covid team, myself, the Sheriff, Mr. Guttman- we're issuing, we're planning- God forbid, if something were to happen. My wife's a respiratory therapist and I'm well aware of what's going on. I have been fighting continuously. I' was demanded to make a mask mandate for schools- did not do it. I will continue to fight the governor, getting in her ear

and telling her this is not the right thing to do. That's the best I can do. Anybody here they know me personally, please go to the controller, they were surprised that I actually had a pleasant word to say *(inaudible.)* I've been fighting Larry Swartz. I've been fighting everything along the way for you guys. I'm not doing this as some stunt, but I just want you to know, please reach out to me, reach out to my office, I will convey this message. The hopes that we have is a meeting with the government, we have asked, we have asked, we have asked. I thank you for your time, thank you for all sharing your information, I wanted to share that with you tonight. Thank you.

Tammy Sheck(?), Dewittville and I just really have a sentence and that's it. It is not your job to protect us, it is your job to protect our rights. And that's the bottom line, and we have a lot of opportunities for you to prove that you're doing that, not just to talk to Katherine Hochul in your own private messages, but you can actually sponsor the ordinance and put it in writing and put it to vote, so we can see who's putting their money where their mouth is.

Chairman Chagnon: Anyone else wishing to address the second privilege of the floor?

My name is Doug Champ. I live in Jamestown, New York. At 18 I got vaccinated 18 times in the military to become a veteran in places where other people didn't want to go. Out on the wall it's fellows that I know died from this county in Vietnam. I wouldn't be here now, if it wasn't for my brothers and when I hear this country- my dad fought in the Pacific at Okinawa, Iwo Jima. God knows what he went through. My mother was a sergeant in World War Two. That's why I went in, but when I hear people trashing what happens in this country, I want all of you to have your freedom, I want you to have your non vaccinated status, I want you to be employed but don't go back on what your family relatives did for this country and trash it. You haven't been where I've been. I hear that resonance from so many people that it makes me wonder why you're even here. I spent time in third world countries. I've seen what happens when people aren't vaccinated with the basic things that they can't get- children that can't be vaccinated for stuff that *(inaudible)*.

(Cross-talk)

Mr. Champ: I know, I know. Listen, I'm not going to argue. You decide- this is not my point. I'm not here to advocate what you should do, just like you're not going to advocate what I should do. I chose to get vaccinated.

Chairman Chagnon: You have comments for the legislature-

(Cross-talk)

Chairman Chagnon: Please, this is an opportunity for comments to the legislature.

Mr. Champ: I'm trying to do that, but I'm getting interrupted. So, my only point is this, is that I want us to remember what we have and what we have been able to work for and what our forefathers and others work for to get here. I want you all to have your personal rights, your personal liberty and not lose your job and take care of so many people that need taken care of, but we should work on something together and that's the wholeness of this country that I believe in, I know, most people believe in it, but when you leave here go out there and check that wall. You weren't here when that happened- most of you, thank you.

Good evening, my name is Diana Perepski(?) and I'm from Gerry, New York. And just by a show of hands here, how many people know that we are currently in World War III? Anybody? Nobody here, right, I thought so. O.k., so you all need to kind of wake up. We're currently living out World War III if

you didn't know that. Right? So, everybody who's talking about this vaccine- I'm so happy for all of you that you're so happy that it's here, but if you actually did some research outside of what's being censored, outside of what what's being hidden from us, what you would realize is that it is a toxic (*inaudible)* protein that's being injected into the bodies of human beings. We are in the greatest human experiment of all history. Did you know that? Did you know that that all the animals in the studies died? That's why they stopped the research studies. We, anybody who's taken the vaccine, you are the research. There's no long term data because no humans have ever had this vaccine tested on them before. The PCR tests are lies. If you go back and you read about Keri Mallis the inventor, what you'll find out is that he magically died right before Covid happened- was that they don't work. They are not meant to diagnose a virus, period. They're meant to find fragments of information in your DNA and I'm curious to know what this county was running the PCR tests at before the vaccine came out because then the CDC changed everything so that vaccinated people ran at a lower rate and then you know, they don't even get tested for pre-op anymore, so we're just all pushing these fake numbers. The vaccine also sheds on to other people. Did you know that? Did you know that it's a bio weapon that was designed to self-spread onto other people who didn't get the vaccine? Our County Health Department knows this. I've been sending them information for a year and a half. I've sent it to Dr. Ney. I've sent it to Dr. Kidder. You all are participating in crimes against humanity. If you didn't know there's an active case of that going on in Germany right now. Look them up, Dr. Reiner Fuellmich. There are crimes against humanity trials going on for the whole hoax that started with the PCR test. Also, if you didn't know look up Alberta, Canada. In Alberta, Canada there was a man who got a ticket for violating a Covid ordinance so he asked the court to please prove to him that (*inaudible)* even exists following the scientific method. They had a year to come up with the proof, and you know what? They couldn't come up with the proof and therefore all the mandates were lifted in Alberta, Canada. About 40 other places around the world have had their government's petition through Freedom of Information Act to ask for proof that Covid even exists if you follow the scientific method. No one can produce the scientific information that proves that SARS-COV 2 has ever even been isolated in the laboratory. I hope that you'll follow Spain, because just last week, Spain has the same thing in their ports right now that they have 23 days to provide proof that SARS-COV 2 has ever been isolated in the lab to support their Covid measures and if they can't everything shuts down. You all are acting like Nazis and you are participating in crimes against humanity and it's all going to come back and you're all going to stand trial. O.k.? Thank you.

Chairman Chagnon: Is there anyone else we should know address the second privilege of the floor?

Hi, Shaina Reynolds. I live in Lakewood. I resigned my position this past year of school nurse at Bemus Point Elementary School because I could no longer tolerate educating a community and enforcing mandates that I didn't believe were to be true. Covering kids' faces all day as they snot and gross (*inaudible)* their nose- kids coming to see me who are having asthma exacerbations who were never asked to take their mask off so they could breathe while they walked for five minutes to my office from the other side of the school or from outdoors where they were playing outside. Absolutely heartbreaking from a medical standpoint that we couldn't think about breathing first before potentially spreading the virus in the hallways of the school. I have been working as a labor and delivery nurse in Jamestown since then and now will be forced to no longer provide income for my family due to these mandates. I just simply ask you to continue to fight. Thank you for fighting. Please just think of your people in the Community. We're asking you to fight for us, this is not something that we want, we want to have our freedoms and have a choice and that's why we're here tonight to ask you to stand for us, thank you.

Chairman Chagnon: Anyone else wishing to address the second privilege of the floor?

Good evening, my name is Anthony Toda and I live on Clifton Avenue in Jamestown, New York. I'm sitting here listening to all the things that these health care people are saying and I want the healthcare

people to consider that some forward looking people in the state and federal government, knowing that you wouldn't take the vaccine and knowing that you would leave would initiate a program where forced vaccinations would have now an excuse to get to the rest of the people who haven't taken Covid. Secondly, I'd like to say that logically, take a look around you this room is divided by people who have been vaccinated and people have not been vaccinated. Are you kidding me that you're not going to spread Covid in a room with air conditioning? That's the most illogical thing and that's what's happened in this country today. There is a lack of logic because the money flow and the decision made by this legislature, are responsive to the money. Now, a lot of people have made some good points about Covid and I just want to add to that. First of all, in our healthcare system we have HIPAA rights, so for me to produce a Covid card or a Covid (*inaudible)* is in violation of my own HIPPA rights. We have the 14th amendment. The 14th amendment, as people have been saying is basically, you have the right to do with your own body what you want, even if it kills you. What we're going against here- that's the other side of the coin here, is to promote the general welfare. That's what the excuses for everybody who needs a vaccine. It's going to protect all of us. It's for our own good. If it was for our own good, why would Joe Biden allow 50,000-60,000 people- illegal immigrants to cross our border with reportedly four times the Covid rate and place those people- transport them to the four corners of this country where they can spread an epidemic and then turn around and blame unvaccinated people for it? That's tyranny and Joe Biden should be impeached on this on the State level. Why would Andrew Cuomo mandate that everybody be shut down, turn around on the 20th of March, I believe, and pass an executive order allowing Covid people who were infected, that were in hospitals to return to nursing homes, so they could infect everybody else prior to the vaccine. I've got a few things to say about what everybody else has touched on since- now, these are reports. I'm not a scientist, I'm just listening to things as there reported and I'm repeating them back. Number one, after being fully vaccinated, people were told that the vaccine does not stop them from contracting or spreading Covid. Two; after people (*inaudible)* have a subsequent booster shot that they were never informed of during the first initial vaccination process. Three; after being fully vaccinated, medical regulators- the experts told people they still had to wear masks. Have you ever had seen anything as idiotic as that? You go and have two shots and someone tells you you've got to wear a mask. What does that say to the effectiveness of the Covid vaccine?

Chairman Chagnon: Mr. Toda, you've exceeded your three minutes, please wrap it up.

Mr. Toda: Medical experts told people they could not wear masks, they don't have to wear a mask over the summer if they were fully vaccinated and turned around about two weeks later, said they had to wear masks. This research and the opinions about that are way out in left field, we have a right to make an informed decision based on reliable data and we don't have that, thank you.

Chairman Chagnon: Thank you. Anyone else wishing to address the second privilege of the floor?

Good evening. Deborah Howard, Stockton, Chautauqua County. I'm not a medical professional and I stand here before you as possibly a medical miracle. 50 year old, obviously several comorbidities and a Covid survivor which, if you listen to the science I probably never should have survived it, but I felt like I had a cold. So, I'm a school bus driver and what I deal with with my students on the bus is absolutely sickening. I'm so sick of looking up in the mirror of my bus and having to tell my kids get your mask on and I can't do it anymore, because frankly I'd rather have them get sick with Covid than crash my bus. I think that's a little bit more important. That's all.

Chairman Chagnon: Thank you. Anyone else wishing to address the second privilege of the floor?

Hi, Sherry Tonkin from Jamestown, New York. I am a coworker of Kelly's. I've been a registered nurse for 25 years and I do it with the same passion that Kelly does. We've worked together for the past 10 years in home health care for Chautauqua County and like she mentioned before, and all of us here, I have nothing to add to what everybody else here has added. All the science details, all the details of the reports and I just need to add that, as healthcare workers, we have a passion for taking care of people and we don't want to be forced to not be able to do that anymore, because our right to choose whether we want- and this isn't even a vaccine, it shouldn't even be called that- I don't even like to call it that word because it's not what it is, but because I don't want to have a chemical put into my body that I don't trust, that has not been fully researched, I don't think I should have to choose between providing an income for my family and taking away a career that I have done for 25 years that I am passionate about and we have been going into homes in Chautauqua County as everybody has mentioned. People working in hospitals, nursing homes without proper PPE the entire pandemic, we couldn't zoom , we were on the front lines the entire time, unprotected and we are fine and we chose to do that and I just want to be able to choose whether or not I put that chemical into my body. So, I'm pleading just let us choose, let us have our choice.

Chairman Chagnon: Thank you. Anyone else wishing to address the second privilege of the floor?

I'm Michelle Reynolds from Lakewood, New York. I just want to come up here for us factory workers. I work at Cummins. Well, today was my last day. They haven't implemented the vaccination there yet, but a lot of us heard that it's coming. Knowing a lot of people from the factory there and in other factories, a lot of the workers are going to walk out if we have to get it and it's not that we want to harm other people by not being vaccinated. I mean, of course, we care about other people and other people's health, but we want our freedom and if you look at the (*inaudible)* website there's a lot of harmful effects from the vaccine. There's a lot of numbers where people have been injured and even died from it. So, that's all I have to say. Thank you.

Chairman Chagnon: Thank you. Anyone else wishing to address the second privilege of the floor? Anyone else?

MOVED by Legislator Gould, SECONDED by Legislator Bankoski and duly carried the meeting was adjourned. *(8:48 p.m.)*

Regular Meeting
Chautauqua County Legislature
Live Streamed on Social Media
Wednesday, October 27, 2021 6:30 p.m.
Mayville, N.Y. 14757

Chairman Chagnon called the meeting to order at 6:31 p.m.

Clerk Tampio called the roll and announced a quorum present

Legislator Pavlock delivered the prayer and pledge of allegiance.

MOVED by Legislator Bankoski, SECONDED by Legislator Vanstrom and duly carried the minutes were approved. (09/08/21 & 09/22/21)

Chairman Chagnon: Now, we are going to postpone the first privilege of the floor until after the commendations and the award presentation. So, I will invite the County Executive down for the commendations.

COMMENDATIONS:

JCC Men's Swim Team
JCC Women's Swim Team
Karianne Yuchnitz – JCC Women's Swim Team
by
Chairman Pierre E. Chagnon
and
County Executive Paul M. Wendel, Jr.

AWARD PRESENTATION:

Chautauqua County Finance Department
90+cashVest Award for 2021
By
Joseph Rulison, CEO threeplusone

1st Privilege of the Floor

Chairman Chagnon: That brings us to our first privilege of the floor. Members of the public may comment on any subject relating to any local law, resolution or motion appearing on the agenda. Individual comments are limited to three minutes and comments representing a group shall be limited to five minutes. I see there's someone who'd like to speak to the first privilege of the floor- please introduce yourself.

My name is Cheryl Fiedler and I'm from Ellery and I'm representing the Tea Party Patriots of Jamestown and also Western New York Freedom Seekers. First of all I'd like to thank Legislator's John Davis, Dan Pavlock and County Executive PJ Wendel for bringing forth a motion calling on elected officials to exercise their powers within the bounds of their constitutional authority. I look at this as a motion that everyone should be able to get behind and support when upholding our Constitution. The motion lays a foundation to build on for future discussions, debates and decisions, as we all face difficult issues at this time in history. I understand there is a second motion regarding health care workers who declined receiving the COVID vaccination. It is good that this is being addressed, they are still heroes. And I may be getting a little off the agenda topic, but I'm old and I'm going to read it anyway. Also, a brief mention regarding this vaccination that is a grave concern to me- is the decision to vaccinate children aged 5 to 11 with a substance that has had adverse reactions in many older youth, such as myocarditis and also in many adults. There has not been adequate testing and studies, and this is a very serious matter, in my opinion. There seems to be more potential danger in the vaccines than in the virus itself, at that age especially, and it's a medical decision that should be made by parents and their physician. I'm scared for my grandkids and now for my great grandkids and I look to all of you, as fellow Americans, we must unite and do the right thing, our future generations are counting on us, thank you.

Chairman Chagnon: Thank you. Anyone else wishing to address the first privilege of the floor?

Tammy Scheck(?) Dewittville. I'm also representing the Western New York Freedom Seekers. On behalf of the residents of Chautauqua County the Western New York Freedom Seekers come before you once again. Over 400 citizens attended last month's legislature meeting to show their support for the freedom ordinance and their displeasure with the handling of our most basic rights, namely the right to say what goes in or on our own bodies. Month after month, we see our representative stalled as they seem unable to navigate exactly how to uphold the US Constitution, while facing pressures from New York mandates. Currently 1500 signatures and counting are on the freedom ordinance petition and we beseech you to act against the unconstitutional mandates of forced vaccinations, testing and masking. In our research, it seems that even the well-meaning legislators and your fellow county politicians- all of them are at odds of what to do. The time is already passed for many citizens who have unwillingly been coerced into taking the vaccines in order to provide for their families. You have already failed many. Some have died from the vaccine, some have left New York, some have no jobs due to civil government overreach. There is still time to stand up for the citizens of Chautauqua County and say no to mandates of any kind. By our officials not controlling mandates, there are other real life consequences in Chautauqua County. Nonfatal over overdoses are up 54%, fatal overdoses are up 33%, unemployment is up 45%. Chautauqua County is number 56 for the worst poverty out of 62 counties in New York, can you imagine the rise in domestic abuse and child abuse and the standard of living in our county. Ladies and gentlemen, we appreciate you making the motion. That being said, we are still concerned about our bodies, our livelihoods and especially our children. We are concerned about the effects this will have on the future of the county's economic development as people leave because you leave them no choice. Then we have a governor- Governor Hochul creating emergencies with her mandates in order to further her executive branch powers, yet again, and we must be protected. The out of control, President and those above him have their tentacles reaching down through a more than willing Governor Hochul. We need you to be our bastions of freedom. When is the last time you guys have had 1500 people asking you to educate them. These people who signed the petition look to you. This can be a mutually beneficial relationship with these 1500 and counting people. What an opportunity you have. We exhort you to give the people of Chautauqua County a direct response and listen, I've been here, we've been here talking to everyone- Legislators up to the Executive Council- anyone we can talk to- Mr. Wendel and everyone has said the same thing. The people have the power, the power is in the people that we must do something, and all we are asking you, is to give us direction to tell us what to do ,to show us how the system works. That's what you guys do and that's what we need to learn. We do want a direct response. We're asking for you to do

that, that is our request. All of you just received an email Tuesday morning from the Western New York Freedom Seekers, I urge you to please respond, I urge you to act so you can help us act. Thank you.

Chairman Chagnon: Thank you. Is there anyone else wishing to address the first privilege of the floor?

My name is Katie Stratton(?) I live in Westfield. I was fortunate enough to grow up in a home where hard work and determination and grit were the core of our family. My parents model this behavior for me, showing me the true sense of the American spirit. I was taught that hard work, sacrifice and education where the keys to success. Hard work, even when you didn't want to the fire what had we stacked we struggled but we were free. As I consider what our country was then, and what it is now I grieve what has happened to us. What has become the American spirit- that pioneer spirit of grit and determination and resilience. When did we stop cherishing liberty? When did we forget that the freedoms endowed by the creator are the birth right of the American citizens? Franklin *(inaudible)* who was the conservative press secretary and the political advisor to President Reagan said, "Government should work to ensure the rights of the individual not plot to take them away. Freedom is our most precious commodity, and if we are not eternally vigilant government will take it all away." To you, the Chautauqua County Legislators, I say we are there, our liberties are no longer insured by the government, but threatened by it. You as a political body have experienced what I have as an individual we have both and all experienced being at the mercy of a merciless state. When the New York State Legislature abdicated its responsibilities and power in March 2020 the governor assumed them. I knew that we had arrived at a destination to which we had long been traveling, a land of compliant people who had forgotten the precious and fragile nature of freedom and were bowing before the authoritarian liberty denying state. The very government tasked with ensuring our liberties became the government smothering them. Every citizen who resides in your county is obligated to interact with the state and its mandates on a daily basis and every citizen who resides in your county faces potential negative consequences at the hand of that same State should they fail to interact in the prescribed manner. The government now *(inaudible)* the consent of the government and the government which extends or denies permission to the people and often this unconstitutional permission granting power *(inaudible)* in an arbitrary and capricious manner. As an example, does the state really have the authority to tell some people that their work is essential and some that it's not? When you're feeding your family and paying bills your job is essential. It's absolutely evil for the state to tell people that they could not pursue their livelihoods. And a free society does not do what ours did last year, and continues to do this year- executive order 202 may have been rescinded by Cuomo in June, but many of the mandates created continue to live on via agencies, like the New York State Department of Health codifying them into official rules and regulations. The stealth codifying mandates without legislative oversight without public comment is truly illegal if the Constitution is the law. Since unelected bureaucrats have had the constitutional authority to write and enforce these rules and regulations that they call law you, the duly elected legislative body of Chautauqua County are considering an ordinance to affirm the county embraces the liberties expressed by the constitution of the United States, particularly the Bill of Rights. How odd that a resolution is necessary, but it is necessary, how odd that supporting the Constitution and desiring to live up to the high ideals is now considered by academia, mainstream media and the political elites to be radical.

Chairman Chagnon: You've exceeded your three minutes. Please wrap it up.

Ms. Stratton(?): I'm speaking on behalf of the Freedom Seekers. I apologize for not saying that at the beginning. I would imagine that it was radical in the 1700s also. It was just and moral then and it was just and moral now to support the Constitution of the United States. I'll end there. Thank you.

Chairman Chagnon: Thank you. Next to address the first privilege of the floor?

Yes, my name is Alan Johnson. I'm a veteran- 70 years old and I'd like to state that we need to go by our Constitution. It's been ignored by the President. He's done what he wants by calling mandates. Mandates are not a law, they have not been passed by a Legislature, therefore they're illegal. All these people, the sheriff's, the state troopers, the nurses, some of the school teachers worked for 18 months and they didn't worry about being sick. They got out there and did their jobs, and we have turned around and held them to a much lower standard now by saying oh great, you were there for us when it was really bad, but we don't care anymore- you either get the shot, or you get out. It's wrong, I believe it's illegal, but I'm not a lawyer, so I could not hit a finer point on that. I just want you to know that there are a lot of us out here that have an eye on everything that's going on now that weren't usually politically motivated. I'm just a citizen of the United States and of this county and I think this Legislature can do a good job for us. Just listen to the people, please.

Chairman Chagnon: Thank you. Next to speak to the first privilege of the floor?

Hello, my name is Marsha Johnson. I'm from Fredonia, New York. First thing I'd like to say is a petition with 1500 signatures represents about 1% of the population of our county and do we even know if they're all residents of our county? But before I get into that, I want to say about the resolution regarding stopping vaccine mandates for healthcare professionals, I would like to know, was the Department of Health shown this resolution prior to being submitted. Did they have any input into its wording and do they approve of it. This is nonsensical. One suggestion was to have unvaccinated personnel only work with those who are less vulnerable. First of all, this is an acknowledgement that they may present more of a risk to patients. Second, in an emergency room, hospital floor, or even a doctor's office they are going to assign staff according to the health status of the patients? That would never ever work. Next, regarding the resolution urging elected officials to uphold the Constitution, I would like to note that every elected official sitting here took an oath to uphold the Constitution of the United States. I'd like to ask, were you not serious when you said that? Every elected official in the country takes that oath. I assume you did take this seriously. Now, as legislators, you seem fit to remind other elected officials of this oath to office. Why? What if a local town board passed a resolution reminding you to uphold the constitution of the United States? Would you accept a slap in the face to your integrity? Why did Legislators Pavlock, Davis and County Executive Wendel decide at this time to spend county time, energy and resources to remind elected officials that they swore to uphold the Constitution? Has anyone forgotten this oath? And yet you assume that other elected officials, including the President and Vice President, Governor and legislative leaders and both Congress and the House need to be reminded. What type of hubris would lead this body to think you are above all other elected officials? A mayor in Texas has refused to sign a similar resolution. He said, "I have said I will stand behind the Constitution, I can't sign a document that says I'm going to be more constitutional. Signing something additional saying I will be constitutional undermines the Constitution. It says, I have to do something further in order to be constitutional."

Chairman Chagnon: Excuse me, you've exceeded your three minutes Ma'am, please wrap it up.

Ms. Johnson: O.k., I'd like to say that this resolution should be withdrawn or at least tabled, because we are a constitutional county by being in the United States of America. This is redundant and unnecessary Thank you.

Chairman Chagnon: Thank you. Anyone else wishing to address the first privilege of the floor?

My name is Barbara Colt and I am a candidate for the village trustee in Brocton. Good evening, I want to first thank you for this opportunity to speak, and I will begin by saying, I am a retired veteran 30 years in the US army. I live, believe and fought for the Constitution. With that being said, we the undersigned Chautauqua, Cattaraugus women and men's action group have some questions and concerns

about the motion entitled, “Calling on all elected officials of the State of New York. And the United States Government to exercise their legislative and executive powers within the bounds of the constitutional authority.” As you know, all elected officials in New York must sign an oath to the New York and United State Constitution, therefore, we find this motion to be perplexing and this invites questions that need to be answered, namely why will we ask our public officials to follow the Constitution when they already have signed an oath to do so. Why would the Legislature and the County Executive spend time and taxpayers money to have an inexplicable motion drawn that accomplishes nothing and appears to serve no other purpose than to ask other elected official to do something that all elected officials have sworn to do. Furthermore, if the purpose of this motion is to remind other public officials to follow the Constitution, what happened? What happened that led the County Executive and Legislators Pavlock and Davis to request that many other public officials, up to the Vice President and President of United State follow the Constitution? What is the purpose of inserting *(inaudible)* information, reminding public officials of second amendment rights and quotes from Daniel Webster and Thomas Jefferson? We ask the question listed above, be considered, answer and clarified by the Chautauqua County Executive PJ Wendel, the County Legislators Pavlock and Davis, and the County Attorney's office. We are requesting that the motion be tabled by the Legislature until this request is honored. Jessica Lustig, Nancy Waasdorp, Marcia Johnson, Priscilla Titus, Karen Ehrlich, Joy Bilharz, Cheryl Ritch, Mary Woo, David Salley, Catherine Kestler, Patricia Kirell, Nancy Boynton, Judi Lutz Woods, Vickey Kaiser, Marie Tomlinson, Susan Royal, Christina Rausa, LeeAnne Cogdill, Amy O’Connell, Ann Janik, Tom Janik, Sara Dorogi, Valeria Colt, Barbara Colt, Joanne Kelley, Susan Bigler, Leanna McMahon, Mary Jane Wagner, Andrew Maggitti, Jon Titus, Lisa Mertz, and Amy Snyder. Again, thank you so much for this opportunity.

Chairman Chagnon: Thank you. Anyone else wishing to address the first privilege of the floor?

Good evening. Gerrit Cain, 2486 Falconer-Frewsburg Road, Jamestown, New York. I'd like to thank this body and the legislators that put the two motions forward tonight and I encourage you all to consider voting yes on them. I'd like to echo some of the concerns brought up by the Freedom Seekers here. We do need these motions. They're just motions and you folks know what motions are and how little teeth and power that they have but they're a good first step, I think, in that they're admitting that we have a problem. We have a problem with levels of government ahead of us putting down unconstitutional legislation or mandates, which aren't legislation, on us and why can't we do something, you know my fellow freedom loving individual say well why can't why can't this county just stand up and make some legislation to counter this and, frankly, the problem is, is that that we have an addiction problem, not a constitutional problem. This county and this body are addicted to state and federal money. If we stand up to the state or federal government that goes away and over the past several decades we've learned how not to survive without that money and that's the root of the problem, and I think most of you realize that and most of you realize how hard that's going to be to do what your constituents are asking and stand up to these constitutional mandates which most of you realize are wrong- constitution or otherwise, it's wrong to threaten somebody’s livelihood if they don't get a vaccine. It's wrong to threaten someone's education if they don't get a vaccine. You know that's wrong, and you know it's going to be hard work. But we're here to help. We're here to help in the recovery. I'm afraid this ARPA funding is going to threaten to overdose you on federal funding, but if you survive that overdose, we are here to help you through the rehabilitation to find creative and innovative solutions we don't have to rely on state and federal funding as much anymore. When the next round of mandates or crazy laws come down from the state or federal government we’ll be able to stand up to them and do what’s right.

Chairman Chagnon: Thank you. Anyone else wishing to address the first privilege of the floor?

My name is Anthony Toda I live in Jamestown, New York. I want to make a few comments here about some of the people that spoke. The Constitution was made because we are not a perfect people. We are very imperfect in fact, so that allows for anything that we want to make that- let's say you make an oath, that doesn't mean they're going to abide by it, and that certainly has happened many times in our Constitution society. But, again, I'm from Jamestown, New York and I'm requesting that if this body has the authority to demand an impeachment of Governor Kathy Hochul. If they do not have the authority at least listen to my reasons for impeachment of Governor Kathy Hochul. New York State has always been a constitutional state, so what is causing the oppressive mandates of Governor Hochul to remain? Regarding Governor Hochul's vaccine mandates, they are all illegal because number one, a person cannot make an informed decision as to treatment with this vaccine because the experts cannot produce consistent reliable information as to the effectiveness, durability, protection and long term possible effects of the vaccine. Number two, the vaccine violates even the international Nuremberg *(inaudible)* because Hitler employed, the same type of dictatorial mandates that Governor Hochul is using right now. Number three, Governor Hochul by forcing transparency as to who is and who is not vaccinating is violating privacy HIPAA laws that are guaranteed by our Federal Government and is using Gestapo type of forced admissions here. Number three, the healthcare workers who were forced from their jobs are entitled to unemployment because of the fact they were not fired for any reason of their own, in other words, they were fired for no reason but an arbitrary and capricious mandate without due process of law from a single person, with no authority to make a statewide mandate involving so many people in New York State. Executive orders that are- the executive orders deny, as I stated, due process of our representatives, the right to be heard on any issue as serious as a statewide issue of a COVID disease. *(Inaudible)* the U.S. and New York constitutions also say that we have a right to decide to do with what we want with our own bodies that's a -those are constitutional amendment protections for both documents and now Kathy Hochul has been stated here previously wants to vaccinate kids from 5 to 11 years old according the media reports. This is unnecessary because of death rates in those children are very small.

Chairman Chagnon: Mr. Toda, you've exceeded your three minutes, please wrap it up.

Mr. Toda: And, finally, I just- hopefully that the legislature will listen in regards to the impeachment of Kathy Hochul for these illegal acts, thank you very much.

Chairman Chagnon: Thank you. Anyone else wishing to address the first privilege of the floor? Seeing no one, we will close the first privilege of the floor.

VETO MESSAGES FROM COUNTY EXECUTIVE WENDEL
NO VETOES FROM 09/22/2021

6:30 P.M. PUBLIC HEARING

2022 TENTATIVE BUDGET & SEWER
DISTRICT ASSESSMENT ROLLS

(7:15 p.m.)

Chairman Chagnon: O.k., I will call to order the public hearing regarding the 2022 tentative budget and sewer district assessment roles. So, the public hearing is now in session. Is there anyone wishing to address the public hearing? Is there anyone wishing to address the public hearing regarding the tentative budget and sewer district assessment roles? Hearing no one and seeing no one, I will close the public hearing.
(7:16 p.m.)

COMMUNICATIONS:

1. Report – NYS Office of Real Property Tax Services – Re: County Equalization Rates 2021
2. Letter – Robert Neratko
3. Report – Department of Finance – 2021 Investment Report – Re: August
4. Affidavits of Publication (2) – Post-Journal – Re: Public Hearing- Chautauqua County Tentative Budget and Sewer Districts Assessment Rolls
5. Affidavits of Publication (2) – Observer – Re: Public Hearing- Chautauqua County Tentative Budget and Sewer Districts Assessment Rolls
6. Minutes – Conewango Watershed Commission – October 13, 2021

Clerk Tampio: On the agenda this evening there are five communications listed. I have an additional one that was received yesterday after the agenda was put out publicly, and that is the minutes from the Conewango Watershed Commission from October 13, 2021. Are there any item you wish to have read aloud? Hearing none, if you would like to see a copy of any of these please contact our office.

RES. NO. 205-21
Confirm Appointment - Chautauqua Opportunities Board of Directors

By Human Services Committee:
At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, County Executive Paul M. Wendel, Jr. 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 Chautauqua Opportunities Board of Directors.

Kevin Whitaker
197 Martin Rd
Jamestown, NY 14701
Term Expires: 06/30/22

Signed: Whitford, Whitney, Pavlock

Unanimously Adopted – October 27, 2021

RES. NO. 206-21
Confirm Appointment - Chautauqua County Health Board

By Human Services Committee:
At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, County Executive Paul M. Wendel, Jr. 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 Chautauqua County Health Board.

James Mark McConnon
1670 Riverside Rd.
Jamestown, N.Y. 14701
Term Expires: 12/31/26
(Replacing Roland Hewes)

Signed: Whitford, Whitney, Pavlock

Unanimously Adopted – October 27, 2021

RES. NO. 207-21
Confirm Appointment - 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 action by the Chautauqua County Legislature; therefore be it

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

Susan L. Asquith
186 Dale Drive
Cassadaga, NY 14718
Term Expires: 12/31/21
(Replacing John Penhollow)

Signed: Harmon, Muldowney, Ward, Penhollow, Starks

Unanimously Adopted – October 27, 2021

RES. NO. 208-21
Reestablish County Sewer Agency for Proposed Phase 2 Extension of South & Center Chautauqua Lake Sewer Districts

By Public Facilities Committee:
At the Request of County Executive Paul M. Wendel, Jr. & Chairman Pierre Chagnon:

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

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

WHEREAS, SCCLSD has recently commenced the construction of Phase 1 of the extension of sewer infrastructure on the west side of Chautauqua Lake as a result of the 2017 extension of the boundaries of SCCLSD through the hamlet of Stow; and

WHEREAS, it is now appropriate that Phase 2 of the west side extension of SCCLSD be pursued from the hamlet of Stow to the southern boundary of NCLSD at or near Prendergast Creek; and

WHEREAS, pursuant to County Law Sections 253 and 274, an existing county district may petition the county legislative body to include territory not previously included within its boundaries, and the existing county district may undertake to furnish or pay the cost of a map and plan for such extension at the district's cost or expense; and

WHEREAS, the SCCLSD Board has petitioned the Chautauqua County Legislature to extend the boundaries of SCCLSD to enable the financing and construction of Phase 2 of the west side extension of sewer infrastructure from the hamlet of Stow to the southern boundary of NCLSD at or near Prendergast Creek; and

WHEREAS, SCCLSD will undertake to furnish or pay the cost of a map and plan to effectuate said Phase 2 extension of SCCLSD; and

WHEREAS, pursuant to County Law Section 253, the County's Sewer Agency must be reconvened in order to review the Phase 2 map and plan and make recommendations to the County Legislature regarding the proposed further extension of SCCLSD; now therefore be it

RESOLVED, That there is hereby established a Chautauqua County Sewer Agency pursuant to Article 5-A of the County Law, initially consisting of seven (7) members to serve without compensation, as follows:

1. Two (2) County Legislators appointed by the Chairman of the County Legislature; and
2. Two (2) elected officials representing the municipalities proposed to be included in areas that will be upgraded with sewer infrastructure, to include the Supervisors of the Towns of Chautauqua and North Harmony, and their successors in office; and
3. Three (3) members appointed by the County Executive.

Signed: Gould, Scudder, Davis

Unanimously Adopted – October 27, 2021

RES. NO. 209-21
Amend 2021 Budget for DPF Parks Division

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

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

WHEREAS, the Public Facilities Parks Division has received revenues 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 2021 Adopted Budget:

INCREASE APPROPRIATIONS ACCOUNTS:			
A.7110.----.1	Personal Services-Parks		$19,600
A.7110.----.4	Contractual-Parks		$ 2,000
		Total	$21,600
INCREASE REVENUE ACCOUNT:			
A.7110.----.R270.1000	Miscellaneous--Refunds: Prior Yr Exp		$ 3,282
DECREASE APPROPRIATION ACCOUNTS:			
A.1440. ----.4	Contractual-Engineers		$ 2,000
A.5610.5610. ----.2	Equipment-Jamestown Airport		$ 4,000
A.5610.5610. ----.4	Contractual-Jamestown Airport		$ 9,118
A.7110. ----.2	Equipment-Parks		$ 3,200
		Total	$18,318

Signed: Scudder, Davis, Gould, Harmon, Niebel, Nazzaro

Unanimously Adopted – October 27, 2021

RES. NO. 210-21
Amend 2021 Budget to Implement the Purchase of Heavy Equipment Project within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan

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

WHEREAS, President Biden signed into law the American Rescue Plan Act (ARPA) on March 11, 2021, and this legislation contains a wide array of stimulus and recovery funding designed to ensure the nation's swift economic and public health recovery from COVID-19; and

WHEREAS, Chautauqua County received an award of $24,600,000 in ARPA funding, of which $18,219,169 is available for general county spending based on the Treasury Department's revenue loss formula and other guidance, and the remaining $6,380,831 in funding can only be spent on designated ARPA categories including: premium pay; water, sewer, and broadband projects; and responding to the COVID-19 pandemic and its associated economic impacts; and

WHEREAS, an ARPA working group consisting of the County Executive, several legislators, and several department heads worked for many months to create an ARPA Spending Plan (Plan) consisting of priority projects to address the key strategic categories as defined by the Department of Treasury, to be sustainable, and to have a County-wide impact; and

WHEREAS, the Plan, consisting of the priority projects, was thoroughly reviewed by the ARPA working group, the County Executive, and the County Legislature and was adopted pursuant to Resolution No. 202-21; and

WHEREAS, four Purchase of Heavy Equipment Projects, including: Purchase of a 60 Ton Crane in the amount of $650,000; Purchase of two Dump/Plow Trucks in the amount of $240,000 each, for a total of $480,000; Purchase of Snow Blower in the amount of $810,000; and Purchase of a Long Arm Excavator in the amount of $400,000, were identified as priority projects recommended in Resolution 202-21, and are ready to proceed once budget amendments authorize spending for the Projects; therefore be it

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2021 Adopted Budget in order to implement the Purchase of Heavy Equipment projects:

INCREASE APPROPRIATION ACCOUNTS:		
H.5130.626.4	Contractual—Road Machinery, DPF Large Equipment (Annual)	$2,340,000
A.9950.----.9	Interfund Transfers—Transfer to Capital	$2,340,000
	Total	$4,680,000
ESTABLISH & INCREASE REVENUE ACCOUNTS:		
H.5130.626.~~R408.9ARP Federal Aid Oth Fed Aid: ARPA~~ *H.5130.626.503.1000*	*Interfund Transfers—Interfund Transfers*	$2,340,000
A.9950.~~9999~~ ----.R408.9ARP	Interfund Transfers –*OTH FED AID:ARPA*	$2,340,000
	Total	$4,680,000

Signed: Gould, Scudder, Davis, Harmon, Nazzaro, Niebel

Unanimously Adopted – October 27, 2021

RES. NO. 211-21
Increase Capital Account for the Replacement of Hangar 3 at the Chautauqua County Dunkirk Airport

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

WHEREAS, Chautauqua County received a grant from the New York State Department of Transportation (NYSDOT) to pay $456,620 or 79% of the allowable costs incurred for the Chautauqua County/Dunkirk Airport – Replace Existing Bulk Hangar 3 (NYSDOT/Aviation Grant Program), Project No. 5905.94 (herein referred to as the "Project"); and

WHEREAS, Chautauqua County approved local share funding to pay $121,380 or 21% of the anticipated Project costs under Resolution 230-18; and

WHEREAS, the actual cost of construction of the Project, inclusive of design services and other project costs is currently projected at final cost of $885,857, thus exceeding the authorized project budget by $307,857; and

WHEREAS, the NYSDOT grant for the Project expressly stipulates that "Project Costs in excess of State funds available for the work shall be the responsibility of Sponsor (County)"; now therefore be it

RESOLVED, That the Director of Finance is directed to make the following changes to the 2021 Adopted Budget:

DECREASE APPROPRIATION ACCOUNT:
A.1990.----.4 Contractual – Contingent Account $307,857

INCREASE APPROPRIATION ACCOUNT:
A.9950.----.9 Interfund Transfers – Transfer to Capital $307,857

INCREASE CAPITAL APPROPRIATION ACCOUNT:
H.5610.~~25164.~~*25008*.4 Contractual – Chautauqua County Airport, ~~Hangar C – JHW (2019)~~ *Repl Bulk Hangar #3-DNK (2018*) $307,857

INCREASE CAPITAL REVENUE ACCOUNT:
H.5610.~~25164~~.R503.1000 Interfund Transfer – Interfund Transfer *25008* $307,857

;and be it further

RESOLVED, That the County Executive is hereby authorized to enter into an amendment to the Fixed Base Operator Lease Agreement with Centric Aviation JHW, LLC, authorized pursuant to Resolution 21-20, to lease Hangar 3 at the Chautauqua County Dunkirk Airport and increase the monthly remittance payable to the County by a fixed fee of $1,300 per month, with fuel flowage and service fee remittances in accordance with the base agreement, and with said lease amendment to be executed prior to award of the contracts for construction of Hangar 3

Signed: Nazzaro, Hemmer, Gould, Davis, Harmon, Niebel (P.F. – Amended with strike through and additional text) (P.F. – Carried with Scudder Voting "No") (A.C.- Amended with additional "Resolved" Clause)

Adopted w/ Legislator Scudder Voting "No" – October 27, 2021

RES. NO.212-21
Amend 2021 Budget to Implement the Air Service Development Study Project within Chautauqua County American Rescue Plan Act (ARPA) Spending Plan

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

WHEREAS, Chautauqua County Jamestown Airport is designated a national air transportation facility within the U.S. National Plan for Integrated Airport Systems (NPIAS); and

WHEREAS, the U.S. Department of Transportation, Office of the Secretary of Transportation, terminated an Essential Air Service Contract with Southern Airways Express thereby ending commercial air service to the Chautauqua County Jamestown Airport effective January 15, 2018, pursuant to Order No. 2017-12-2 dated December 29, 2017; and

WHEREAS, pursuant to Resolution 153-19, the Chautauqua County Legislature authorized the expenditure of $72,000 per year for up to three years in direct financial underwriting and $52,000 per year

for in-kind services to partially fund operation of commercial air service under a proposed Essential Air Service contract; and

WHEREAS, in September 2019, Chautauqua County and Boutique Air, Inc. submitted a joint proposal seeking to re-establish commercial air service between Jamestown and Pittsburgh International Airport and Baltimore-Washington International Airport; and

WHEREAS the U.S. Department of Transportation, by USDOT Order DOT-OST-2003-14950 dated December 31, 2020 denied the joint Chautauqua County – Boutique proposal noting a lack of market research to support the business case offered in the proposal; and

WHEREAS, a competitive solicitation for conduct of an independent air service development study had been performed and a prospective best value consultant has been selected for a negotiated contract cost of $71,650; and

WHEREAS, the Airport Commission has considered and recommended that the County undertake an independent analysis of the economic viability for commercial air service at the County's Jamestown Airport; and

WHEREAS, President Biden signed into law the American Rescue Plan Act (ARPA) on March 11, 2021, and this legislation contains a wide array of stimulus and recovery funding designed to ensure the nation's swift economic and public health recovery from COVID-19; and

WHEREAS, Chautauqua County received an award of $24,600,000 in ARPA funding, of which $18,219,169 is available for general county spending based on the Treasury Department's revenue loss formula and other guidance, and the remaining $6,380,831 in funding can only be spent on designated ARPA categories including premium pay; water, sewer, and broadband projects; and responding to the COVID-19 pandemic and its associated economic impacts; and

WHEREAS, an ARPA working group consisting of the County Executive, several legislators, and several department heads worked for many months to create an ARPA Spending Plan (Plan) consisting of priority projects to address the key strategic categories as defined by the Department of Treasury, to be sustainable, and to have a County-wide impact; and

WHEREAS, the Plan, consisting of the priority projects, was thoroughly reviewed by the ARPA working group, the County Executive, and the County Legislature and was adopted pursuant to Resolution 202-21; and

WHEREAS, the Air Service Development Study project, identified as one of the priority projects recommended in Resolution 202-21, is ready to proceed, and budget amendments are necessary to authorize spending for the project; therefore be it

RESOLVED, That the County Executive is hereby authorized to execute any and all necessary documents on behalf of Chautauqua County in connection with the Air Service Development Study project; and be it further

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2021 Adopted Budget in order to implement the Air Service Development Study project:

INCREASE APPROPRIATION ACCOUNT:
A.5610.5610.4 Contractual—Chautauqua County Airport, Jamestown Airport $72,000

ESTABLISH & INCREASE REVENUE ACCOUNT:
A.5610.5610.R4*08.9ARP* Federal Aid—*OTH FED AID: ARPA* $72,000

Signed: Hemmer, Scudder, Davis, Harmon (P.F. – Carried with Legislator Gould voting "No") (A.C. – Defeated with Niebel and Nazzaro voting "No")

R/C Vote: 4 Yes; 15 No – DEFEATED w/ Legislators Bankoski, Gould, Harmon, Lawton, Nazzaro, Niebel, Pavlock, Penhollow, Rankin, Scudder, Starks, Vanstrom, Ward, Whitford, Whitney Voting "No"

RES. NO. 213-21
Amend 2021 Budget to Implement the County Internet Bandwidth Upgrades Project Within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan

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

WHEREAS, President Biden signed into law the American Rescue Plan Act (ARPA) on March 11, 2021, and this legislation contains a wide array of stimulus and recovery funding designed to ensure the nation's swift economic and public health recovery from COVID-19; and

WHEREAS, Chautauqua County received an award of $24,600,000 in ARPA funding, of which $18,219,169 is available for general county spending based on the Treasury Department's revenue loss formula and other guidance, and the remaining $6,380,831 in funding can only be spent on designated ARPA categories including premium pay; water, sewer, and broadband projects; and responding to the COVID-19 pandemic and its associated economic impacts; and

WHEREAS, an ARPA working group consisting of the County Executive, several legislators, and several department heads worked for many months to create an ARPA Spending Plan (Plan) consisting of priority projects to address the key strategic categories as defined by the Department of Treasury, to be sustainable, and to have a County-wide impact; and

WHEREAS, the Plan, consisting of the priority projects, was thoroughly reviewed by the ARPA working group, the County Executive, and the County Legislature and was adopted pursuant to Resolution No. 202-21; and

WHEREAS, the County Internet Bandwidth Upgrades project, identified as one of the priority projects recommended in Resolution 202-21, is ready to proceed and budget amendments are necessary to authorize spending for the project; therefore be it

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2021 Adopted Budget in order to implement the County Internet Bandwidth Upgrades project:

INCREASE APPROPRIATION ACCOUNT:
A.1680.----.2 Equipment—Information Technology $173,000

ESTABLISH & INCREASE REVENUE ACCOUNT:
A. 1680.----.R408.9ARP Federal Aid—Oth Fed Aid: ARPA $173,000

Signed: Starks, Davis, Muldowney, Vanstrom, Scudder, Harmon, Niebel, Gould, Nazzaro

Unanimously Adopted – October 27, 2021

RES. NO. 214-21
Amend 2021 Budget to Increase Revenue & Expenditure Accounts for Historian Department

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

WHEREAS, The County Historian has received $625 in gifts and donations over the budgeted amount for 2021; and

WHEREAS, the Historian's Department has operating expenses greater than the budgeted amount for 2021; therefore be it

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2021 Adopted Budget:

INCREASE REVENUE ACCOUNT:
A.7510.----.R270.5HIS Miscellaneous—Gifts & Donations: Histor $625

INCREASE APPROPRIATION ACCOUNT:
A.7510.----.4 Contractual—Historian $625

Signed: Starks, Davis, Muldowney, Gould, Nazzaro, Vanstrom, Scudder, Harmon, Niebel

Unanimously Adopted – October 27, 2021

RES. NO. 215-21
Amend 2021 Budget for Liability Insurance

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

WHEREAS, some Insurance departmental expenses have exceeded initial budgetary estimates; now therefore be it

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2021 Adopted Budget:

INCREASE APPROPRIATION ACCOUNT:
CS.1710.----.4 Contractual – Insurance Administration $50,000

INCREASE REVENUE ACCOUNT:
CS.1710.----.R270.9000 Miscellaneous - Participant Assessments $50,000

Signed: Starks, Davis, Muldowney, Vanstrom, Scudder, Harmon, Niebel, Gould, Nazzaro

Unanimously Adopted – October 27, 2021

RES. NO. 216-21
Authorize Acceptance of Criminal Justice Discovery Reform Funding

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. Discovery Reform requires prosecutors to share evidence in their possession soon after arraignment, well in advance of trial, and allows defendants the opportunity to review evidence prior to pleading guilty. Prosecutors are also required to share names and contact information of victims and witnesses to the defense, but are provided with the ability to protect victims and witnesses from intimidation and coercion. 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 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 and the award amount was determined by each County's average criminal court arraignments statewide; and

WHEREAS, Chautauqua County has been awarded a total of $703,124.00 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 there is no specified end date as to when the funds need to used; 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 Chautauqua County Probation Department and the following police agencies: Village of Fredonia, Village of Westfield, Village of Lakewood/Busti, Town of Ellicott, and City of Dunkirk; and

WHEREAS, the expenses for such contracts and agreements will be covered by the award for Criminal Justice Discovery Reform Funding; and

WHEREAS, revenues and expenditures associated with this award are expected to be included in the adopted 2022 *and 2023* Budget; now therefore it be

RESOLVED, That the County of Chautauqua Legislature accepts the total award and authorizes the County Executive to execute the Criminal Justice Discovery Reform Funding contract with the New York State Division of Criminal Justice Services for a total of $703,124.00; and be it further

RESOLVED, That the County Executive is hereby authorized and empowered to execute contracts and agreements with the Chautauqua County Probation Department and the municipal police departments in Chautauqua County for the purposes of implementing the Criminal Justice Discovery Reform Funding.

Signed: Nazzaro, Whitford, Pavlock, Hemmer, Niebel, Harmon (P.S. – Amended with additional text shown by underline)

Unanimously Adopted – October 27, 2021

RES. NO. 217-21
Amend 2021 Budget for Capital Project: Server & Storage Replacement

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

WHEREAS, the County established a capital project for Server & Storage Replacement in 2019; and

WHEREAS, the total project expenses will exceed initial budgetary estimates due to the need to update user licensing, as a direct result of server replacements; and

WHEREAS, the Video System & Camera Upgrades, Tyler RMS System Upgrade, and Roof Replacement Capital Projects have a surplus; therefore be it

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2021 Adopted Budget:

INCREASE CAPITAL REVENUE ACCOUNT:		
H.3110.06004.R503.1000	Interfund Transfer – Interfund Transfer	$81,369
INCREASE CAPITAL APPROPRIATION ACCOUNT:		
H.3110.06004.4	Contractual—Server & Storage Repl	$81,369
DECREASE CAPITAL REVENUE ACCOUNT:		
H.3110.06001.R503.1000	Interfund Transfer – Interfund Transfer	$12,583
H.3110.06002.R503.1000	Interfund Transfer – Interfund Transfer	$58,784
H.3110.06003.R503.1000	Interfund Transfer – Interfund Transfer	$10,002
	Total	$81,369
DECREASE CAPITAL APPROPRIATION ACCOUNT:		
H.3110.06001.4	Contractual—Video Sys & Camera Upgrade	$12,583
H.3110.06002.4	Contractual—Tyler RMS System Upgrade	$58,784
H.3110.06003.4	Contractual—Roof Replacement	$10,002
	Total	$81,369

Signed: Whitford, Pavlock, Hemmer, Niebel, Harmon, Gould, Nazzaro

Unanimously Adopted – October 27, 2021

RES. NO. 218-21

Amend 2021 Budget to Implement the New Handguns Project within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan

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

WHEREAS, President Biden signed into law the American Rescue Plan Act (ARPA) on March 11, 2021, and this legislation contains a wide array of stimulus and recovery funding designed to ensure the nation's swift economic and public health recovery from COVID-19; and

WHEREAS, Chautauqua County received an award of $24,600,000 in ARPA funding, of which $18,219,169 is available for general county spending based on the Treasury Department's revenue loss formula and other guidance, and the remaining $6,380,831 in funding can only be spent on designated ARPA categories including premium pay; water, sewer, and broadband projects; and responding to the COVID-19 pandemic and its associated economic impacts; and

WHEREAS, an ARPA working group consisting of the County Executive, several legislators, and several department heads worked for many months to create an ARPA Spending Plan (Plan) consisting of priority projects to address the key strategic categories as defined by the Department of Treasury, to be sustainable, and to have a County-wide impact; and

WHEREAS, the Plan, consisting of the priority projects, was thoroughly reviewed by the ARPA working group, the County Executive, and the County Legislature and was adopted pursuant to Resolution No. 202-21; and

WHEREAS, the New Handguns project, identified as one of the priority projects recommended in Resolution 202-21, is ready to proceed, and budget amendments are necessary to authorize spending for the project; therefore be it

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2021 Adopted Budget in order to implement the New Handguns project:

INCREASE APPROPRIATION ACCOUNT:

A.3110.----.4	Contractual – Sheriff	$65,159

ESTABLISH & INCREASE REVENUE ACCOUNTS:

A.3110.----.R408.9ARP	Federal Aid – Oth Fed Aid: ARPA	$28,603
A.3110.----.R226.0000	Shared Services – Chrgs: Oth Gov-Pub Safety	$36,556
	Total	$65,159

Signed: Whitford, Pavlock, Hemmer, Niebel, Harmon, Nazzaro

WITHDRAWN – October 27, 2021

RES. NO. 219-21
Amend 2021 Budget to Implement the Body & Mail Scanners Project within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan

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

WHEREAS, President Biden signed into law the American Rescue Plan Act (ARPA) on March 11, 2021, and this legislation contains a wide array of stimulus and recovery funding designed to ensure the nation's swift economic and public health recovery from COVID-19; and

WHEREAS, Chautauqua County received an award of $24,600,000 in ARPA funding, of which $18,219,169 is available for general county spending based on the Treasury Department's revenue loss formula and other guidance, and the remaining $6,380,831 in funding can only be spent on designated ARPA categories including premium pay; water, sewer, and broadband projects; and responding to the COVID-19 pandemic and its associated economic impacts; and

WHEREAS, an ARPA working group consisting of the County Executive, several legislators, and several department heads worked for many months to create an ARPA Spending Plan (Plan) consisting of priority projects to address the key strategic categories as defined by the Department of Treasury, to be sustainable, and to have a County-wide impact; and

WHEREAS, the Plan, consisting of the priority projects, was thoroughly reviewed by the ARPA working group, the County Executive, and the County Legislature and was adopted pursuant to Resolution No. 202-21; and

WHEREAS, the Body & Mail Scanners project, identified as one of the priority projects recommended in Resolution 202-21, is ready to proceed, and budget amendments are necessary to authorize spending for the project(s); therefore be it

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2021 Adopted Budget in order to implement the Body & Mail Scanners project:

ESTABLISH & INCREASE APPROPRIATION ACCOUNTS:		
H.3150.06012.4	Contractual—Jail, Body & Mail Scanners (2021)	$299,350
A.9950.----.9	Interfund Transfers—Transfer to Capital	$299,350
	Total	$598,700

ESTABLISH & INCREASE REVENUE ACCOUNTS:		
H.3150.06012.R503.1000	Interfund Transfers – Interfund Transfer	$299,350
A.9950.~~9999~~ ----.R408.9ARP	Interfund Transfers – Oth Fed Aid: ARPA	$299,350
	Total	$598,700

Signed: Whitford, Pavlock, Hemmer, Niebel, Harmon, Nazzaro

Unanimously Adopted – October 27, 2021

_____

RES. NO. 220-21
Authorize Lease Agreement with Erie 2-Chautauqua Cattaraugus BOCES at Hewes Educational Center

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

WHEREAS, County desires to lease approximately 350 square feet of office space at the BOCES complex known as the Hewes Educational Center located at 2615 N. Maple Road, Ashville, NY 14710, County of Chautauqua, New York, and

WHEREAS, negotiations have been undertaken to obtain a tentative lease agreement mutually beneficial to the County and BOCES; now therefore be it

RESOLVED, That the County Executive is hereby authorized and empowered to execute a lease agreement with Erie 2-Chautauqua Cattaraugus BOCES upon the following terms and conditions:

1) Premises. Approximately 350 square feet of office space on the first floor of the Hewes Educational Center.
2) Term. July 1, 2021 through June 30, 2024.
3) Rent. $0.
4) Utilities. Landlord shall be responsible for all utilities, including heat and electric.
5) Other. As negotiated by the County Executive.

Signed: Whitford, Pavlock, Hemmer, Niebel, Harmon, Nazzaro
Unanimously Adopted – October 27, 2021

RES. NO.221-21
Authorize Lease Agreement with Erie 2-Chautauqua Cattaraugus BOCES at Phillip J. LoGuidice Educational Center

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

WHEREAS, County desires to lease approximately 1,000 square feet of office space at the BOCES complex known as the Phillip J. LoGuidice Educational Center located at 9520 Fredonia-Stockton Road, Fredonia, County of Chautauqua, New York, for use by the Sheriff's Office; and

WHEREAS, negotiations have been undertaken to obtain a tentative lease agreement mutually beneficial to the County and BOCES; now therefore be it

RESOLVED, That the County Executive is hereby authorized and empowered to execute a lease agreement with Erie 2-Chautauqua Cattaraugus BOCES upon the following terms and conditions:

1) Premises. Approximately 1,000 square feet of office space on the first floor of the LoGuidice Educational Center.
2) Term. July 1, 2021 through June 30, 2024.
3) Rent. $0.
4) Utilities. Landlord shall be responsible for all utilities, including heat and electric.
5) Other. As negotiated by the County Executive.

Signed: Whitford, Pavlock, Hemmer, Niebel, Harmon, Nazzaro
Unanimously Adopted – October 27, 2021

RES. NO. 222-21
Authorize Agreement with Forestville Central School for School Resource Officer

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

WHEREAS, the Chautauqua County Sheriff has conferred with the administrators of Forestville Central School and determined that the County and Forestville Central School would benefit from the reinstatement of the School Resource Officer program; and

WHEREAS, Forestville Central School has agreed to compensate the County of Chautauqua for the cost of providing a Deputy Sheriff for the period of October 1, 2021 through June 30, 2022, at a total sum not to exceed $73,453.50; and

WHEREAS, the County will not be required to incur any additional expenditures to fund these positions; and

WHEREAS, the revenue from this agreement is not included in the 2021 Adopted Budget; now therefore be it

RESOLVED, That the County Executive is hereby authorized and empowered to execute an agreement with Forestville Central School for the School Resource Officer program; and also be it

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2021 Adopted Budget:

INCREASE APPROPRIATION ACCOUNTS:

A.3110.----.1	Personal Services-Sheriff		$14,691
A.3110.----.8	Employee Benefits-Sheriff		$ 9,794
		Total	$24,485

INCREASE REVENUE ACCOUNT:

A.3110.----.R226.0000 Shared Services-Chrgs: Oth Gov-Pub Safety	$24,485

Signed: Whitford, Pavlock, Hemmer, Niebel, Harmon, Nazzaro

Unanimously Adopted – October 27, 2021

RES. NO. 223-21
Authorize Execution of State Interoperability Communications Grant Program FY20

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

WHEREAS, the Chautauqua County Office of the Sheriff received notice that the New York State (NYS) Division of Homeland Security and Emergency Services has approved the application submitted for the Statewide Interoperability Communications Grant (SICG) Program; and

WHEREAS, the State of New York will provide funding for the FY20 grant in the amount of $611,328, with no local funds, for the performance period of January 1, 2021 through December 31, 2022; and

WHEREAS, this grant is not currently included in the 2021 Adopted Budget and an amendment to the 2022 Tentative Budget was proposed; now therefore be it

RESOLVED, That the County Executive is authorized to execute an agreement with the NYS Division of Homeland Security and Emergency Services to secure the grant funding as set forth above; and also be it

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2021 Adopted Budget:

INCREASE APPROPRIATION ACCOUNT:

A.3110.GRNT.4	Contractual – Sheriff, Sheriff Grants	$404,627

INCREASE REVENUE ACCOUNT:

A.3110.GRNT.R438.9000	Federal Aid—Other Public Safety	$404,627

Signed: Whitford, Pavlock, Hemmer, Niebel, Harmon, Nazzaro

Unanimously Adopted – October 27, 2021

RES. NO. 224-21
Emergency Services 2021 Budget Amendment

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

WHEREAS, Emergency Medical Services' Continuing Medical Education (CME) sub-department budget included a CME Administrator position; and

WHEREAS, a CME Administrator position requires specific credentials, limiting the pool of available candidates; and

WHEREAS, the CME Administrator was not initially hired as an employee, but for the first six (6) months of 2021 the credentialed candidate entered into an Agreement of Service with the County to be paid as an independent contractor; and

WHEREAS, as of July 2021 the CME Administrator position is now filled as an employee, but the EMS appropriations need to be adjusted for the initial CME Administrator expenditures in the first six (6) months of 2021 that were made on a contractual basis; now therefore be it

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2021 Adopted Budget:

DECREASE APPROPRIATION ACCOUNT:

A.3989.CME.----.1	Personal Services-Emergency Medical Service, Continuing Medical Education	$ 5,000

INCREASE APPROPRIATION ACCOUNT:

A.3989.CME.----.4	Contractual- Emergency Medical Service, Continuing Medical Education	$ 5,000

Signed: Whitford, Pavlock, Hemmer, Niebel, Harmon, Nazzaro

Unanimously Adopted – October 27, 2021

RES. NO. 225-21
Amend Emergency Services 2021 Budget for Vehicle Accident Claims

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

WHEREAS, pursuant to Resolution No. 55-21 the 2021 Adopted Budget was amended to include repair expenses and insurance recovery revenue associated with a motor vehicle accident involving the EMS Fly Car known as Medic 74; and

WHEREAS, additional repairs to Medic 74 were required and the EMS Fly Car known as Medic 71 was involved in a separate accident; and

WHEREAS, the Chautauqua County Insurance Department, on behalf of the Office of Emergency Services, submitted claims to New York Municipal Insurance Reciprocal; and

WHEREAS, Chautauqua County has been reimbursed for expenses incurred in the amount of $3,056.33, and has invoices due for vehicle repairs; now therefore be it

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2021 Adopted Budget:

INCREASE APPROPRIATION ACCOUNT:

A.3989.EMS.4	Contractual – Emergency Medical Services, Fly Car & Ambulance Service	$ 3,057

INCREASE REVENUE ACCOUNT:

A.3989.EMS.R268.0000	Sale of Property/Compensa—Insurance Recoveries	$ 3,057

Signed: Whitford, Pavlock, Hemmer, Niebel, Harmon, Nazzaro

Unanimously Adopted – October 27, 2021

RES. NO. 226-21
Authorize Agreement for Early Intervention Services Program Administration

By Human Services Committee:
At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, funding is available to provide Early Intervention Services Program Administration (EISP) to ensure that infants and toddlers with developmental delays or disabilities and their families

receive services commensurate with their needs through the provision of case management and individualized family services plans; and

WHEREAS, the Chautauqua County Health Department receives funding from the New York State Department of Health (NYSDOH) on an annual basis to fund this program; now therefore be it

RESOLVED, That the County Executive is hereby authorized to enter into an agreement with the New York State Department of Health (NYSDOH) for administrative funding for the EISP program on an annual basis for so long as the NYSDOH continues to fund this program, with work plans and budgets to be amended and revised on a yearly basis by letters of agreement between the parties; and be it further

RESOLVED, That the County Executive is hereby authorized to enter into agreements with the NYSDOH for program funding for so long as the County Department of Health and Human Services 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: Whitford, Whitney, Pavlock

Unanimously Adopted – October 27, 2021

RES. NO. 227-21
Amend Chautauqua County Health & Human Services 2021 Adopted Budget for New York State Department of Health Award to Support Nurse Family Partnership

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

WHEREAS, the New York State Department of Health (NYSDOH) has awarded funds to the Chautauqua County Department of Health and Human Services to support Nurse Family Partnership program expenses for the period of April 1, 2020 through March 31, 2022 in the amount of $23,515; and

WHEREAS, 2021 revenue for the Nurse Family Partnership Program is now projected to be higher than the budgeted amount; and

WHEREAS, 2021 expenditures for the Nurse Family Partnership Program are now projected to be in excess of the budgeted amount; now therefore be it

RESOLVED, That A Fund Balance is appropriated as follows:

DECREASE THE USE OF FUND BALANCE:
A.----.----.917.0000 Unassigned Fund Balance—Unassigned Fund Balance $11,025

; and be it further

RESOLVED, That the Director of Finance is authorized and directed to make the following changes to the 2021 Adopted Budget:

INCREASE REVENUE ACCOUNT:

A.4010.NURS R348.9FOU	New York State Aid — Other Health: NFP	$23,515

DECREASE REVENUE ACCOUNT:

A.4010.PHSA R340.1000	New York State Aid — Public Health Grant	$ 8,014

INCREASE APPROPRIATION ACCOUNT:

A.4010.NURS.4	Contractual — Public Health Admin-Nursing	$ 4,476

Signed: Whitford, Whitney, Pavlock, Harmon, Niebel, Nazzaro

Unanimously Adopted – October 27, 2021

RES. NO. 228-21

Amend 2021 Budget to Implement the Chautauqua County Agricultural Improvement Plan Project within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan

By Planning & Economic Development and Audit & Control Committees:
At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, President Biden signed into law the American Rescue Plan Act (ARPA) on March 11, 2021, and this legislation contains a wide array of stimulus and recovery funding designed to ensure the nation's swift economic and public health recovery from COVID-19; and

WHEREAS, Chautauqua County received an award of $24,600,000 in ARPA funding, of which $18,219,169 is available for general county spending based on the Treasury Department's revenue loss formula and other guidance, and the remaining $6,380,831 in funding can only be spent on designated ARPA categories including premium pay; water, sewer, and broadband projects; and responding to the COVID-19 pandemic and its associated economic impacts; and

WHEREAS, an ARPA working group consisting of the County Executive, several legislators, and several department heads worked for many months to create an ARPA Spending Plan (Plan) consisting of priority projects to address the key strategic categories as defined by the Department of Treasury, to be sustainable, and to have a County-wide impact; and

WHEREAS, the Plan, consisting of the priority projects, was thoroughly reviewed by the ARPA working group, the County Executive, and the County Legislature and was adopted pursuant to Resolution No. 202-21; and

WHEREAS, the Chautauqua County Agricultural Improvement Plan project, identified as one of the priority projects recommended in Resolution 202-21, is ready to proceed and budget amendments are necessary to authorize spending for the projects; therefore be it

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2021 Adopted Budget in order to implement the Chautauqua County Agricultural Improvement Plan project:

INCREASE APPROPRIATION ACCOUNT:

A.6420.COMC.4	Contractual—Promotion of Industry, Community Contracts	$232,540

ESTABLISH & INCREASE REVENUE ACCOUNT:

A. 6420.COMC.R408.9ARP	Federal Aid—Oth Fed Aid: ARPA	$232,540

Signed: Harmon, Muldowney, Ward, Penhollow, Starks, Niebel, Nazzaro

Unanimously Adopted – October 27, 2021

RES. NO. 229-21
Amend 2021 Budget for New York State Housing Trust Fund Corporation Community Development Block Grant Award

By Planning & Economic Development and Audit & Control Committees:
At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, the Department of Planning & Development received notice that the New York State Housing Trust Fund Corporation ("HTFC"), represented by the New York State Office of Community Renewal ("OCR"), approved a Community Development Block Grant ("CDBG") application in the amount of $450,000 to support the development of the Webb's Chautauqua Resort project located on Route 394, in Mayville, New York (the "Project"); and

WHEREAS, the State of New York will provide funding for amount of $450,000, with no County funds, for Contract #222ED964-20 for the performance period of February 9, 2021 through December 9, 2022; and

WHEREAS, pursuant to Resolution 121-20, the County Executive was authorized to execute an agreement to secure the grant funding with the HTFC; and

WHEREAS, revenues and expenditures associated with this grant were not included in the 2021 operating budget; now therefore be it

RESOLVED, That the Director of Finance is hereby directed to make the following changes to the 2021 Adopted Budget:

INCREASE APPROPRIATION ACCOUNT:

A.6420.----.4	Contractual—Promotion of Industry	$450,000

ESTABLISH AND INCREASE REVENUE ACCOUNT:

A.6420.----.R308.9000	New York State Aid—Other State Aid	$450,000

Signed: Harmon, Muldowney, Ward, Penhollow, Starks, Niebel, Nazzaro

Unanimously Adopted – October 27, 2021

RES. NO. 230-21
Amend 2021 Budget to Implement the Workforce Development Initiative Project within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan

By Planning & Economic Development and Audit & Control Committees:
At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, President Biden signed into law the American Rescue Plan Act (ARPA) on March 11, 2021, and this legislation contains a wide array of stimulus and recovery funding designed to ensure the nation's swift economic and public health recovery from COVID-19; and

WHEREAS, Chautauqua County received an award of $24,600,000 in ARPA funding, of which $18,219,169 is available for general county spending based on the Treasury Department's revenue loss formula and other guidance, and the remaining $6,380,831 in funding can only be spent on designated ARPA categories including premium pay; water, sewer, and broadband projects; and responding to the COVID-19 pandemic and its associated economic impacts; and

WHEREAS, an ARPA working group consisting of the County Executive, several legislators, and several department heads worked for many months to create an ARPA Spending Plan (Plan) consisting of priority projects to address the key strategic categories as defined by the Department of Treasury, to be sustainable, and to have a County-wide impact; and

WHEREAS, the Plan, consisting of the priority projects, was thoroughly reviewed by the ARPA working group, the County Executive, and the County Legislature and was adopted pursuant to Resolution No. 202-21; and

WHEREAS, the Workforce Development Initiative project, identified as one of the priority projects recommended in Resolution 202-21, is ready to proceed and budget amendments are necessary to authorize spending for the projects; therefore be it

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2021 Adopted Budget in order to implement the Workforce Development Initiative project:

INCREASE APPROPRIATION ACCOUNT:

A.6420.COMC.4	Contractual—Promotion of Industry, Community Contracts	$352,000

ESTABLISH & INCREASE REVENUE ACCOUNT:

A. 6420.COMC.R408.9ARP	Federal Aid—Oth Fed Aid: ARPA	$352,000

Signed: Signed: Harmon, Muldowney, Ward, Penhollow, Starks, Niebel, Nazzaro

Unanimously Adopted – October 27, 2021

RES. NO. 231-21
Amend 2021 Occupancy Tax Program Budgets to Include Chautauqua County American Rescue Plan Act (ARPA) Funding

By Planning & Economic Development and Audit & Control Committees:
At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, President Biden signed into law the American Rescue Plan Act (ARPA) on March 11, 2021, and this legislation contains a wide array of stimulus and recovery funding designed to ensure the nation's swift economic and public health recovery from COVID-19; and

WHEREAS, Chautauqua County received an award of $24,600,000 in ARPA funding, of which $18,219,169 is available for general county spending based on the Treasury Department's revenue loss formula and other guidance, and the remaining $6,380,831 in funding can only be spent on designated ARPA categories including premium pay; water, sewer, and broadband projects; and responding to the COVID-19 pandemic and its associated economic impacts; and

WHEREAS, an ARPA working group consisting of the County Executive, several legislators, and several department heads worked for many months to create an ARPA Spending Plan (Plan) consisting of priority projects to address the key strategic categories as defined by the Department of Treasury, to be sustainable, and to have a County-wide impact; and

WHEREAS, the Plan, consisting of the priority projects, was thoroughly reviewed by the ARPA working group, the County Executive, and the County Legislature and was adopted pursuant to Resolution No. 202-21; and

WHEREAS, the $800,000 Occupancy Tax Bolster project, identified as one of the priority projects recommended in the Plan, consists of funding to be apportioned equally between the Chautauqua County Occupancy Tax Program for Tourism Development and the Chautauqua County Occupancy Tax Program for Lakes and Waterways; therefore be it

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following amendments to the 2021 Adopted Budget:

INCREASE APPROPRIATION ACCOUNTS:

A.6420.TOUR.4	Contractual—Promotion of Industry, Tourism	$400,000
A.8020.WTRS.4	Contractual—Planning, Watershed Administration	$400,000
	Total	$800,000

ESTABLISH & INCREASE REVENUE ACCOUNTS:

A.6420.TOUR.R408.9ARP	Federal Aid—Oth Fed Aid: ARPA	$400,000
A.8020.WTRS.R408.9ARP	Federal Aid—Oth Fed Aid: ARPA	$400,000
	Total	$800,000

Signed: Signed: Harmon, Muldowney, Ward, Penhollow, Starks, Niebel, Nazzaro

Unanimously Adopted – October 27, 2021

RES. NO. 232-21
Amend 2021 Budget to Implement the Support for the Jefferson Project at Chautauqua Lake Project within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan

By Planning & Economic Development and Audit & Control Committees:
At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, President Biden signed into law the American Rescue Plan Act (ARPA) on March 11, 2021, and this legislation contains a wide array of stimulus and recovery funding designed to ensure the nation's swift economic and public health recovery from COVID-19; and

WHEREAS, Chautauqua County received an award of $24,600,000 in ARPA funding, of which $18,219,169 is available for general county spending based on the Treasury Department's revenue loss formula and other guidance, and the remaining $6,380,831 in funding can only be spent on designated ARPA categories including premium pay; water, sewer, and broadband projects; and responding to the COVID-19 pandemic and its associated economic impacts; and

WHEREAS, an ARPA working group consisting of the County Executive, several legislators, and several department heads worked for many months to create an ARPA Spending Plan (Plan) consisting of priority projects to address the key strategic categories as defined by the Department of Treasury, to be sustainable, and to have a County-wide impact; and

WHEREAS, the Plan, consisting of the priority projects, was thoroughly reviewed by the ARPA working group, the County Executive, and the County Legislature and was adopted pursuant to Resolution No. 202-21; and

WHEREAS, the Support for the Jefferson Project at Chautauqua Lake project, identified as one of the priority projects recommended in Resolution 202-21, is ready to proceed, and budget amendments are necessary to authorize spending for the projects; therefore be it

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2021 Adopted Budget in order to implement the Support for the Jefferson Project at Chautauqua Lake project.

<u>INCREASE APPROPRIATION ACCOUNT:</u>		
A.8020.----.4	Contractual— Planning	$250,000
<u>ESTABLISH & INCREASE REVENUE ACCOUNT:</u>		
A.8020.----.R408.9ARP	Federal Aid—Oth Fed Aid: ARPA	$250,000

Signed: Harmon, Muldowney, Ward, Penhollow, Starks, Niebel, Nazzaro

Unanimously Adopted – October 27, 2021

RES. NO. 233-21
Amend 2021 Budget to Implement the Chautauqua County Partnership for Economic Growth (CCPEG) Project within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan

By Planning & Economic Development and Audit & Control Committees:
At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, President Biden signed into law the American Rescue Plan Act (ARPA) on March 11, 2021, and this legislation contains a wide array of stimulus and recovery funding designed to ensure the nation's swift economic and public health recovery from COVID-19; and

WHEREAS, Chautauqua County received an award of $24,600,000 in ARPA funding, of which $18,219,169 is available for general county spending based on the Treasury Department's revenue loss formula and other guidance, and the remaining $6,380,831 in funding can only be spent on designated ARPA categories including premium pay; water, sewer, and broadband projects; and responding to the COVID-19 pandemic and its associated economic impacts; and

WHEREAS, an ARPA working group consisting of the County Executive, several legislators, and several department heads worked for many months to create an ARPA Spending Plan (Plan) consisting of priority projects to address the key strategic categories as defined by the Department of Treasury, to be sustainable, and to have a County-wide impact; and

WHEREAS, the Plan, consisting of the priority projects, was thoroughly reviewed by the ARPA working group, the County Executive, and the County Legislature and was adopted pursuant to Resolution No. 202-21; and

WHEREAS, the Chautauqua County Partnership for Economic Growth (CCPEG) project, identified as one of the priority projects recommended in Resolution 202-21, is ready to proceed and budget amendments are necessary to authorize spending for the projects; therefore be it

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2021 Adopted Budget in order to implement the Chautauqua County Partnership for Economic Growth (CCPEG) project:

INCREASE APPROPRIATION ACCOUNT:

A.6420.COMC.4	Contractual—Promotion of Industry, Community Contracts	$500,000

ESTABLISH & INCREASE REVENUE ACCOUNT:

A. 6420.COMC.R408.9ARP	Federal Aid—Oth Fed Aid: ARPA	$500,000

Signed: Harmon, Muldowney, Ward, Penhollow, Starks, Niebel, Nazzaro

Unanimously Adopted – October 27, 2021

RES. NO. 234-21

Amend ~~2021~~ *2022 Tentative* Budget to Develop a Chautauqua Lake District Work Plan Project Within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan

By Planning & Economic Development and Audit & Control Committees:
At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, President Biden signed into law the American Rescue Plan Act (ARPA) on March 11, 2021, and this legislation contains a wide array of stimulus and recovery funding designed to ensure the nation's swift economic and public health recovery from COVID-19; and

WHEREAS, Chautauqua County received an award of $24,600,000 in ARPA funding, of which $18,219,169 is available for general county spending based on the Treasury Department's revenue loss formula and other guidance, and the remaining $6,380,831 in funding can only be spent on designated ARPA categories including premium pay; water, sewer, and broadband projects; and responding to the COVID-19 pandemic and its associated economic impacts; and

WHEREAS, an ARPA working group consisting of the County Executive, several legislators, and several department heads worked for many months to create an ARPA Spending Plan (Plan) consisting of priority projects to address the key strategic categories as defined by the Department of Treasury, to be sustainable, and to have a County-wide impact; and

WHEREAS, the Plan, consisting of the priority projects, was thoroughly reviewed by the ARPA working group, the County Executive, and the County Legislature and was adopted pursuant to Resolution No. 202-21; and

WHEREAS, the Develop a Chautauqua Lake District Work Plan project, identified as one of the priority projects recommended in Resolution 202-21, is ready to proceed and budget amendments are necessary to authorize spending for the projects; therefore be it

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2022 ~~Adopted~~ *Tentative* Budget in order to implement the Develop a Chautauqua Lake District Work Plan project:

INCREASE APPROPRIATION ACCOUNT:		
A.8020.----.4	Contractual—Planning	$150,000
ESTABLISH & INCREASE REVENUE ACCOUNT:		
A.8020.----.R408.9ARP	Federal Aid—Oth Fed Aid: ARPA	$150,000

Signed: Harmon, Muldowney, Penhollow, Starks, Niebel, Nazzaro (P.E.D. – Amended with strike through and new language) (P.E.D. – Carried with Legislator Ward voting "No")

Unanimously Adopted – October 27, 2021

RES. NO. 235-21
Amend 2021 Budget to Implement the Marketing Assistance to Businesses and Not-for-Profits Project within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan

By Planning & Economic Development and Audit & Control Committees:
At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, President Biden signed into law the American Rescue Plan Act (ARPA) on March 11, 2021, and this legislation contains a wide array of stimulus and recovery funding designed to ensure the nation's swift economic and public health recovery from COVID-19; and

WHEREAS, Chautauqua County received an award of $24,600,000 in ARPA funding, of which $18,219,169 is available for general county spending based on the Treasury Department's revenue loss formula and other guidance, and the remaining $6,380,831 in funding can only be spent on designated ARPA categories including premium pay; water, sewer, and broadband projects; and responding to the COVID-19 pandemic and its associated economic impacts; and

WHEREAS, an ARPA working group consisting of the County Executive, several legislators, and several department heads worked for many months to create an ARPA Spending Plan (Plan) consisting of priority projects to address the key strategic categories as defined by the Department of Treasury, to be sustainable, and to have a County-wide impact; and

WHEREAS, the Plan, consisting of the priority projects, was thoroughly reviewed by the ARPA working group, the County Executive, and the County Legislature and was adopted pursuant to Resolution No. 202-21; and

WHEREAS, the Marketing Assistance to Businesses and Not-for-Profits project, identified as one of the priority projects recommended in Resolution 202-21, is ready to proceed and budget amendments are necessary to authorize spending for the projects; therefore be it

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2021 Adopted Budget in order to implement the Marketing Assistance to Businesses and Not-for-Profits project:

INCREASE APPROPRIATION ACCOUNT:

A.6420.COMC.4	Contractual—Promotion of Industry, Community Contracts	$400,000

ESTABLISH & INCREASE REVENUE ACCOUNT:

A. 6420.COMC.R408.9ARP	Federal Aid—Oth Fed Aid: ARPA	$400,000

Signed: Harmon, Muldowney, Ward, Penhollow, Starks, Niebel, Nazzaro

Unanimously Adopted – October 27, 2021

RES. NO. 236-21

Amend 2021 Budget to Implement the Chautauqua County Site Acquisition for Shovel Ready Sites Project within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan

By Planning & Economic Development and Audit & Control Committees:
At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, President Biden signed into law the American Rescue Plan Act (ARPA) on March 11, 2021, and this legislation contains a wide array of stimulus and recovery funding designed to ensure the nation's swift economic and public health recovery from COVID-19; and

WHEREAS, Chautauqua County received an award of $24,600,000 in ARPA funding, of which $18,219,169 is available for general county spending based on the Treasury Department's revenue loss formula and other guidance, and the remaining $6,380,831 in funding can only be spent on designated ARPA categories including premium pay; water, sewer, and broadband projects; and responding to the COVID-19 pandemic and its associated economic impacts; and

WHEREAS, an ARPA working group consisting of the County Executive, several legislators, and several department heads worked for many months to create an ARPA Spending Plan (Plan) consisting of priority projects to address the key strategic categories as defined by the Department of Treasury, to be sustainable, and to have a County-wide impact; and

WHEREAS, the Plan, consisting of the priority projects, was thoroughly reviewed by the ARPA working group, the County Executive, and the County Legislature and was adopted pursuant to Resolution No. 202-21; and

WHEREAS, the Site Acquisition for Shovel Ready Sites project, identified as one of the priority projects recommended in Resolution 202-21, is ready to proceed and budget amendments are necessary to authorize spending for the project; therefore be it

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2021 Adopted Budget in order to implement the Site Acquisition for Shovel Ready Sites project:

INCREASE APPROPRIATION ACCOUNTS:		
H.6420.37008.4	Contractual—Promotion of Industry, Greenfield Development	$1,400,000
A.9950.----.9	Interfund Transfers—Transfer to Capital	$1,400,000
	Total	$2,800,000
INCREASE REVENUE ACCOUNTS:		
H.6420.37008.R503.1000	Interfund Transfers – Interfund Transfer	$1,400,000
A.9950.9999.R408.9ARP	Interfund Transfers – Oth Fed Aid: ARPA	$1,400,000
	Total	$2,800,000

and be it further

RESOLVED, That the County Executive is authorized and empowered to enter into all necessary agreements, including with the County of Chautauqua Industrial Development Agency (CCIDA), to implement the project.

Signed: Niebel, Nazzaro, Ward, Starks, Harmon, Muldowney, Penhollow
Unanimously Adopted – October 27, 2021

RES. NO. 237-21
Amend 2021 Budget to Implement the Ag Building Upgrades within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan

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

WHEREAS, President Biden signed into law the American Rescue Plan Act (ARPA) on March 11, 2021, and this legislation contains a wide array of stimulus and recovery funding designed to ensure the nation's swift economic and public health recovery from COVID-19; and

WHEREAS, Chautauqua County received an award of $24,600,000 in ARPA funding, of which $18,219,169 is available for general county spending based on the Treasury Department's revenue loss formula and other guidance, and the remaining $6,380,831 in funding can only be spent on designated ARPA categories including premium pay; water, sewer, and broadband projects; and responding to the COVID-19 pandemic and its associated economic impacts; and

WHEREAS, an ARPA working group consisting of the County Executive, several legislators, and several department heads worked for many months to create an ARPA Spending Plan (Plan) consisting of priority projects to address the key strategic categories as defined by the Department of Treasury, to be sustainable, and to have a County-wide impact; and

WHEREAS, the Plan, consisting of the priority projects, was thoroughly reviewed by the ARPA working group, the County Executive, and the County Legislature and was adopted pursuant to Resolution No. 202-21; and

WHEREAS, the Ag Building Upgrades project, including demolition work, new air handling units, exterior doors, carpet, new gutters, acoustic controls, lighting and electrical work, within the following cost categories: $40,000 final architectural services; $550,000 construction services; $400,000 equipment; $10,000 furnishings; and $100,000 project contingency, is identified as one of the priority projects recommended in Resolution 202-21, is ready to proceed, and budget amendments are necessary to authorize spending for the project; therefore be it

RESOLVED, that the Director of Finance is hereby authorized and directed to make the following changes to the 2021 Adopted Budget in order to implement the Ag Building Upgrade project:

ESTABLISH & INCREASE APPROPRIATION ACCOUNTS:			
H.1620.25220.4	Contractual—Buildings & Grounds, Ag Center Upgrades		$1,100,000
A.9950.----.9	Interfund Transfers----Transfer to Capital		$1,100,000
		Total	$2,200,000
ESTABLISH & INCREASE REVENUE ACCOUNTS:			
H.1620.25220.R503.1000	Interfund Transfers – Interfund Transfer		$1,100,000
A.9950.----.R408.9ARP	Interfund Transfers – Oth Fed Aid: ARPA		$1,100,000
		Total	$2,200,000

Signed: Nazzaro, Niebel, Hemmer, Gould, Scudder, Davis, Harmon

Unanimously Adopted – October 27, 2021

RES. NO. 238-21
Amend 2021 Budget to Implement the Conewango Dams Project within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan

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

WHEREAS, President Biden signed into law the American Rescue Plan Act (ARPA) on March 11, 2021, and this legislation contains a wide array of stimulus and recovery funding designed to ensure the nation's swift economic and public health recovery from COVID-19; and

WHEREAS, Chautauqua County received an award of $24,600,000 in ARPA funding, of which $18,219,169 is available for general county spending based on the Treasury Department's revenue loss formula and other guidance, and the remaining $6,380,831 in funding can only be spent on designated ARPA categories including premium pay; water, sewer, and broadband projects; and responding to the COVID-19 pandemic and its associated economic impacts; and

WHEREAS, an ARPA working group consisting of the County Executive, several legislators, and several department heads worked for many months to create an ARPA Spending Plan (Plan) consisting of priority projects to address the key strategic categories as defined by the Department of Treasury, to be sustainable, and to have a County-wide impact; and

WHEREAS, the Plan, consisting of the priority projects, was thoroughly reviewed by the ARPA working group, the County Executive, and the County Legislature and was adopted pursuant to Resolution No. 202-21; and

WHEREAS, the Conewango Dams project, including: pre-construction activities and engineering work such as development of construction bid documents and sediment sampling for DEC permitting, that need to be funded prior to full construction funding; replacement of the drain gate valve for each of the four Conewango Dams maintained by the County; and dredging of sediments that have accumulated over the past 50 years, is identified as one of the priority projects recommended in Resolution 202-21, is ready to proceed, and budget amendments are necessary to authorize spending for the project; therefore be it

RESOLVED, that the Director of Finance is hereby authorized and directed to make the following changes to the 2021 Adopted Budget in order to implement the Conewango Dams project:

<u>INCREASE APPROPRIATION ACCOUNTS:</u>			
H.1440.25974.4	Contractual—Engineers, Conew Wtshd Dam 33 Sed Rem (2017)		$108,342
A.9950.----.9	Interfund Transfers----Transfer to Capital		<u>$108,342</u>
		Total	$216,684
<u>ESTABLISH & INCREASE REVENUE ACCOUNTS:</u>			
H.1440.25974.R503.1000	Interfund Transfers – Interfund Transfer		$108,342
A.9950.----.R408.9ARP	Interfund Transfers – Oth Fed Aid: ARPA		<u>$108,342</u>
		Total	$216,684

Signed: Niebel, Hemmer, Gould, Scudder, Davis, Harmon, Nazzaro

Unanimously Adopted – October 27, 2021

RES. NO. 239-21
Amend Resolution 141-21 - Standard Workday and Reporting Resolution

By Administrative Services Committee:
At the Request of Chairman Pierre Chagnon:

WHEREAS, the Chautauqua County Legislature approved the standard work days and schedule set forth in Resolution 141-21 for the titles listed therein; and

WHEREAS, since the adoption of Resolution 141-21, the New York State and Local Retirement System updated their form which must be used to officially report the standard work days for the titles listed in the schedule based on time keeping system records or their records of activities; therefore be it

RESOLVED, That Resolution 141-21 be amended by substitution as follows:

BE IT RESOLVED, That the County of Chautauqua hereby establishes the following standard work days for these titles, as set forth in the attached schedule, and will report the officials to the New York State and Local Retirement System based on time keeping system records or their record of activities:

Name	Social Security Number	NYSLRS ID	Title	Current Term Begin & End Dates	Standard Work Day	Record of Activities Result	Not Submitted	Pay Frequency	Tier 1
Elected Officials:									
Kenneth Lawton	Xxxx	xxxxxxxx	Legislator	1/22/2020-12/31/2021	6	3.49		Bi-Weekly	
Charles Nazzaro	Xxxx	xxxxxxxx	Legislator	1/1/2020-12/31/2021	6	7.15		Bi-Weekly	
Mark Odell	Xxxx	xxxxxxxx	Legislator	1/1/2020-12/31/2021	6	6.20		Bi-Weekly	
Appointed Officials:									
Mark Duncanson	Xxxx	xxxxxxxx	Assistant Public Defender	1/1/2020-12/31/2021	7	24.91		Bi-Weekly	
Derek Gregory	Xxxx	xxxxxxxx	Assistant Public Defender	12/10/2020-12/31/2021	7	22.92		Bi-Weekly	
Amber Payne	xxxx	xxxxxxxx	Second Assistant District Attorney	1/1/2021-12/31/2024	7	22.49		Bi-Weekly	
Andrew Molitor	Xxxx	xxxxxxxx	First Assistant District Attorney	1/5/2021-12/31/2024	7	25.59		Bi-Weekly	
Alexander Scherer	Xxxx	xxxxxxxx	Assistant District Attorney	1/1/2021-12/31/2024	7	23.72		Bi-Weekly	

Signed: Starks, Davis, Muldowney, Vanstrom, Scudder

Unanimously Adopted – October 27, 2021

RES. NO. 240-21
Canceling Outstanding Tax Balances on County-Owned Properties and a Property Conveyed to the City of Jamestown

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

WHEREAS, a working group of County Legislators and County staff are examining outstanding tax balances on various properties that have remained unresolved on the County's financial books for an extended period of time; and

WHEREAS, a portion of the outstanding tax balances relate to three (3) parcels of real property owned by the County that were previously leased or owned by private owners whose interest was abandoned, terminated, or foreclosed, and the County's tax exempt status did not apply prior to the County taking full ownership; and

WHEREAS, an additional parcel of real property containing an outstanding tax balance relates to a tax foreclosed property of vacant land on Lakeview Avenue conveyed to the City of Jamestown; and

WHEREAS, the outstanding tax amounts on said parcels have not been canceled since the County took full ownership of the real property or conveyed its interest to the City of Jamestown, and substantial amounts of additional interest and penalties have continued to accrue and need to be cleared from the County's books; therefore be it

RESOLVED, That County Legislature hereby approves the canceling of all of the following outstanding tax balances set forth below for the listed properties that are now tax exempt and fully owned by the County or the City of Jamestown:

Tax ID #	Property	Base Tax	Base Tax + Penalties + Interest
336.00-1-35..1	Former United Jet Center Hangar – JHW Airport	$ 5,858.78	$ 15,679.99
370.14-1-12	Vacant parcel on Washington St, City of Jamestown	$33,801.13	$137,804.80
80.00-3-29..B	Former Great Circle Aviation Hangar – DKK Airport	$67,373.53	$187,259.29
370.19-8-2	Vacant parcel on Lakeview Ave, City of Jamestown	$ 8,662.41	$ 14,302.64

Signed: Starks, Davis, Muldowney, Harmon, Vanstrom, Scudder, Niebel, Gould, Nazzaro

Unanimously Adopted – October 27, 2021

RES. NO. 241-21
Amend Resolution 185-21 Regarding Quit Claim Deeds

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

WHEREAS, the Legislature approved Resolution 185-21 in August 2021, authorizing the County Executive and Chairman of the Legislature to execute Quit Claim deeds for the sale of certain tax foreclosed properties; and

WHEREAS, one approved sale failed to be completed, but a second bid for this property had been received; now therefore be it

RESOLVED, That Resolution 185-21 is hereby amended to accept the bid of Knight Family LLC and strike the bid of Thomas and Bernadette Zachary for PA-428-2019.

Offer Number	Municipality	S/B/L	Purchaser	Foreclosed Owner	Offer Amount	Taxes Owing
*PA-428-2019	Westfield	067201-193.13-2-11	Knight Family LLC	Daniel Lloyd	$100.00	$194.99
~~*PA-428-2019~~	~~Westfield~~	~~067201-193.13-2-11~~	~~Thomas & Bernadette Zachary~~	~~Daniel Lloyd~~	~~$500.00~~	~~$195.00~~

Signed: Starks, Davis, Muldowney, Vanstrom, Scudder, Harmon, Niebel, Gould, Nazzaro

R/C Vote: 19 Yes – Unanimously Adopted – October 27, 2021

RES. NO. 242-21
Approving Labor Contract with Chautauqua County Sheriff's Supervisors' Association (CCSSA)

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

WHEREAS, the County's negotiating team and the Chautauqua County Sheriff's Supervisors' Association of Chautauqua County (CCSSA) have negotiated a tentative agreement for terms and conditions of employment from January 1, 2022, through December 31, 2025; and

WHEREAS, pursuant to Section 2.05(g) of the Chautauqua County Charter, the County Legislature must approve all labor contracts; now therefore be it

RESOLVED, That the County Legislature hereby approves the tentative agreement between the County and CCSSA to include modifications to longevity, modifications to employer and employee cost share of the health plan, modifications to the retiree cash-out benefit, the addition of a cell phone stipend of $50.00 per month, an increase to the clothing allowance, and a change from a three to a four step salary schedule, with Steps 1-4 of the 2022 schedule as follows: Step 1 - $85,586, Step 2 - $87,298, Step 3 - $89,044, and Step 4 $90,825; thereafter, Steps 1 - 4 increase by 4.36% in 2023, 3.89% in 2024, and 3.89% in 2025; and be it further

RESOLVED, That the County Executive is authorized and empowered to execute all necessary documents and agreements to effectuate a new labor agreement with CCSSA.

Signed: Starks, Davis, Muldowney, Gould, Nazzaro, Vanstrom, Scudder, Whitford, Pavlock, Hemmer, Niebel, Harmon

R/C Vote: 19 Yes – Unanimously Adopted – October 27, 2021

RES. NO. 243-21
Consider 2022 Tentative Budget, with the Changes Listed Below, and Present Same to the County Executive for His Consideration and Action

By Audit & Control Committee:
At the Request of Audit & Control Committee:

WHEREAS, the Chautauqua County Legislature has received the County Executive's 2022 Tentative Budget and the Audit & Control Committee has reviewed the budget and has recommended changes to the tentative budget; now therefore be it

RESOLVED, that the 2022 Tentative Budget, with the changes listed herein, be presented to the County Executive for his consideration and action:

INCREASE APPROPRIATION ACCOUNTS:

A.1162.1110.1	Personal Services - Unified Court Costs, Court Officers	$6,127
A.1162.1110.8	Employee Benefits - Unified Court Costs, Court Officers	$3,665
A.1165.----.1	Personal Services - District Attorney	$9,044
A.1165.----.2	Equipment - District Attorney	$27,200
A.1165.----.4	Contractual - District Attorney	$266,000
A.1165.----.8	Employee Benefits - District Attorney	$1,483
A.1310.----.4	Contractual - Department of Finance	$57,000
A.1410.----.8	Employee Benefits - County Clerk	$12,289
A.1420.----.8	Employee Benefits - County Attorney	$3,787
A.1430.----.1	Personal Services - Human Resources	$12,888
A.1430.----.8	Employee Benefits - Human Resources	$2,113
A.1985.----.4	Contractual - Municipal Sales Tax	$351,064
A.1990.----.4	Contractual - Contingent Account	$500,000
A.3110.----.1	Personal Services - Sheriff	$45,508
A.3110.----.8	Employee Benefits - Sheriff	$31,702
A.3110.GRNT.4	Contractual - Sheriff, Sheriff Grants	$206,701
A.3150.----.1	Personal Services - Jail	$9,728
A.3150.----.8	Employee Benefits - Jail	$5,135
A.6420.COMC.4	Contractual - Promotion of Industry, Community Contracts	$50,000
A.8020.----.4	Contractual - Planning	$150,000
A.9950.----.9	Interfund Transfers - Transfer to Capital	$28,900
	Total	$1,780,334

DECREASE APPROPRIATION ACCOUNTS:

A.1430.----.1	Personal Services - Human Resources	$32,391
A.1430.----.8	Employee Benefits - Human Resources	$22,445

A.1620.8060.4	Contractual - Buildings & Grounds, Ag Center	$3,100
A.3020.DISP.1	Personal Services - Publ Safety Communication, Consolidated Dispatching	$2,347
A.3020.DISP.8	Employee Benefits - Publ Safety Communication, Consolidated Dispatching	$797
A.3110.----.4	Contractual - Sheriff	$20,000
A.3989.EMS.1	Personal Services - Emergency Medical Service, Flay Car & ambulance Services	$36,790
A.3989.EMS.8	Employee Benefits - Emergency Medical Service, Flay Car & ambulance Services	$6,430
A.6100.----.4	Contractual - Medicaid	$793,546
A.9730.----.6	Principal - Debt Service	$150,000
A.9730.----.7	Interest - Debt Service	$35,000
A.9901.9000.9	Interfund Transfers - Transfer to Other Funds, Trans Co Road Suppl (A-D)	$89,678
A.9901.9100.9	Interfund Transfers - Transfer to Other Funds, Transfer (A-DM)	$107,266
D.5110.----.1	Personal Services - Maintenance of Roads	$73,570
D.5110.----.8	Employee Benefits - Maintenance of Roads	$16,108
DM.9730.----.6	Principal - Debt Service	$91,535
DM.9730.----.7	Interest - Debt Service	$15,731
	Total	$1,496,734

INCREASE REVENUE ACCOUNTS:

A.1110.1162.R333.0000	New York State Aid-Court Officers	$9,792
A.1165.----.R308.9000	New York State Aid-Other State Aid	$419,310
A.1310.9999.R111.0000	Non Property Tax Items-Sales Tax	$319,149
A.1310.9999.R111.0CTY	Non Property Tax Items-Sales Tax-County Share	$180,851
A.1985.----.R111.0MUN	Non Property Tax Items-Sales Tax-Muni Make Whole	$351,064
A.3110.----.R226.0000	Shared Services-Chrgs: Oth Gov-Pub Safety	$41,518
A.3110.GRNT.R438.9000	Federal Aid-Other Public Safety	$206,701
A.8020.----.R408.9ARP	Federal Aid-Oth Fed Aid: ARPA	$150,000
	Total	$1,678,385

DECREASE REVENUE ACCOUNTS:

A.1310.9999.R100.1000	Real Property Tax-Real Property Tax	$1,226,741
D.9901.9000.R503.1000	Interfund Transfers-Interfund Transfer	$89,678
DM.9901.9100.R503.1000	Interfund Transfers-Interfund Transfer	$107,266
	Total	$1,423,685

INCREASE THE USE OF FUND BALANCE:

A.----.----.887.0000	Reserved Fund Balance--Capital Reserve	$28,900

;and be it further

RESOLVED, that exhibits and schedules presented in the 2022 Tentative Budget be modified as necessary to reflect the above amendments; and be it further

RESOLVED, that the following capital projects be removed from the 2022 Tentative Budget because they are included in the American Rescue Plan Act (ARPA) Spending Plan: Mobile Crane, Snowblower, Broadband, and Expand District Attorney Offices; and be it further

RESOLVED, that the federal funding amounts for the following projects be removed from the 2022 Tentative Budget because the funding is included in the American Rescue Plan Act (ARPA) Spending Plan: Vehicle & Heavy Equipment Replacement and Greenfield Development; and be it further

RESOLVED, That the 2022 Tentative Budget as amended above by the Legislature's Audit & Control Committee reflects a Real Property Tax Levy of $66,912,293 and an estimated Full Value Rate of $8.10.

Signed: Nazzaro, Niebel, Harmon (A.C. – Amended)

R/C Vote: 19 Yes – Unanimously Adopted – October 27, 2021

MOTIONS: (On file w/ Legislature Data)

5-21 Calling on All Elected Officials of the State of New York and the United States Government to Exercise Their Legislative and Executive Powers Within the Bounds of Their Constitutional Authority - R/C - Vote -13 Yes; 6 No – Adopted w/ Legislators Bankoski, Lawton, Nazzaro, Starks, Ward, Whitney Voting “No”

6-21 Calling on Elected Officials of the State of New York to Consider Alternatives to Vaccination Mandates for Healthcare Workers- R/C Vote – 17 Yes; 2 No – Adopted w/ Legislators Lawton and Whitney Voting “No”

Regular Meeting
Chautauqua County Legislature
Live Streamed on Social Media
Wednesday, November 17, 2021 6:30 p.m.
Mayville, N.Y. 14757

Chairman Chagnon called the meeting to order at 6:32 p.m.

Deputy Clerk Ames called the roll and announced a quorum present

Legislator Rankin delivered the prayer and pledge of allegiance.

Moment of silence for Robert Duff by Legislator Scudder

MOVED by Legislator Bankoski, SECONDED by Legislator Vanstrom and duly carried the minutes were approved. (10/27/2021)

1st Privilege of the Floor

Chairman Chagnon: That brings us to our first privilege of the floor. Members of the public may comment on any subject relating to any local law, resolution or motion appearing on the agenda. Individual comments are limited to three minutes and comments representing a group shall be limited to five minutes. Is there anyone to address the first privilege of the floor- please step up to the microphone and introduce yourself.

Thank you, Mr. Chairman. My name is Randy Woodbury- 342 Central Avenue, Dunkirk. I'm the Director of Public Works for the city and I'm speaking to resolution 255 this evening. I'd like to thank- its to co-fund the operation of a weed harvester in the Dunkirk harbor and this will be the first weed harvester on the Great Lakes side of the county's continental divide, there are several weed harvesters on the Mississippi side of the continental divide- several in Chautauqua Lake, one in Cassadaga Lake and one in Findley Lake. The weed harvester comes to us with the efforts primarily of Senator Catherine Young and then with Senator George Borrello. George Borrello sent a notice to the Planning and Economic Development committee explaining his background on that. He's been a proponent of this- having a weed harvester in the Dunkirk harbor. It would be a pilot project to perhaps get another one for Barcelona and then we'll bring the Silver Creek area- it's a very- I'd like to thank those senators and also the committee's in this body that helped put up through and the Legislators Muldowney and Bankoski who sponsored it and County Executive Wendel that proposed this. We went to Audit and Control and we tweak the resolution to read better so it's helping to pay for the operation of this weed harvester in the coming years. Dunkirk is going to host the national walleye invitational championship this year and we have a great venue for that and with bringing all those people there and with a harbor clean of weeds, we hope to fill up all the hotels and get this occupancy tax back to you, so there's a return on investment in this project. So, thank you for that and we have several- we have the Con Club, Bart's Yacht Club, Boat Launch, Chadwick Bay Marina- they're all partnering in this and now the Legislature will be partnering in this. So thank you, Mr. Chairman, you were very helpful in putting this all together and I'd like to thank you especially.

Chairman Chagnon: Thank you. Anyone else wishing to address the first privilege of the floor? Seeing no one, we will now have a commendation by the County Executive and myself for Brad Bentley.

COMMENDATIONS:

Director of Facilities
Brad Bentley
By
County Executive Wendel and Legislator Chagnon

VETO MESSAGES FROM COUNTY EXECUTIVE WENDEL
NO VETOES FROM 10/27/2021

COMMUNICATIONS:

1. Letter – Resignation - L.J. Foster as Committee Secretary/Chaut. Co. Legislature
2. Report – Small Business Development Center – Quarterly Report
3. Report –Small Business Development Center – Business Permit Center – Quarterly Report

---

LOCAL LAW
INTRODUCTORY NO. 3-21
CHAUTAUQUA COUNTY

AMENDING LOCAL LAW 7-90 PROVIDING FOR A MANAGEMENT SALARY PLAN FOR COUNTY OFFICERS AND EMPLOYEES

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

Section 1. 2022 Adjustment of Salary Ranges.

Effective January 1, 2022, the management salary ranges established pursuant to Local Law 7-90, as amended, shall be further adjusted to reflect an increase of 3.0%, except for positions with designated flat salaries. The maximum level of the salary range shall be a cap on the amount which may be paid for a full year of service.

Section 2. Effective Date.

This local law shall become effective upon filing with the Secretary of State.

Sponsor: Legislator Scudder

Emailed: 11/5/21 – LL Intro 3-21
Adopted by the Legislature: 11/17/2021
Public Hearing by County Executive 12/6/21

R/C Vote: 19 Yes;
Date State Filed: 12/17/21
Adopted as Local Law 5-21

RES. NO. 244-21
Confirm Re-Appointments – North Chautauqua Lake Sewer District Board

By Public Facilities Committee:
At the Request of Chairman Pierre E. Chagnon:

WHEREAS, the North Chautauqua Lake Sewer District was established as a County Sewer District by Resolution 86-75, as amended, and Resolution 37-76; and

WHEREAS, Pursuant to County Law §261 and County Resolution 38-76, as amended by Resolutions 263-19 and 148-21, the District is administered by a board consisting of six (6) members, five (5) of whom are appointed by the County Legislature and serve six year terms, and one (1) of whom is appointed by the Chairman of the County Legislature and serves at the pleasure of the Chairman of the County Legislature; and

WHEREAS, the North Chautauqua Lake Sewer District Board has recommended the following re-appointments; therefore be it

RESOLVED, That the Legislature re-appoints the following individuals to the North Chautauqua Lake Sewer District Board:

Suzanne K. Aldrich
6561 Lighthouse Point Rd.
Mayville, N.Y. 14757
Term Expires: 12/31/27

Martin Bova Jr.
38 Maple Drive East
Mayville, N.Y. 14757
Term Expires: 12/31/27

Marilyn Scarpino
4410 Canterbury Drive
Mayville, N.Y. 14757
Term Expires: 12/31/27

Signed: Nazzaro, Gould, Hemmer, Davis, Scudder

Unanimously Adopted – November 17, 2021

RES. NO. 245-21
Amend 2021 Budget to Implement the LED Lighting Retrofit for Various County Owned Buildings

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

WHEREAS, the County established a capital project in 2018 to investigate the modernization of the indoor lighting infrastructure in various County owned buildings; and

WHEREAS, the County has received a bid to retrofit the existing indoor lighting in the HRC, GOB, County Courthouse, Family Court, County Jail, DPF Administration, CARTS office and Sheridan Shop office buildings; and

WHEREAS, it is proposed that this project be funded by capital reserve; therefore be it

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

INCREASE THE USE OF FUND BALANCE:

A.----.----.878.0000	Reserved Fund Balance--Reserve for Capital	$355,000

; and be it further

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2021 Adopted Budget in order to implement the LED Lighting Retrofit project:

INCREASE APPROPRIATION ACCOUNTS:

A.9950.----.9	Interfund Transfers—Transfer to Capital	$355,000
H.1620.25930.4	Contractual—Buildings & Grounds, GOB/Courthouse/HRC Lights (2018)	$355,000
	Total	$710,000

INCREASE REVENUE ACCOUNT:

H.1620.25930.R503.1000	Interfund Transfers—Interfund Transfer	$355,000

Signed: Nazzaro, Scudder, Davis, Hemmer, Niebel, Gould, Harmon (P.F. Carried with Legislator Gould Voting "No")

Unanimously Adopted – November 17, 2021

RES. NO. 246-21
Authorizing Lease of Office Space in the City of Dunkirk

At the Request of County Executive Paul M. Wendel, Jr. and Legislator John Hemmer

WHEREAS, the County desires to lease from Agricultural Land Holdings, LLC approximately 10,000 square feet on the first floor located at 60-62 Franklin Ave, in the City of Dunkirk, for use by the Chautauqua County Departments of Probation and Mental Hygiene; and

WHEREAS, negotiations have been undertaken to obtain a lease agreement mutually beneficial to the County and Agricultural Land Holdings, LLC; now therefore be it

RESOLVED, That the County Executive is hereby authorized and empowered to execute a lease agreement with Agricultural Land Holdings, LLC, upon substantially the following terms and conditions:

1. Premises. Approximately 10,000 square feet of office space on the first floor of the property located at 60-62 Franklin Avenue in the City of Dunkirk.
2. Term. December 1, 2021 through November 30, 2026.
3. Base Rent. Annual rate of $13 per square foot, to be increased by 2% per year.
4. Build-Outs. ~~Up to $60,000 payable at a rate of up to $1,000 per month during the lease term~~. ***Up to $95,000 with up to $35,000 payable by a grant upon completion of the work.***
5. Snowplowing, Shoveling, and Salting. Annual rate of $0.30 per square foot of leased premises, at the option of the County.
6. Cleaning Services. Annual rate of $1.50 per square foot of leased premises, at the option of the County.
7. Parking Lot Sealing and Striping. As needed, at a rate of $.25 per square foot of leased premises, but not more frequently than every other year.

8. Taxes, Building Security, and Utilities. Landlord shall be responsible for all taxes, building security, and utilities attributable to the leased premises, including water, sewer, gas, and electricity. County is responsible for the cost of its phone and internet services, including installation fees.
9. Other. As negotiated by the County Executive.

Signed: Hemmer

MOVED by Legislator Nazzaro to AMEND, SECONDED by Legislator Vanstrom – *Unanimously Carried*

Unanimously Adopted as Amended– November 17, 2021

RES. NO. 247-21
Probation DCJS Employment Focused Services Grant

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

WHEREAS, Chautauqua County has been awarded funds from the New York State Division of Criminal Justice Services Employment Focused Services program with an award amount of $216,880.00 effective January 1, 2022 to December 31, 2022; and

WHEREAS, the grant objective is to provide employment focused services to probation offenders with the goal of reducing recidivism by assessing and addressing all barriers to employment; and

WHEREAS, employment of justice-involved individuals provides daily structure, a source of financial support and self-sufficiency, as well as a pro-social environment, all of which has a positive influence on the risk of reoffending; and

WHEREAS, the Probation Department has included these grant funds in the 2022 Adopted Budget; now, therefore be it

RESOLVED, That the County of Chautauqua accept the aforementioned grant and that the County Executive be authorized to execute the Employment Focused Services grant contract with the New York State Division of Criminal Justice Services (DCJS) and such other documents as may be required, for the term January 1, 2022 to December 31, 2022.

Signed: Niebel, Gould, Harmon, Nazzaro, Whitford, Bankoski, Hemmer, Pavlock

Unanimously Adopted – November 17, 2021

RES. NO. 248-21
Emergency Services 2021 Budget Adjustment

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

WHEREAS, appropriations for Emergency Services' EMT/CPR Training Department has exceeded initial budgetary estimates; and

WHEREAS, the Emergency Services' EMT/CPR Training Department has received revenues 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 2021 Adopted Budget:

INCREASE APPROPRIATION ACCOUNT:
A.3989.EMT.4 Contractual--Emergency Medical Service,
EMT/CPR Training $10,750

INCREASE REVENUE ACCOUNT:
A.3989.EMT.R168.9EMT Departmental Income—
Oth PH Inc: EMT Private Pay Tuition $10,750

Signed: Niebel, Gould, Harmon, Nazzaro, Whitford, Bankoski, Hemmer, Pavlock

Unanimously Adopted – November 17, 2021

RES. NO. 249-21
Authorize Lease of Property for Ten (10) Years from Christopher Cannon for Chautauqua County Radio System

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

WHEREAS, pursuant to Resolution 41-12, the County entered into an agreement with Christopher Cannon for the ten (10) year lease of a one (1) acre parcel of land for a radio and microwave tower for the County Radio System at a rate of $7,665 per year, that expires on 12/31/2021; and

WHEREAS, such lease allows for a ten (10) year renewal on mutually satisfactory terms, which the Sheriff's Office has tentatively negotiated; and

WHEREAS, such lease is necessary for the continued operation and maintenance of the radio and microwave tower for the County Radio System; now therefore be it

RESOLVED, That the County Executive be and hereby is authorized and empowered to execute a lease agreement with Christopher Cannon for a renewal ten (10) year term at $9,200 per year.

Signed: Niebel, Gould, Harmon, Nazzaro, Whitford, Bankoski, Hemmer, Pavlock

Unanimously Adopted – November 17, 2021

RES. NO. 250-21
Authorize Execution of NYS Office of Homeland Security Funding Grant—Operation Stonegarden FY21

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

WHEREAS, the County Sheriff's Office received notice that the State of New York Office of Homeland Security approved the application submitted to the Office of Homeland Security and Emergency Services Program Grant for the further implementation Operation Stonegarden; and

WHEREAS, the State of New York will provide funding for a FY21 grant in the amount of $103,300, with no local funds, for a contract period of September 1, 2021 through August 31, 2024; and

WHEREAS, this grant is included in the 2022 Budget so no budget amendment is needed; now therefore be it

RESOLVED, That the County Executive is authorized to execute an agreement to secure the grant funding with the New York State Office of Homeland Security.

Signed: Niebel, Gould, Harmon, Nazzaro, Whitford, Bankoski, Hemmer, Pavlock

Unanimously Adopted – November 17, 2021

RES. NO. 251-21
Authorize Execution of NYS Office of Homeland Security FY21 State Law Enforcement Terrorism Prevention Program Grant

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

WHEREAS, the Chautauqua County Sheriff received notice the State of New York Office of Homeland Security approved the application submitted to the Office of Homeland Security and Emergency Services for continued implementation of the State Law Enforcement Terrorism Prevention Program (SLETPP); and

WHEREAS, the State of New York will provide funding in the amount of $42,678 with no local funds required for the contract period from September 1, 2021 to August 31, 2024; and

WHEREAS, this grant is included in the 2021 and 2022 budgets so no budget amendment is needed; now therefore be it

RESOLVED, That the Chautauqua County Executive is authorized to execute the appropriate agreement with the New York State Office Homeland Security and Emergency Services.

Signed: Niebel, Gould, Harmon, Nazzaro, Whitford, Bankoski, Hemmer, Pavlock

Unanimously Adopted – November 17, 2021

RES. NO. 252-21
Amend 2021 Budget for Office of the Sheriff

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

WHEREAS, some Office of the Sheriff expenses have exceeded initial budgetary estimates while some appropriations have a surplus; and

WHEREAS, the Office of the Sheriff will receive revenues to offset said additional expenses; now therefore be it

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2021 Adopted Budget:

INCREASE APPROPRIATION ACCOUNTS:

A.3110.GRNT.1	Personal Services – Sheriff, Sheriff Grants		$20,884
A.3110.GRNT.4	Contractual – Sheriff, Sheriff Grants		$11,521
A.3110.GRNT.8	Employee Benefits – Sheriff, Sheriff Grants		$5,972
A.3189.3111.4	Contractual – Other Law Enforcement - Navigation		$3,700
		Total	$42,077

DECREASE APPROPRIATION ACCOUNT:

A.3189.3111.8	Employee Benefits – Other Law Enforcement – Navigation/Snowmobile	$3,700

INCREASE REVENUE ACCOUNTS:

A.3110.GRNT.R438.9000	Federal Aid – Other Public Safety Aid		$5,721
A.3110.GRNT.R438.9OSG	Federal Aid – Operation Stone Garden		$32,656
		Total	$38,377

Signed: Gould, Niebel, Harmon, Nazzaro, Whitford, Bankoski, Hemmer, Pavlock

Unanimously Adopted – November 17, 2021

RES. NO. 253-21
Amend Chautauqua County Health & Human Services 2021 Adopted Budget for Personal Services and Employee Benefits Costs

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

WHEREAS, 2021 expenditures for Personal Services and Employee Benefits for Public Health Administration - Nursing are now projected to be in excess of the budgeted amount; and

WHEREAS, 2021 expenditures for Personal Services and Employee Benefits for Public Health Administration, Other Public Health Programs - Lead Testing and Social Services Administration are now projected to be less than the budgeted amount; now therefore be it

RESOLVED, That the Director of Finance is authorized and directed to make the following changes to the 2021 Adopted Budget:

INCREASE APPROPRIATION ACCOUNTS:

A.4010.NURS.1	Personal Services— Public Health Admin- Nursing	$275,000
A.4010.NURS.8	Employee Benefits— Public Health Admin- Nursing	$ 50,000
	Total	$325,000

DECREASE APPROPRIATION ACCOUNTS:

A.4010.----.1	Personal Services— Public Health Admin	$100,000
A.4010.----.8	Employee Benefits— Public Health Admin	$ 30,000
A.4189.LEAD.1	Personal Services— Other Public Health Progs, Lead Testing	$ 50,000
A.4189.LEAD.8	Employee Benefits— Other Public Health Progs, Lead Testing	$ 3,000
A.6010.----.1	Personal Services—Social Services Admin	$125,000
A.6010.----.8	Employee Benefits—Social Services Admin	$ 17,000
	Total	$325,000

Signed: Gould, Niebel, Harmon, Nazzaro, Whitford, Lawton, Rankin, Pavlock, Whitney

Unanimously Adopted – November 17, 2021

RES. NO. 254-21
Amend Chautauqua County Health & Human Services 2021 Adopted Budget for Increased Equipment Costs

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

WHEREAS, 2021 expenditures for Social Services Administration equipment are now projected to be in excess of the budgeted amount; and

WHEREAS, 2021 contractual expenditures for State Training School are now projected to be lower than the budgeted amount; now therefore be it

RESOLVED, That the Director of Finance is authorized and directed to make the following changes to the 2021 Adopted Budget:

INCREASE APPROPRIATION ACCOUNT:

A.6010.----.2	Equipment-- Social Services Admin	$ 9,400

DECREASE APPROPRIATION ACCOUNT:

A.6129.----.4	Contractual—State Training School	$ 9,400

Signed: Niebel, Gould, Harmon, Nazzaro, Whitford, Lawton, Rankin, Pavlock, Whitney

Unanimously Adopted – November 17, 2021

RES. NO. 255-21
Co-Fund Lake Erie Weed Harvester

By Planning & Development and Audit & Control Committees:
At the Request of County Executive Paul M. Wendel, Jr. and Legislators Bob Bankoski and Kevin Muldowney:

WHEREAS, Lake Erie is an invaluable economic asset to Chautauqua County, but excessive weed growth and floating trash is negatively impacting the aesthetics and usability of the beaches, marinas, and docking facilities located in the vicinity of Dunkirk Harbor; and

WHEREAS, the City of Dunkirk has invested $45,000 to acquire a weed harvester and conveyor and intends to implement a lake maintenance program that will improve the aesthetics and usability of the beaches, marinas, and docking facilities located in Dunkirk Harbor by harvesting weeds and collecting floating trash; and

WHERAS, the City of Dunkirk is developing a plan to service and maintain the weed harvester and conveyor and will include funding in its annual budget to fund a lake maintenance program throughout Dunkirk Harbor; and

WHEREAS, Chautauqua County supports lake maintenance programs on Chautauqua Lake, Findley Lake, Cassadaga Lakes, and Bear Lake with revenues sourced from the 2% Occupancy Tax for Lakes and Waterways; and

WHEREAS, the City of Dunkirk has requested ~~a one-time reimbursement of~~ $20,000 from the 2% Occupancy Tax Program for Lakes and Waterways~~ to reduce its initial investment in the weed harvester and conveyor~~ *to allow an allocation of an additional $20,000 for the future operation and maintenance of the equipment;* and

WHEREAS, the 2% Occupancy Tax Program Reserve has a balance of $227,134 for projects of special opportunity and need; therefore be it

RESOLVED, That the Chautauqua County Legislature designates $20,000 from the 2% Occupancy Tax Program Reserve ~~to reimburse the City of Dunkirk for its initial investment in the weed harvester and conveyor,~~ *to allow an allocation of an additional $20,000 for the future operation and maintenance of the equipment*, pending receipt of acceptable documentation from the City of Dunkirk evidencing purchase of said equipment and a copy of its lake maintenance program; and be it further

RESOLVED, That the County Executive is hereby authorized to enter into any and all contracts necessary to implement the terms of this resolution; and be it further

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

INCREASE THE USE OF FUND BALANCE:
A.----.----.889.WATR Reserved Fund Balance-MISC RES: Lakes & Watrway $20,000

; and be it further

RESOLVED, That the Director of Finance is authorized and directed to make the following amendment to the 2021 Adopted Budget:

INCREASE APPROPRIATION ACCOUNT:
A.8020.WTRS.4 Contractual—Planning, Watershed Administration $20,000

Signed: Niebel, Harmon, Rankin, Starks, Muldowney, Lawton, Penhollow (A.C. – Defeated w/ Legislators Gould and Nazzaro Voting "No")(P.E.D – Amended by strike through and new language underlined)
Unanimously Adopted – November 17, 2021

RES. NO. 256-21
2022 County Sponsorship Contribution for JCC

By Administrative Services and Audit & Control Committees:
At the Request of Chairman Pierre Chagnon and Legislator Charles Nazzaro:

WHEREAS, Chautauqua County is one of three regional sponsors for Jamestown Community College ("JCC"); and

WHEREAS, the County and JCC desire to set a lower floor and upper floor for the County's 2022 sponsorship contribution; now therefore be it

RESOLVED, That the County's 2022 sponsorship contribution to JCC shall have a lower floor of $4,211,270 and an upper floor of $4,316,725, with the actual 2022 amount to be confirmed by the County Legislature on or before the County Legislature's regular meeting in February 2023.

Signed: Starks, Muldowney, Davis, Vanstrom, Scudder, Niebel, Gould, Harmon, Nazzaro

Unanimously Adopted – November 17, 2021

RES. NO. 257-21
Standard Workday and Reporting Resolution

By Administrative Services Committee:
At the Request of Chairman Pierre Chagnon:

BE IT RESOLVED, That the County of Chautauqua hereby establishes the following standard work days for these titles, as set forth in the attached schedule, and will report the officials to the New York State and Local Retirement System based on time keeping system records or their record of activities:

Name	Social Security Number	NYSLRS ID	Title	Current Term Begin & End Dates	Standard Work Day	Record of Activities Result	Not Submitted	Pay Frequency	Tier 1
Elected Officials:									
Robert Scudder			Legislator	1/1/2020-12/31/2021	6	6.09		Bi-Weekly	
Appointed Officials:									
Tracey Brunecz			First Assistant District Attorney	1/5/2021-12/31/2024	7	25.73		Bi-Weekly	
Jordan Humphreys			Assistant Public Defender	2/20/2020-12/31/2021	7	22.81		Bi-Weekly	
Rachel Mitchell			Assistant District Attorney	3/2/2021-12/31/2024	7	20.62		Bi-Weekly	

Ana Marija Morgan			Assistant Public Defender	6/4/2021-12/31/21	7	23.52		Bi-Weekly	
Kristy Woodfield			Second Assistant Public Defender	2/4/2021-12/31/2021	7	22.34		Bi-Weekly	

Signed: Starks, Muldowney, Davis, Vanstrom, Scudder

Unanimously Adopted – November 17, 2021

RES. NO. 258-21

Amend 2021 Budget to Implement the Upgrades to County Trails Project within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan

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

WHEREAS, President Biden signed into law the American Rescue Plan Act (ARPA) on March 11, 2021, and this legislation contains a wide array of stimulus and recovery funding designed to ensure the nation's swift economic and public health recovery from COVID-19; and

WHEREAS, Chautauqua County received an award of $24,600,000 in ARPA funding, of which $18,219,169 is available for general county spending based on the Treasury Department's revenue loss formula and other guidance, and the remaining $6,380,831 in funding can only be spent on designated ARPA categories including premium pay; water, sewer, and broadband projects; and responding to the COVID-19 pandemic and its associated economic impacts; and

WHEREAS, an ARPA working group consisting of the County Executive, several legislators, and several department heads worked for many months to create an ARPA Spending Plan (Plan) consisting of priority projects to address the key strategic categories as defined by the Department of Treasury, to be sustainable, and to have a County-wide impact; and

WHEREAS, the Plan, consisting of the priority projects, was thoroughly reviewed by the ARPA working group, the County Executive, and the County Legislature and was adopted pursuant to Resolution No. 202-21; and

WHEREAS, the Upgrade County Trails project, identified as one of the priority projects recommended in Resolution 202-21, is ready to proceed and budget amendments are necessary to authorize spending for the projects; and

WHEREAS, through the coordination, recommendations, and input between the Department of Public Facilities, Department of Planning and Development, the Chautauqua County Greenway Group, and Chautauqua County Parks Commission, a sound plan has been established to expend the $250,000; and

WHEREAS, out of the $250,000 ARPA Trails funds, $125,000 will be directed to the Department of Public Facilities and $125,000 will be directed to Chautauqua Region Economic Development Corporation; and

WHEREAS, of the funding directed to the Department of Public Facilities, approximately $56,000 will be used for materials for in-house trail repairs such as lumber for bridges, culverts, waterway access points, and sign-in boxes; approximately $29,000 will be used for equipment replacements for items such as chainsaws, brushsaws, Jon Boat, trailer, motor, and ATV; and approximately $40,000 will be used for improvements to County parks projects such as Luensman restrooms; and

WHEREAS, of the funding directed to the Chautauqua Region Economic Development Corporation, approximately $29,500 will be used for materials such as lumber for kiosks, trail signs, mile markers, metal maps, and culverts; and approximately $95,500 will be used for improvements to the County's Overland trails, as well as other trail recommendations within the Chautauqua County Greenway Plan; therefore be it

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2021 Adopted Budget in order to Implement the Upgrades to County Trails project:

INCREASE APPROPRIATION ACCOUNTS:		
H.7110.25002.4	Contractual—Parks, Parks Capital Improvements (2018)	$ 85,000
H.7110.25828.4	Contractual—Parks, Luensman Park Rest Rooms (2014)	$ 40,000
H.8020.37010.4	Contractual—Planning, Trail Development (2020)	$125,000
A.9950.----.9	Interfund Transfers—Transfer to Capital	$250,000
	Total	$500,000
INCREASE REVENUE ACCOUNTS:		
H.7110.25002.R503.1000	Interfund Transfers—Interfund Transfer	$ 85,000
H.7110.25858.R503.1000	Interfund Transfers—Interfund Transfer	$ 40,000
H.8020.37010.R503.1000	Interfund Transfers – Interfund Transfer	$125,000
A.9950.----.R408.9ARP	Interfund Transfers – Oth Fed Aid ARPA Funds	$250,000
	Total	$500,000

Signed: Niebel, Gould, Harmon, Rankin, Starks, Muldowney, Penhollow, Lawton (P.F./ P.E.D./A.C. Amended by Substitution)

Unanimously Adopted – November 17, 2021

RES. NO. 259-21

Amend 2021 Budget to Implement the HVAC/Indoor Quality Improvements for County Owned Buildings within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan

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

WHEREAS, President Biden signed into law the American Rescue Plan Act (ARPA) on March 11, 2021, and this legislation contains a wide array of stimulus and recovery funding designed to ensure the Nation's swift economic and public health recovery from COVID-19; and

WHEREAS, Chautauqua County received an award of $24,600,000 in ARPA funding, of which $18,219,169 is available for general County spending based on the Treasury Department's revenue loss formula and other guidance, and the remaining $6,380,831 in funding can only be spent on designated ARPA categories including: premium pay; water, sewer, and broadband projects; and responding to the COVID-19 pandemic and its associated economic impacts; and

WHEREAS, an ARPA working group consisting of the County Executive, several legislators, and several department heads worked for many months to create an ARPA Spending Plan (Plan) consisting of priority projects to address the key strategic categories as defined by the Department of Treasury, to be sustainable, and to have a County-wide impact; and

WHEREAS, the Plan, consisting of the priority projects, was thoroughly reviewed by the ARPA working group, the County Executive, and the County Legislature and was adopted pursuant to Resolution No. 202-21; and

WHEREAS, the HVAC/Indoor Quality Improvements for County-owned Properties project, which includes a new chiller that serves HRC, GOB, the Court House and the Jail (approximately $391,000) and Indoor Air Quality Units / associated controls (approximately $249,000), is identified as one of the priority projects recommended in Resolution 202-21, is ready to proceed, and budget amendments are necessary to authorize spending for the project; therefore be it

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2021 Adopted Budget in order to implement the HVAC/Indoor Quality Improvements for County-owned Properties project:

ESTABLISH & INCREASE APPROPRIATION ACCOUNTS:

H.1620.25216.4	Contractual—Buildings & Grounds, ~~HVAC Improvements (2021)~~ *GOB Heating Sys. Repairs (2021)*	$ 640,000
A.9950.----.9	Interfund Transfers----Transfer to Capital	$ 640,000
	Total	$1,280,000

ESTABLISH & INCREASE REVENUE ACCOUNTS:

H.1620.25216.R408.9ARP	Federal Aid—Oth Fed Aid: ARPA	$ 640,000
A.9950.----.R408.9ARP	Interfund Transfers – Oth Fed Aid: ARPA	$ 640,000
	Total	$1,280,000

Signed: Nazzaro, Gould, Hemmer, Davis, Scudder, Niebel, Harmon

Unanimously Adopted – November 17, 2021

RES. NO. 260-21
Authorize Acceptance of American Rescue Plan Act of 2021 (ARPA) Grant to Provide Economic Relief for Chautauqua County Dunkirk Airport

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 Dunkirk Airport, a non-primary public airport in the National Plan of Integrated Airport Systems (NPIAS), in a manner that provides services and facilities on a non-exclusive basis for the general use of the public and enhances current and future economic development in the County; and

WHEREAS, pursuant to Public Law 117-2 (ARPA), Federal funds were made available to U.S. public airports in the NPIAS to “provide economic assistance to airports to prevent, prepare for, and respond to the coronavirus disease 2019 (COVID-19) pandemic”; and

WHEREAS, the County submitted a grant application to the Federal Aviation Administration (FAA) and received American Rescue Plan Act (ARPA) Grant Offer, Grant No. 3-36-0022-062-2022 in the amount of $32,000 (hereinafter called "the Grant") for the Chautauqua County Dunkirk Airport, and said funds will be used for costs related to operations, personnel, cleaning, sanitization, janitorial services, and combating the spread of pathogens at the airport; and

WHEREAS, the Airport Commission reviewed and recommended that the County accept the Grant for the purpose of offsetting the Chautauqua County Dunkirk Airport's allowable operating costs; and

WHEREAS, the County must accept the Grant and the FAA must obligate the funds no later than November 30, 2021 in order for the Grant to be valid; and

WHEREAS, pursuant to Resolution 84-21, The Chautauqua County Legislature accepted Coronavirus Response and Relief Supplemental Appropriation Act 2021 (CRRSA) grant No. 3-36-0022-060-2021 in the amount of $13,000 for the Chautauqua County Dunkirk Airport, but the resolution did not include any budget amendments necessitated by the grant; now therefore be it

RESOLVED, That the Chautauqua County Legislature accepts the ARPA Grant Offer, Grant No. 3-36-0022-062-2022 in the amount of $32,000 for the Chautauqua County Dunkirk Airport; and be it further

RESOLVED, That the County Executive is authorized to execute all necessary documents on behalf of Chautauqua County with the FAA in connection with this Grant; and be it further

RESOLVED, That the Director of Finance is hereby directed to make the following changes to the 2021 Adopted Budget

INCREASE APPROPRAITION ACCOUNT ÷		
A.5610.5612.1	Personal Services-Chautauqua County Airport, Dunkirk Airport	$45,000
INCREASE REVENUE ACCOUNT:		
A.5610.5612.R458.9000	Federal Aid-Transportation	$45,000

Signed: Nazzaro, Gould, Scudder, Hemmer, Davis, Niebel, Harmon

Unanimously Adopted – November 17, 2021

RES. NO. 261-21
Authorize Acceptance of American Rescue Plan Act of 2021 (ARPA) Grant to Provide Economic Relief for Chautauqua County Jamestown Airport

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, a non-primary public airport in the National Plan of Integrated Airport Systems (NPIAS), in a manner that provides services and facilities on a non-exclusive basis for the general use of the public and enhances current and future economic development in the County; and

WHEREAS, pursuant to Public Law 117-2 (ARPA), Federal funds were made available to U.S. public airports in the NPIAS to "provide economic assistance to airports to prevent, prepare for, and respond to the coronavirus disease 2019 (COVID-19) pandemic"; and

WHEREAS, the County submitted a grant application to the Federal Aviation Administration (FAA) and received American Rescue Plan Act (ARPA) Grant Offer, Grant No. 3-36-0048-057-2022 in the amount of $32,000 (hereinafter called "the Grant") for the Chautauqua County Jamestown Airport, and said funds will be used for costs related to operations, personnel, cleaning, sanitization, janitorial services, and combating the spread of pathogens at the airport; and

WHEREAS, the Airport Commission reviewed and recommended that the County accept the Grant for the purpose of offsetting the Chautauqua County Jamestown Airport's allowable operating costs; and

WHEREAS, the County must accept the Grant and the FAA must obligate the funds no later than November 30, 2021 in order for the Grant to be valid; and

WHEREAS, pursuant to Resolution 85-21, The Chautauqua County Legislature accepted Coronavirus Response and Relief Supplemental Appropriation Act 2021 (CRRSA) grant No. 3-36-0048-055-2021 in the amount of $13,000 for the Chautauqua County Jamestown Airport, but the resolution did not include any budget amendments necessitated by the grant; now therefore be it

RESOLVED, that the Chautauqua County Legislature accepts the ARPA Grant Offer, Grant No. 3-36-0048-057-2022 in the amount of $32,000 for the Chautauqua County Jamestown Airport; and be it further

RESOLVED, That the County Executive is authorized to execute all necessary documents on behalf of Chautauqua County with the FAA in connection with this Grant; and be it further

RESOLVED, That the Director of Finance is hereby directed to make the following changes to the 2021 Adopted Budget

INCREASE APPROPRIATION ACCOUNT:

A.5610.5610.1	Personal Services-Chautauqua County Airport, Jamestown Airport	$45,000

INCREASE REVENUE ACCOUNT:

A.5610.5610.R458.9000	Federal Aid-Transportation	$45,000

Signed: Nazzaro, Gould, Davis, Scudder, Hemmer, Niebel, Harmon

Unanimously Adopted – November 17, 2021

RES. NO. 262-21
Amend 2021 Budget to Implement the New Handguns Project within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan

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

WHEREAS, President Biden signed into law the American Rescue Plan Act (ARPA) on March 11, 2021, and this legislation contains a wide array of stimulus and recovery funding designed to ensure the nation's swift economic and public health recovery from COVID-19; and

WHEREAS, Chautauqua County received an award of $24,600,000 in ARPA funding, of which $18,219,169 is available for general county spending based on the Treasury Department's revenue loss formula and other guidance, and the remaining $6,380,831 in funding can only be spent on designated ARPA categories including premium pay; water, sewer, and broadband projects; and responding to the COVID-19 pandemic and its associated economic impacts; and

WHEREAS, an ARPA working group consisting of the County Executive, several legislators, and several department heads worked for many months to create an ARPA Spending Plan (Plan) consisting of priority projects to address the key strategic categories as defined by the Department of Treasury, to be sustainable, and to have a County-wide impact; and

WHEREAS, the Plan, consisting of the priority projects, was thoroughly reviewed by the ARPA working group, the County Executive, and the County Legislature and was adopted pursuant to Resolution No. 202-21; and

WHEREAS, the New Handguns project(s), identified as one of the priority projects recommended in Resolution 202-21, is ready to proceed, and budget amendments are necessary to authorize spending for the project(s); therefore be it

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2021 Adopted Budget in order to implement the New Handguns project(s):

INCREASE APPROPRIATION ACCOUNT:			
A.3110.----.4	Contractual—Sheriff		$88,968
		Total	$88,968
ESTABLISH & INCREASE REVENUE ACCOUNTS:			
A.3110.----.R408.9ARP	Federal Aid—Oth Fed Aid: ARPA		$52,412
A.3110.----.R226.0000	Shared Services – Chrgs: Oth Gov-Pub Safety		$36,556
		Total	$88,968

Signed: Gould, Niebel, Harmon, Nazzaro, Whitford, Bankoski, Hemmer, Pavlock

Unanimously Adopted – November 17, 2021

RES. NO. 263-21
Environmental Review for Occupancy Tax for Lakes & Waterways Grant Projects Within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan

By Planning & Economic Development Committee:
At the Request of County Executive Paul M. Wendel, Jr.

WHEREAS, President Biden signed into law the American Rescue Plan Act (ARPA) on March 11, 2021, and this legislation contains a wide array of stimulus and recovery funding designed to ensure the nation's swift economic and public health recovery from COVID-19; and

WHEREAS, Chautauqua County received an award of $24,600,000 in ARPA funding, of which $18,219,169 is available for general county spending based on the Treasury Department's revenue loss formula and other guidance, and the remaining $6,380,831 in funding can only be spent on designated ARPA categories including premium pay; water, sewer, and broadband projects; and responding to the COVID-19 pandemic and its associated economic impacts; and

WHEREAS, an ARPA working group consisting of the County Executive, several legislators, and several department heads worked for many months to create an ARPA Spending Plan (Plan) consisting of priority projects to address the key strategic categories as defined by the Department of Treasury, to be sustainable, and to have a County-wide impact; and

WHEREAS, the Plan, consisting of the priority projects, was thoroughly reviewed by the ARPA working group, the County Executive, and the County Legislature and was adopted pursuant to Resolution No. 202-21; and

WHEREAS, the Occupancy Tax Bolster project was included as one of the priority projects approved in the Plan; and

WHEREAS, pursuant to Resolution 231-21, the 2021 Occupancy Tax Program Budget was amended to include $800,000 of ARPA funding, and $400,000 of said funding was designated to restore the programming for the 2020 and 2021 Chautauqua County 2% Occupancy Tax Grant Program for Lakes & Waterways and the implementation of following projects; and

Project/Agency or Organization	**Rank**	**SEQR Determination**
Chautauqua (Town)	2020-6	RES 189-19
Boat Stewards	2020-7	RES 189-19
Lighthouse Point	2020-8	RES 235-19
Morse	2020-9	RES 235-19
Park	2020-10	RES 235-19
Cooney Green Infrastructure	2020-11	Type II Action
Lakewood Grandview	2021-1	RES 177-20
CWC Lake Friendly Lawn Care	2021-2	RES 177-20
Rice Tim	2021-3	RES 177-20
O'Brien	2021-4	RES 177-20
Mud Creek 2	2021-5	RES 177-20
Sunset Bay HOA	2021-6	RES 177-20
Pomfret Salt Storage	2021-7	RES 177-20
Stark Chautauqua Lake Shoreline	2021-8	RES 177-20

WHEREAS, the Environmental Review required by 6 NYCRR Part 617 of the Environmental Conservation Law was previously completed for thirteen of fourteen Chautauqua County Occupancy Tax

Program for Lakes and Waterways projects that are ready for implementation and memorialized in Resolutions 189-19, 235-19 and 177-20; and

WHEREAS, the Environmental Review was completed for the remaining Cooney Green Infrastructure Project, which was determined to be a Type II Action in accordance with 6 NYCRR Part 617.5 (c)(a); and

WHEREAS, the County has reviewed and analyzed the Short Environmental Assessment Form (SEAF) for each of the fourteen projects eligible for ARPA funding, and considered any relevant areas of environmental concern and probable environmental impacts of the Actions to determine if the Actions may have any significant adverse environmental effects; now therefore be it

RESOLVED, That the County has determined that implementation of the fourteen projects eligible for ARPA funding will not have a significant adverse environmental impact in accordance with New York State Environmental Quality Review Act, Article 8 of the New York Environmental Conservation Law, and the implementing regulations found at 6 N.Y.C.R.R. Part 617; and be it further

RESOLVED, That the County Executive is hereby authorized to enter into any and all contracts necessary to implement the terms of this resolution.

Signed: Harmon, Rankin, Starks, Muldowney, Lawton, Penhollow

Unanimously Adopted – November 17, 2021

RES. NO. 264-21
Amend 2022 Budget to Implement the Digitization of County Records Project within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan

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

WHEREAS, President Biden signed into law the American Rescue Plan Act (ARPA) on March 11, 2021, and this legislation contains a wide array of stimulus and recovery funding designed to ensure the nation's swift economic and public health recovery from COVID-19; and

WHEREAS, Chautauqua County received an award of $24,600,000 in ARPA funding, of which $18,219,169 is available for general county spending based on the Treasury Department's revenue loss formula and other guidance, and the remaining $6,380,831 in funding can only be spent on designated ARPA categories including premium pay; water, sewer, and broadband projects; and responding to the COVID-19 pandemic and its associated economic impacts; and

WHEREAS, an ARPA working group consisting of the County Executive, several legislators, and several department heads worked for many months to create an ARPA Spending Plan (Plan) consisting of priority projects to address the key strategic categories as defined by the Department of Treasury, to be sustainable, and to have a County-wide impact; and

WHEREAS, the Plan, consisting of the priority projects, was thoroughly reviewed by the ARPA working group, the County Executive, and the County Legislature and was adopted pursuant to Resolution No. 202-21; and

WHEREAS, the Digitization of County Records project, identified as one of the priority projects recommended in Resolution 202-21, will be ready to proceed in 2022, will require work in both 2022 and 2023, and budget amendments are necessary to authorize the 2022 portion of the total project cost of $40,432; therefore be it

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2022 Adopted Budget in order to implement the Digitization of County Records project:

INCREASE APPROPRIATION ACCOUNTS:		
A.1460.----.1	Personal Services—Records Management	$15,254
A.1460.----.4	Contractual—Records Management	$ 3,300
A.1460.----.8	Employee Benefits—Records Management	$ 3,312
	Total	$21,866
ESTABLISH & INCREASE REVENUE ACCOUNT:		
A.1460.----.R408.9ARP	Federal Aid—Oth Fed Aid: ARPA	$21,866

Signed: Starks, Muldowney, Davis, Vanstrom, Scudder, Niebel, Gould, Harmon, Nazzaro

Unanimously Adopted – November 17, 2021

RES. NO. 265-21
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:

April 1, 2021 through September 30, 2021

TOWNS	
Arkwright	13,945.63
Busti	76,705.21
Carroll	27,665.27
Charlotte	9,314.84
Chautauqua	98,143.15
Cherry Creek	6,778.12
Clymer	18,285.77
Dunkirk	21,137.07
Ellery	73,321.82
Ellicott	75,627.22
Ellington	7,948.27
French Creek	17,206.04
Gerry	12,423.59

CITIES	
Dunkirk	44,234.15
Jamestown	132,498.97
TOTAL	$176,733.12

VILLAGES	
Bemus Point	4,968.60
Brocton	2,524.86
Cassadaga	3,590.74
Celoron	5,795.92
Falconer	8,386.72

Hanover	55,503.12	Fredonia	38,912.48
Harmony	12,353.65	Lakewood	22,972.55
Kiantone	17,176.91	Mayville	7,623.04
Mina	19,028.79	Panama	1,474.58
North Harmony	41,611.15	Sherman	1,782.37
Poland	17,852.27	Silver Creek	6,451.88
Pomfret	77,149.07	Sinclairville	1,654.83
Portland	27,727.29	Westfield	9,733.40
Ripley	13,314.18		
Sheridan	28,678.23		
Sherman	10,404.34		
Stockton	19,959.38	**TOTAL**	$115,871.97
Villenova	5,521.08		
Westfield	26,503.20		
TOTAL	$831,284.66		

GRAND TOTAL $1,123,889.75

Signed: Vanstrom, Starks, Muldowney, Davis, Scudder, Gould, Niebel, Harmon, Nazzaro

Unanimously Adopted – November 17, 2021

RES. NO. 266-21

A Resolution Authorizing the Issuance pursuant to Section 90.10 of the Local Finance Law of Refunding Bonds of the County of Chautauqua, New York, to be Designated Substantially "Public Improvement Refunding (Serial) Bonds," and Providing for Other Matters in Relation Thereto and the Payment of the Bonds to be Refunded Thereby

By Audit & Control Committee:
At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, the County of Chautauqua, New York (hereinafter, the "County") heretofore issued $15,765,000 Public Improvement Refunding (Serial) Bonds, 2012, pursuant to a bond determinations certificate dated October 30, 2012 (hereinafter referred to as the "Bond Certificate"), and duly executed by the Director of Finance, to refinance the cost of the Chautauqua County jail building additions and renovations, and improvements to court facilities, such Public Improvement Refunding (Serial) Bonds, 2012, being dated October 30, 2012 with remaining maturities on June 1 in the years 2022 through 2029, both inclusive, as more fully described in the Bond Certificate (the "Refunded Bonds"); and

WHEREAS, it would be in the public interest to refund all or a portion of the outstanding principal balance of the Refunded Bonds by the issuance of refunding bonds pursuant to Section 90.10 of the Local Finance Law; and

WHEREAS, such refunding will only be undertaken if it results in present value savings in debt service as required by Section 90.10 of the Local Finance Law; now therefore be it

RESOLVED, by the County Legislature of the County of Chautauqua, New York, as follows:

Section 1. For the object or purpose of refunding the outstanding principal balance of the Refunded Bonds maturing in 2023 and thereafter as more fully set forth in the Refunding Financial Plan (hereinafter defined), including providing moneys which, together with the interest earned from the investment of certain of the proceeds of the refunding bonds herein authorized, shall be sufficient to pay (i) the principal amount of such Refunded Bonds, (ii) the aggregate amount of unmatured interest payable on such Refunded Bonds to and including the date on which the Refunded Bonds which are callable are to be called prior to their respective maturities in accordance with the refunding financial plan, as hereinafter defined, as well as any prepayment premium, (iii) the costs and expenses incidental to the issuance of the refunding bonds herein authorized, including the development of the refunding financial plan, as hereinafter defined, compensation to the underwriter or underwriters, as hereinafter defined, costs and expenses of executing and performing the terms and conditions of the escrow contract or contracts, as hereinafter defined, and fees and charges of the escrow holder or holders, as hereinafter mentioned, and (iv) the premium or premiums for a policy or policies of municipal bond insurance or cost or costs of other credit enhancement facility or facilities, for the refunding bonds herein authorized, or any portion thereof, there are hereby authorized to be issued not exceeding $8,000,000 refunding serial bonds of the County pursuant to the provisions of Section 90.10 of the Local Finance Law (the "Refunding Bonds"), it being anticipated that the amount of Refunding Bonds actually to be issued will be approximately $7,260,000, as provided in Section 4 hereof.

The Refunding Bonds described herein are hereby authorized to be consolidated for purposes of sale in one or more refunding serial bond issues. The Refunding Bonds shall each be designated substantially "PUBLIC IMPROVEMENT REFUNDING (SERIAL) BOND" together with such series designation and year as is appropriate on the date of sale thereof, shall be of the denomination of $5,000 or any integral multiple thereof (except for any odd denominations, if necessary) not exceeding the principal amount of each respective maturity, shall be numbered with the prefix R 22 (or R with the last two digits of the year in which the Refunding Bonds are issued as appropriate) followed by a dash and then from 1 upward, shall be dated on such dates, and shall mature annually on such dates in such years, bearing interest semi-annually on such dates, at the rate or rates of interest per annum, as may be necessary to sell the same, all as shall be determined by the Director of Finance pursuant to Section 4 hereof.

It is hereby further determined that

(a) such Refunding Bonds may be issued in series,

(b) such Refunding Bonds may be sold at a discount in the manner authorized by paragraph a of Section 57.00 of the Local Finance Law pursuant to subdivision 2 of paragraph f of Section 90.10 of the Local Finance Law, and

(c) such Refunding Bonds may be issued as a single consolidated issue.

It is hereby further determined that such Refunding Bonds may be issued to refund all, or any portion of, the Refunded Bonds, subject to the limitation hereinafter described in Section 10 hereof relating to approval by the State Comptroller.

Section 2. The Refunding Bonds may be subject to redemption prior to maturity upon such terms as the Director of Finance shall prescribe, which terms shall be in compliance with the requirements of Section 53.00 (b) of the Local Finance Law. If less than all of the Refunding Bonds of any maturity are to be redeemed, the particular refunding bonds of such maturity to be redeemed shall be selected by the County by lot in any customary manner of selection as determined by the Director of Finance. Notice of such call for redemption shall be given by notice to the registered owners not less than thirty (30) days prior to such date. Notice of redemption having been given as aforesaid, the bonds so called for redemption shall, on the date for redemption set forth in such call for redemption, become due and payable, together with interest to such redemption date, and interest shall cease to be paid thereon after such redemption date.

The Refunding Bonds shall be issued in registered form and shall not be registrable to bearer or convertible into bearer coupon form. In the event said Refunding Bonds are issued in non-certificated

form, such bonds, when issued, shall be initially issued in registered form in denominations such that one bond shall be issued for each maturity of bonds and shall be registered in the name of Cede & Co., as nominee of The Depository Trust Company, New York, New York ("DTC"), which will act as securities depository for the bonds in accordance with the Book Entry Only system of DTC. In the event that either DTC shall discontinue the Book Entry Only system or the County shall terminate its participation in such Book Entry Only system, such bonds shall thereafter be issued in certificated form of the denomination of $5,000 each or any integral multiple thereof (except for any odd denominations, if necessary) not exceeding the principal amount of each respective maturity. In the case of non-certificated Refunding Bonds, principal of and interest on the bonds shall be payable by check or draft mailed by the Fiscal Agent (as hereinafter defined) to DTC, or to its nominee, Cede & Co., while the bonds are registered in the name of Cede & Co. in accordance with such Book Entry Only System. Principal shall only be payable upon surrender of the bonds at the principal corporate trust office of such Fiscal Agent (or at the office of the Director of Finance as Fiscal Agent as hereinafter provided).

In the event said Refunding Bonds are issued in certificated form, principal of and interest on the Refunding Bonds shall be payable by check or draft mailed by the Fiscal Agent (as hereinafter defined) to the registered owners of the Refunding Bonds as shown on the registration books of the County maintained by the Fiscal Agent (as hereinafter defined), as of the close of business on the fifteenth day of the calendar month or last day of the calendar month preceding each interest payment date as appropriate and as provided in a certificate of the Director of Finance providing for the details of the Refunding Bonds. Principal shall only be payable upon surrender of bonds at the principal corporate trust office of a bank or trust company or banks or trust companies located or authorized to do business in the State of New York, as shall hereafter be designated by the Director of Finance as fiscal agent of the County for the Refunding Bonds (collectively the "Fiscal Agent").

Refunding Bonds in certificated form may be transferred or exchanged at any time prior to maturity at the principal corporate trust office of the Fiscal Agent for bonds of the same maturity of any authorized denomination or denominations in the same aggregate principal amount.

Principal and interest on the Refunding Bonds will be payable in lawful money of the United States of America.

The Director of Finance, as chief fiscal officer of the County, is hereby authorized and directed to enter into an agreement or agreements containing such terms and conditions as he shall deem proper with the Fiscal Agent, for the purpose of having such bank or trust company or banks or trust companies act, in connection with the Refunding Bonds, as the Fiscal Agent for said County, to perform the services described in Section 70.00 of the Local Finance Law, and to execute such agreement or agreements on behalf of the County, regardless of whether the Refunding Bonds are initially issued in certificated or non-certificated form; provided, however, that the Director of Finance is also hereby authorized to name the Director of Finance as the Fiscal Agent in connection with the Refunding Bonds if said Refunding Bonds are issued in non-certificated form.

The Director of Finance is hereby further delegated all powers of this County Legislature with respect to agreements for credit enhancement, derived from and pursuant to Section 168.00 of the Local Finance Law, for said Refunding Bonds, including, but not limited to the determination of the provider of such credit enhancement facility or facilities and the terms and contents of any agreement or agreements related thereto.

The Refunding Bonds shall be executed in the name of the County by the manual or facsimile signature of the Director of Finance, and its corporate seal shall be imprinted thereon. In the event of facsimile signature, the Refunding Bonds shall be authenticated by the manual signature of an authorized officer or employee of the Fiscal Agent. The Refunding Bonds shall contain the recital required by subdivision 4 of paragraph j of Section 90.10 of the Local Finance Law and the recital of validity clause provided for in Section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Director of Finance shall determine. It is hereby determined that it is to the financial advantage of the County not to impose and collect from registered owners of the Refunding Bonds any charges for mailing, shipping and

insuring bonds transferred or exchanged by the Fiscal Agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the Fiscal Agent.

Section 3. It is hereby determined that:

(a) the maximum amount of the Refunding Bonds authorized to be issued pursuant to this resolution does not exceed the limitation imposed by subdivision 1 of paragraph b of Section 90.10 of the Local Finance Law;

(b) the maximum period of probable usefulness permitted by law at the time of the issuance of the Refunded Bonds for the object or purpose for which such Refunded Bonds were issued is as specified in the Bond Certificate which is incorporated herein by reference;

(c) the last installment of the Refunding Bonds will mature not later than the expiration of the respective period of probable usefulness of the objects or purposes for which said Refunded Bonds were issued in accordance with the provisions of paragraph c of Section 90.10 of the Local Finance Law;

(d) the estimated present value of the total debt service savings anticipated as a result of the issuance of the Refunding Bonds, computed in accordance with the provisions of subdivision 2 of paragraph b of Section 90.10 of the Local Finance Law, with regard to the Refunded Bonds is as shown in the Refunding Financial Plan described in Section 4 hereof.

Section 4. The financial plan for the refunding authorized by this resolution (the "Refunding Financial Plan"), showing the sources and amounts of all moneys required to accomplish such refunding, the estimated present value of the total debt service savings and the basis for the computation of the aforesaid estimated present value of total debt service savings, are set forth in Exhibit A attached hereto and made a part of this resolution. The Refunding Financial Plan has been prepared based upon the assumption that the Refunding Bonds will be issued in one series, and that the Refunding Bonds will mature, be of such terms, and bear interest as set forth on Exhibit A attached hereto and made a part of this resolution. This County Legislature recognizes that the Refunding Bonds may be issued in one or more series, and for only portions thereof, that the amount of the Refunding Bonds, maturities, terms, and interest rate or rates borne by the Refunding Bonds to be issued by the County will most probably be different from such assumptions and that the Refunding Financial Plan will also most probably be different from that attached hereto as Exhibit A. The Director of Finance is hereby authorized and directed to determine the amount of the Refunding Bonds to be issued, the date or dates of such bonds and the date or dates of issue, maturities and terms thereof, the provisions relating to the redemption of Refunding Bonds prior to maturity, whether the Refunding Bonds will be insured by a policy or policies of municipal bond insurance or otherwise enhanced by a credit enhancement facility or facilities, whether the Refunding Bonds shall be sold at a discount in the manner authorized by paragraph e of Section 57.00 of the Local Finance Law, and the rate or rates of interest to be borne thereby, whether the Refunding Bonds shall be issued having substantially level or declining annual debt service and all matters related thereto, and to prepare, or cause to be provided, a final Refunding Financial Plan for the Refunding Bonds and all powers in connection therewith are hereby delegated to the Director of Finance; provided, that the terms of the Refunding Bonds to be issued, including the rate or rates of interest borne thereby, shall comply with the requirements of Section 90.10 of the Local Finance Law. The Director of Finance shall file a copy of her certificate determining the details of the Refunding Bonds and the final Refunding Financial Plan with the Clerk of the County Legislature not later than ten (10) days after the delivery of the Refunding Bonds, as herein provided.

Section 5. The Director of Finance is hereby authorized and directed to enter into an escrow contract or contracts (collectively the "Escrow Contract") with a bank or trust company, or with banks or trust companies, located and authorized to do business in this State as said Director of Finance shall designate (collectively the "Escrow Holder") for the purpose of having the Escrow Holder act, in connection with the Refunding Bonds, as the escrow holder to perform the services described in Section 90.10 of the Local Finance Law.

Section 6. The faith and credit of said County of Chautauqua, New York, are hereby irrevocably pledged to the payment of the principal of and interest on the Refunding Bonds as the same become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall be annually levied on all the taxable real property in said County a tax sufficient to pay the principal of and interest on such Refunding Bonds as the same become due and payable.

Section 7. All of the proceeds from the sale of the Refunding Bonds, including the premium, if any, but excluding accrued interest thereon, shall immediately upon receipt thereof be placed in escrow with the Escrow Holder for the Refunded Bonds. Accrued interest on the Refunding Bonds shall be paid to the County to be expended to pay interest on the Refunding Bonds. Such proceeds as are deposited in the escrow deposit fund to be created and established pursuant to the Escrow Contract, whether in the form of cash or investments, or both, inclusive of any interest earned from the investment thereof, shall be irrevocably committed and pledged to the payment of the principal of and interest on the Refunded Bonds in accordance with Section 90.10 of the Local Finance Law, and the holders, from time to time, of the Refunded Bonds shall have a lien upon such moneys held by the Escrow Holder. Such pledge and lien shall become valid and binding upon the issuance of the Refunding Bonds and the moneys and investments held by the Escrow Holder for the Refunded Bonds in the escrow deposit fund shall immediately be subject thereto without any further act. Such pledge and lien shall be valid and binding as against all parties having claims of any kind in tort, contract or otherwise against the County irrespective of whether such parties have notice thereof.

Section 8. Notwithstanding any other provision of this resolution, so long as any of the Refunding Bonds shall be outstanding, the County shall not use, or permit the use of, any proceeds from the sale of the Refunding Bonds in any manner which would cause the Refunding Bonds to be an "arbitrage bond" as defined in Section 148 of the Internal Revenue Code of 1986, as amended, and, to the extent applicable, the Regulations promulgated by the United States Treasury Department thereunder.

Section 9. In accordance with the provisions of Section 53.00 and of paragraph h of Section 90.10 of the Local Finance Law, in the event such bonds are refunded, the County hereby elects to call in and redeem each Refunded Bond which the Director of Finance shall determine to be refunded at the earliest call date available. The sum to be paid therefor on such redemption date shall be the par value thereof, as provided in the Refunded Bond Certificate, and the accrued interest to such redemption date. The Escrow Holder for the Refunding Bonds is hereby authorized and directed to cause notice of such call for redemption to be given in the name of the County in the manner and within the times provided in the Refunded Bond Certificate. Such notice of redemption shall be in substantially the form attached to the Escrow Contract. Upon the issuance of the Refunding Bonds, the election to call in and redeem the callable Refunded Bonds and the direction to the Escrow Holder to cause notice thereof to be given as provided in this paragraph shall become irrevocable, provided that this paragraph may be amended from time to time as may be necessary in order to comply with the publication requirements of paragraph a of Section 53.00 of the Local Finance Law, or any successor law thereto.

Section 10. The Refunding Bonds shall be sold at public or private sale to such underwriter as may be selected by the Director of Finance (the "Underwriter") for purchase prices to be determined by the Director of Finance, plus accrued interest from the date or dates of the Refunding Bonds to the date or dates of the delivery of and payment for the Refunding Bonds. Subject to the approval of the terms and conditions of any such private sale by the State Comptroller as required by Section 90.10 of the Local Finance Law, the Director of Finance is hereby authorized to execute and deliver a purchase contract for the Refunding Bonds in the name and on behalf of the County providing the terms and conditions for the sale and delivery of the Refunding Bonds to the Underwriter. After the Refunding Bonds have been duly

executed, they shall be delivered by the Director of Finance to the Underwriter in accordance with said purchase contract upon the receipt by the County of said purchase price, including accrued interest.

Section 11. The Director of Finance and all other officers, employees and agents of the County are hereby authorized and directed for and on behalf of the County to execute and deliver all certificates and other documents, perform all acts and do all things required or contemplated to be executed, performed or done by this resolution or any document or agreement approved hereby.

Section 12. All other matters pertaining to the terms and issuance of the Refunding Bonds shall be determined by the Director of Finance and all powers in connection thereof are hereby delegated to the Director of Finance.

Section 13. The validity of the Refunding Bonds may be contested only if:
(a) such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or
(b) the provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
(c) such obligations are authorized in violation of the provisions of the Constitution.

Section 14. A summary of this resolution, which takes effect immediately, shall be published in the official newspapers of said County, together with a notice of the Clerk of the Legislature in substantially the form provided in Section 81.00 of the Local Finance Law.
Signed: Niebel, Gould, Harmon, Nazzaro

Unanimously Adopted – November 17, 2021

RES. NO. 267-21
A Resolution Authorizing Various Capital Projects in and for the County of Chautauqua, New York, at a total maximum estimated cost of $5,509,151, and Authorizing the Issuance of $4,986,000 in bonds of said County to pay costs thereof

By Audit & Control Committee:
At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, the Adopted 2020 and 2021 Capital Budgets included several capital projects funded by Serial Bonds; therefore be it

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

Section 1. The following capital projects and improvements are hereby authorized in and for the County of Chautauqua, New York:

a) Various IT related improvements, including new enterprise software and upgrades to the IT Core Switch, at a maximum estimated cost of $545,000, being a class of objects or purposes having a period of probable usefulness of five years pursuant to subdivision 32 of paragraph a of Section 11.00 of the Local Finance Law;
b) Improvements to the Falconer Shop Fuel System, at a maximum estimated cost of $128,000, being a specific object or purpose having a period of probable usefulness of ten years pursuant to subdivision 35 of paragraph a of Section 11.00 of the Local Finance Law;

c) Replace roof and repointing at the DPF Administration building, at a maximum estimated cost of $185,000, being a specific object or purpose having a period of probable usefulness of twenty-five years pursuant to subdivision 12(a)(1) of paragraph a of Section 11.00 of the Local Finance Law;
d) Replace roofs at JCC, at a maximum estimated cost of to the County of $156,000, being a class of objects or purposes having a period of probable usefulness of twenty-five years pursuant to subdivision 12(a)(1) of paragraph a of Section 11.00 of the Local Finance Law; and
e) Purchase of heavy machinery and equipment, at a maximum estimated cost of $4,495,151, being a class of objects or purposes having a period of probable usefulness of fifteen years pursuant to subdivision 28 of paragraph a of Section 11.00 of the Local Finance Law.

Section 2. The plan for the financing of the aforesaid purposes consists of the issuance of $4,986,000 bonds of said County, hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law, allocated as set forth above after the appropriation of available funds of $28,000 and $495,151 toward items (b) and (e), respectively.

Section 3. The faith and credit of said County of Chautauqua, New York, are hereby irrevocable pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said County, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

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

Section 5. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt service, shall be determined by the Director of Finance, the chief fiscal officer of such County. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Director of Finance shall determine consistent with the provisions of the Local Finance Law.

Section 6. The validity of such bonds and bond anticipation notes may be contested only if:
a) Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or
b) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
c) Such obligations are authorized in violation of the provisions of the Constitution.

Section 7. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 8. This resolution, which takes effect immediately, shall be published in summary form in the official newspapers of such County, together with a notice of the Clerk of the County Legislature in substantially the form provided in Section 81.00 of the Local Finance Law.

Signed: Niebel, Gould, Harmon, Nazzaro

Unanimously Adopted – November 17, 2021

RES. NO. 268-21
Making Appropriations for the Conduct of County Government For Fiscal Year 2022

At the Request of Chairman Pierre E. Chagnon:

WHEREAS, the Chautauqua County Legislature has held public hearings on the 2022 tentative Budget and thereafter considered the budget, made changes therein and has presented the budget along with Resolution No. 243-21 listing the changes, to the County Executive for his consideration; and

WHEREAS, the County Executive has affixed his signature to Resolution No. 243-21 and has returned the same along with the budget and such statement regarding the budget and changes made thereon; and

WHEREAS, in accordance with Section 8.07 of the Administrative Code the Budget Director is authorized to make any corrections in the budget as may be required due to any typographical, mathematical or technical errors, after conditional adoption of the budget; and

WHEREAS, there is now adopted, pursuant to law, a County budget for the fiscal year beginning January 1, 2022; therefore be it

RESOLVED, That the total amount specified in such budget as adopted for all objects of expenditures set forth therein be and hereby are appropriated for such items.

Signed: Chagnon

R/C Vote – 19 Yes – Unanimously Adopted – November 17, 2021

RES. NO. 269-21
Authorize Tax Levy

At the Request of Chairman Pierre E. Chagnon:

WHEREAS, there has been adopted a budget for the fiscal year of 2022 and

WHEREAS, this Legislature has made appropriations for the conduct of the County Government for the year 2022 therefore be it

RESOLVED, That this Legislature hereby levies:

1. Upon all the taxable property in the County, upon the valuation as equalized by it, the sum specified in said budget for all purposes chargeable to the entire county;

2. Upon all the taxable property in the Chautauqua County Social Services District, upon the valuation as equalized by it, the sum specified in said budget for Social Services purposes;
3. Upon all the taxable property liable therefore, the sum specified in the budgets for the Chautauqua County Health District;
4. Upon all the taxable property of the participating towns in respective amounts set out against each participant of the Chautauqua County Self-Insurance Plan in Resolution 155-21, adopted July 28, 2021.
5. Upon the property on which school taxes are uncollected as of November 30, 2022, the amount of such uncollected school taxes;
6. Upon the property on which village taxes are uncollected as of December 1, 2022, the amount of such uncollected village taxes;

Upon all the taxable property of the several towns and cities, upon the valuation as equalized by it any and all amount charged against any and all said towns and cities during the year 2022 pursuant to law or resolution of this Legislature.

Signed: Chagnon

R/C Vote – 19 Yes – Unanimously Adopted – November 17, 2021

RES. NO. 270-21
Authorize Levy of Town Taxes

At the Request of Chairman Pierre E. Chagnon:

RESOLVED, That there shall be assessed, levied upon and collected from the taxable real property situated in the Towns of Chautauqua County outside of any incorporated village wholly or partially located therein, the amounts to be raised by taxes for Highway Funds – Outside Village and other Part-Town Functions as specified in the Town Budgets and directed by the Town Boards to be raised; and be it further

RESOLVED, That there shall be assessed and levied upon and collected from the real property liable therefore within the respective Fire, Fire Protection, Fire Alarm, Lighting and Improvement Districts, in said Towns, the amounts for the purpose of such districts as shown and specified in annual budgets; and be it further

RESOLVED, That the amounts to be raised by tax for all other purposes as specified in said annual budgets shall be assessed levied upon and collected from the taxable property of said town as authorized by the Town Boards except as otherwise provided by law; and be it further

RESOLVED, That such taxes and assessments when collected shall be paid to the Supervisor of the several towns, to be distributed by them in the manner provided by law.

Signed: Chagnon

R/C Vote – 19 Yes – Unanimously Adopted – November 17, 2021

RES. NO. 271-21
Authorize Levy of Unpaid Town Charges

At the Request of Chairman Pierre E. Chagnon:

RESOLVED, That the Clerk of the Legislature be directed to include in current tax rolls, all charges which may properly be a lien against real property when certified as due and unpaid by the Town Boards of the various towns in the County.

Signed: Chagnon

R/C Vote – 19 Yes – Unanimously Adopted – November 17, 2021

RES. NO. 272-21
Authorize Levy of Omitted Taxes

At the Request of Chairman Pierre E. Chagnon:

RESOLVED, That the Clerk of this Legislature be instructed to extend the proper tax for the previous year against any omitted tax properly entered upon any of the assessment rolls for the present year as directed by the respective Town Boards or County Legislature in which said property is located.

Signed: Chagnon

R/C Vote – 19 Yes – Unanimously Adopted – November 17, 2021

RES. NO. 273-21
Authorize Tax Levy – North Chautauqua Lake Sewer District

At the Request of Chairman Pierre E. Chagnon:

WHEREAS, the Board of Directors of the North Chautauqua Lake Sewer District has prepared and presented an assessment roll of the year 2022 as required by Section 271 of the County Law; and

WHEREAS, the requirements of said law regarding availability of public inspection, notice of public hearing and public hearing has been complied with; now therefore be it

RESOLVED, That the assessment roll for the year 2022 presented by the Board of Directors of the North Chautauqua Lake Sewer District in accordance with Section 271 of the County Law is hereby affirmed and adopted as originally proposed and levied as stated therein.

Signed: Chagnon

R/C Vote – 19 Yes – Unanimously Adopted – November 17, 2021

RES. NO. 274-21
Authorize Tax Levy – Portland-Pomfret-Dunkirk Sewer Districts

At the Request of Chairman Pierre E. Chagnon:

WHEREAS, the Board of Directors of the Portland-Pomfret-Dunkirk Sewer District has prepared and presented an assessment roll for the year 2022 as required by Section 271 of the County Law; and

WHEREAS, the requirements of said law regarding availability of public inspection, notice of public hearing and public hearing has been complied with; now therefore be it

RESOLVED, That the assessment roll for the year 2022 presented by the Board of Directors of the Portland-Pomfret-Dunkirk Sewer District in accordance with Section 271 of the County Law is hereby affirmed and adopted as originally proposed and levied as stated herein.

Signed: Chagnon

R/C Vote – 19 Yes – Unanimously Adopted – November 17, 2021

RES. NO. 275-21
Authorize Levy of Unpaid Sewer User Charges & Civil Penalties- North, South & Center Chautauqua Lake & Portland-Pomfret-Dunkirk Sewer Districts

At the Request of Chairman Pierre E. Chagnon:

WHEREAS, the Director of Finance has transmitted a list of those residents or property owners within the county who are in arrears in the payment of charges made under Section 266 of the County Law for a period of 30 days or more after the last day fixed for payment of such charges without penalty in accordance with the requirements of Section 266 (3) of the County Law, and civil penalties outstanding pursuant to Chautauqua County Local Law 6-94; and

WHEREAS, this Legislature is mandated to levy such sums against the properties liable; now therefore be it

RESOLVED, That the county sewer charges and civil penalties contained in the list received by this body from the Director of Finance of Chautauqua County are hereby levied against the properties liable and the amount of such charges shall be stated in a separate column in the annual tax rolls of the various municipalities under the name of “County Sewer Charges” or “County Sewer Penalty”.

Signed: Chagnon

R/C Vote – 19 Yes – Unanimously Adopted – November 17, 2021

RES. NO. 276-21
Fixing Equalization Rates for 2022

At the Request of Chairman Pierre E. Chagnon:

WHEREAS, Pursuant to Resolution #216-96 the County of Chautauqua elected to establish Equalization Rates for the several towns and cities in the County of Chautauqua in accord with Title 2, Article 8 of the Real Property Tax Law; and

WHEREAS, the New York State Office of Real Property Services has completed its determination of the equalization rates to be utilized in apportioning the ~~2021~~ 2022 County Taxes; therefore be it

RESOLVED, That the following rates be fixed as the Chautauqua County Equalization rates for the ~~2022~~ 2021 tax rolls in the following towns and cities:

Arkwright	44.10%	Harmony	95.20%
Busti	93.2%	Jamestown, City	93.20%
Carroll	92%	Kiantone	95.20%
Charlotte	87.75%	Mina	99%
Chautauqua	100%	North Harmony	86.50%
Cherry Creek	83.75%	Poland	98%
Clymer	100%	Pomfret	15.50%
Dunkirk, Town	60%	Portland	47%
Dunkirk, City	73%	Ripley	96%
Ellery	89%	Sheridan	54%
Ellicott	100%	Sherman	99%
Ellington	100%	Stockton	98%
French Creek	99%	Villenova	45%
Gerry	88.40%	Westfield	70%
Hanover	77%		

Signed: Chagnon

MOVED by Legislator Nazzaro to AMEND, SECONDED by Legislator Vanstrom – *Unanimously Carried*

R/C Vote – 19 Yes – Unanimously Adopted as Amended– November 17, 2021

MOVED by Legislator Bankoski/SECONDED by Legislator Gould to bring Emergency Resolution No. 277-21 Transfer of Foreclosed Properties to Chautauqua County Land Bank Corporation to the floor.

Unanimously Carried to Bring Emergency Resolution 277-21 to the Floor

EMERGENCY RES. NO. 277-21
Transfer of Foreclosed Properties to Chautauqua County Land Bank Corporation

At the Request of County Executive Paul M. Wendel, Jr., Legislator Bob Scudder, Legislator Charles Nazzaro, and Legislator Kevin Muldowney:

WHEREAS, pursuant to Resolution 65-12, Chautauqua County created one of the first five (5) authorized land bank corporations in New York State that was incorporated as the Chautauqua County Land Bank Corporation ("CCLBC"); and

WHEREAS, the mission of CCLBC is to "control and manage strategically selected dilapidated and abandoned residential and commercial properties acquired through the County tax foreclosure process, bank foreclosures and/or donations, and facilitate solutions aimed at stabilizing neighborhoods, encouraging private investment, and improving the quality of life throughout Chautauqua County;" and

WHEREAS, in the case of County tax foreclosure properties requiring demolition, and certain other vacant properties, CCLBC has performed demolitions and further assisted the County by marketing

the vacant parcels under the County's "side-lot" program which seeks to combine vacant lots with adjoining improved parcels and return them to the tax rolls; and

WHEREAS, in the past while the CCLBC demolitions and side lot marketing have been pending, the demolition and vacant side lot properties have remained in the name of the foreclosed owner and have accrued additional unpaid delinquent taxes guaranteed by the County, until such time as a transfer to a new owner can be completed; and

WHEREAS, in order to stop the accrual of additional unpaid delinquent taxes guaranteed by the County, it would be advantageous for the County to convey such demolition and vacant side lot properties to CCLBC which will immediately render the properties tax exempt; and

WHEREAS, pursuant to Resolution 143-21 adopted on June 23, 2021, the County Legislature previously approved the transfer of a first set of such demolition and vacant side lot properties to CCLBC, and CCLBC has notified the County that is ready to accept transfer of a second set of such properties; now therefore be it

RESOLVED, That the County Executive is authorized and empowered to execute all necessary documents to transfer the following tax foreclosure properties to CCLBC at no cost, and upon such other terms and conditions negotiated by the County Executive, to include the County contributing to the costs of routine grounds maintenance prior to sale:

Auction #	City/Town	SBL	Address
PA-14-2016	City of Dunkirk	060300-79.15-1-7	206 Main St
PA-16-2017	City of Dunkirk	060300-79.16-2-41	129 Townsend St
PA-17-2017	City of Dunkirk	060300-79.16-2-45	143 Townsend St
PA-24-2019	City of Dunkirk	060300-79.18-5-55	636 Canary St
PA-40-2018	City of Dunkirk	060300-79.19-2-65	529 Leopard St
PA-43-2018	City of Dunkirk	060300-79.19-3-8	15 W Talcott St
PA-44-2019	City of Dunkirk	060300-79.57-1-7	49 E Second St
PA-43-2017	City of Jamestown	060800-370.16-7-35	8 & 10-12 Cowing St
PA-69-2019	City of Jamestown	060800-370.18-4-10	W 13th St
PA-70-2019	City of Jamestown	060800-370.18-4-11	37 W 13th St
PA-61-2018	City of Jamestown	060800-370.18-4-19	917 N Main St
PA-85-2019	City of Jamestown	060800-386.12-8-10	343 Fairmount Ave
PA-91-2019	City of Jamestown	060800-387.05-4-44	4 Livingston Ave
PA-96-2019	City of Jamestown	060800-387.06-2-41	408 W 8th St
PA-102-2019	City of Jamestown	060800-387.06-5-37	42 W 9th St
PA-95-2018	City of Jamestown	060800-387.08-9-62	119 Willard St
PA-123-2014	City of Jamestown	060800-387.09-9-5	Steele St
PA-87-2017	City of Jamestown	060800-387.12-1-11	431 Allen St
PA-143-2019	City of Jamestown	060800-387.12-3-30	206 Tower St
PA-162-2019	City of Jamestown	060800-387.15-9-19	80 Hazzard St
PA-138-2018	City of Jamestown	060800-387.18-4-16	214 Barrett Ave
PA-183-2019	City of Jamestown	060800-387.26-3-24	730 E 7th St
PA-127-2017	City of Jamestown	060800-387.26-3-49	64 Grant St
PA-198-2019	City of Jamestown	060800-387.34-2-15	563 E 2nd St
PA-99-2015	City of Jamestown	060800-387.41-2-16	Pine St Rear
PA-183-2014	City of Jamestown	060800-387.41-3-36	216 E 1St St
PA-218-2019	City of Jamestown	060800-388.05-3-36.1	42 Eagle St

PA-241-2019	Busti	062289-384.11-2-9	4696 Ashville Rd
PA-338-2019	Hanover	064689-100.13-1-29	33 Lodi St

Signed: Chagnon

R/C Vote – 19 Yes – Unanimously Adopted – November 17, 2021

MOTION: (On file w/ Legislature Data)
7-21 Urging Continuation of the Longstanding Practice of Combining the New York State Southern Tier Counties in a Single Congressional District - *R/C Vote: 17 Yes; 2 No – ADOPTED w/ Legislators Bankoski and Whitney Voting "No"*

PRIVILEGE OF THE FLOOR

Chairman Chagnon: 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. Is there anyone wishing to address the second privilege of the floor? Please state your name and address for the record.

My name is Anthony Toda. I live at 144 Clifton Avenue in Jamestown and I'd like to talk a little bit more about the executive orders not only by Kathy Hochul, but also by President Biden. I call for impeachment of both of them and I'd like to state in detail the reasons why I believe they should be impeached. First, they've gone beyond the scope of authority for executive orders called for by the Constitution of United States and the New York State Constitution. For the reasons that the executive orders that Joe Biden and Kathy Hochul have issued, on the national level affect every American- on the state level affect every New Yorker and because of such a broad influence on the general public, national and state, the orders- the people have a right to an opportunity to be heard through the representatives on each and every order- they're so broad they do not have- either one of them don't have the effect, whether Kathy Hochul or President Biden- because you have to have due process, opportunity to be heard through our representatives- state, local, federal and none of that happened with the Kathy Hochul and none of that's happened with President Biden, so both of them have overstepped their authority for executive orders and I'm asking the legislature to consider that they are illegal. I don't know what you can do about it, but that's my belief. That's the basis for my belief that they're illegal. Secondly, I'd like to discuss a little bit about the vaccinations for 5 to 12 year old children. I'd just like to say that from the statistics- from the reports and I'm getting, up to 80% of the general population- the world population doesn't even know they may have Covid or may have a mild case of Covid. So, you can compare that with the Spanish flu, which was much more serious and, again, the debate is- is this a pandemic. How restrictive should the laws be? Our children probably already have herd immunity. They have a very low rate reportedly of deaths from Covid and they should not be forced to take the vaccine. There is actually- there's alternative reasons for Kathy Hochul to be doing this, especially in New York State and Joe Biden, I think the big pharma who are huge lobbyists in state and federal government are forcing people- our representatives to make these laws paying them, giving them benefits to make the laws and it's apparent in New York State when you have a Governor like Kathy Hochul who claims to protect New Yorkers by inoculating everybody, but then you turn around and watch a Buffalo Bills game and there's 80,000 people bumper to bumper sitting at a game. Sports arenas all over New York State- hundreds of thousands of people on weekends *(inaudible)* so there's a lot of hypocrisy here.

Chairman Chagnon: Mr. Today, you've exceeded your three minutes, please wrap it up.

Mr. Toda: O.k., so that is one of the main reason that I believe that impeachments, or some of them anyway, should be considered by the Legislature for Mr. Biden and Governor Hochul, thank you,

Chairman Chagnon: Thank you. Anyone else wishing to address the second privilege of the floor?

MOVED by Legislator Gould, SECONDED by Legislator Pavlock and duly carried the meeting was adjourned. *(7:19 p.m.)*

Regular Meeting
Chautauqua County Legislature
Live Streamed on Social Media
Wednesday, December 15, 2021 6:30 p.m.
Mayville, N.Y. 14757

Chairman Chagnon called the meeting to order at 6:34 p.m.

Clerk Tampio called the roll and announced a quorum present (Absent: Harmon)

Chairman Chagnon: Okay before we proceed with the agenda, I would request everyone in attendance in the Legislature Chambers to wear a mask this evening. I would appreciate everyone conforming with that, thank you. Next we will have the pledge of allegiance and the prayer by Legislator Scudder.

Legislator Scudder delivered the prayer and pledge of allegiance.

MOVED by Legislator Bankoski, SECONDED by Legislator Ward and duly carried the minutes were approved. (11/17/2021)

1st Privilege of the Floor

Chairman Chagnon: That brings us to our first privilege of the floor. Members of the public may comment on any subject relating to any local law, resolution or motion appearing on the agenda. Individual comments are limited to three minutes and comments representing a group shall be limited to five minutes. Is there anyone to address the first privilege of the floor? Hearing none, we'll close the first privilege of the floor. I will again ask for all those in attendance in the Legislature Chambers please wear a mask. If you don't have a mask, we'll be happy to provide one to you.

VETO MESSAGES FROM COUNTY EXECUTIVE WENDEL
NO VETOES FROM 11/17/2021

COMMUNICATIONS:

1. Report – County Executive Wendel – County-Wide Shared Services Property Tax Savings Plan 2021
2. Letter – Chautauqua County Legislature – Acknowledgement of Receipt of 2021 Financial Disclosure Statements
3. Minutes – Conewango Watershed Commission – November 10, 2021 Meeting
4. Affidavits of Publication (2) – Post-Journal – Re: Legal Notice of Estoppel – Bonding Resolutions
5. Affidavits of Publication (2) – Observer – Re: Legal Notice of Estoppel – Bonding Resolutions
6. Affidavit of Publication (1) – Post-Journal – Re: Public Hearing – Local Law Intro. 3-21
7. Affidavit of Publication (1) – Observer – Re: Public Hearing – Local Law Intro. 3-21
8. Chautauqua County 2022 Adopted Budget
9. Letter – Marla Connelly – Parks Commission Resignation
10. Resolution – North Chautauqua Lake Sewer District – Re: Extension of Bounds

11. Email – Ben Schenk - Re: Concern about Covid Restrictions

Clerk Tampio: Onto Communications, there are ten communications listed on the agenda this evening. There is another late communication that came in tonight, #11. It's an email communication from Mr. Ben Schenk concerning Covid restrictions. Are there any items you would wish to have read aloud?

Chairman Chagnon: Legislator Gould

Legislator Gould: I would like #11 read please.

Clerk Tampio: Okay it's addressed to the honorable Frank J. Gould and the Chautauqua County Legislature.

Dear Sir,

I very much enjoyed our phone conversation on Monday, December 13th. Thank you for listening to my concerns and sharing some of your concerns with me.
We hold many shared values. After sharing a "Cup of Coffee with a Cop" with Sheriff Quattrone, I decided to heed his advice and make attendance to the Chautauqua County Legislative meeting a habit. That was in October.
November came around and I missed my first chance to join you due to a change in your meeting time before Thanksgiving.

Now I face another hurdle which is our governor's newest mask mandate and the enforcement of it by an unelected bureaucratically controlled New York Health Department and its counterpart in Chautauqua County. I desire to attend this month's legislative session but I refuse to wear a mask. This decision is based on the following information.

There are effective alternatives to the approved narrative of mandatory masks and mandatory vaccinations. Though I believe the concerns expressed by our county health department are sincere, I cannot disregard the lawsuit filed by over 1,000 lawyers and 10,000 medical experts led by Dr. Reiner Fuellmich against the CDC,WHO and the Davos Group for crimes against humanity. I provide a link below hoping you will be concerned enough to educate yourself from a source other than the NYS Health Department.

I can not ignore the extensive resources of America's Frontline Doctors either. For your perusal I have also included a link to their website.

The last link I will leave with you is The Great Barrington Declaration of which nearly 900,000 people worldwide have signed their names. These signatures include 140,000 infectious disease epidemiologists and public health scientists gravely concerned about the damaging physical and mental health impacts of the prevailing Covid 19 policies. I could send many more links but I will spare you the inundation of information.

My hurdle of being unable to join the legislative meetings is due to my holding to a principle of freedom and not bowing to a narrative whose foundation is built on greed, a lust for power, and total tyrannical control in New York State. States such as South Dakota, Texas, Florida, and others have adhered to principles of freedom allowing the people of their states to make their own health decisions regarding vaccination, masks, etc. There is no significant difference in levels of infection rates as compared to NY. I

refuse the mask and the Emergency Use Authorization for the experimental shot, of which one has been hastily approved by the FDA.

I hope it will be said that the Chautauqua County Legislature stood against tyranny, and defended the Constitution of The United States to which they pledged.
IN GOD WE TRUST.

Thank you for having this read by the clerk in my absence.

Thank you for your service to our great county, in a great state, in a great nation.
Ben Schenk

Clerk Tampio: If there are any other items for which the legislature would like copies, please notify the legislative office.

LOCAL LAW

INTRODUCTORY NO. 4-21
CHAUTAUQUA COUNTY

AMENDING LOCAL LAW 7-90 PROVIDING FOR A MANAGEMENT SALARY PLAN FOR COUNTY OFFICERS AND EMPLOYEES (Re: UNDERSHERIFF, CAPTAIN, WARDEN AND CORRECTIONS LIEUTENANT)

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

Section 1. Purpose.

The purpose of this Local Law is to amend the Management Salary Plan to modify the salary range of certain titles in the Sheriff's Office to address internal inequities within the salary structure to allow for a monetary benefit to promotional opportunities. The current and proposed ranges for the positions are as follows:

Title	Current Range	2021 Salary Range	Proposed Range	2021 Salary Range
Undersheriff	8	$62,018 - $95,183	11	$69,154 - $110,511
Captain	7	$58,714 - $90,076	9	$65,313 - $100,293
Warden	6	$55,411 - $84,965	8	$62,018 - $95,183
Corrections Lieutenant	5	$52,111 - $79,852	7	$58,714 - $90,076

Section 2. Salary Level.

Effective January 1, 2022, the salary range of the title Undersheriff shall be Range 11; the title Captain shall be Range 9; the title Warden shall be Range 8; and the title Corrections Lieutenant shall be Range 7.

Section 3. Effective Date.

This Local Law shall become effective upon filing with the Secretary of State.

Sponsor: Legislator Niebel

Emailed: 12/2/2021
Adopted by Legislature: 12/15/2021 R/C Vote: 18 Yes; 1 Absent
Public Hearing by County Executive: 01/03/2022 Date State Filed: 01/12/22
Adopted As Local Law 1-22

RES. NO. 278-21
Confirm Appointment and Re-Appointments – North Chautauqua County Water District Administrative Board

By Public Facilities Committee:
At the Request of Chairman Pierre E. Chagnon:

WHEREAS, the North Chautauqua County Water District Administrative Board has recommended the following appointment and re-appointments; therefore be it

RESOLVED, That the Chautauqua County Legislature does hereby confirm the following appointment and re-appointments to the North Chautauqua County Water District Administrative Board:

Appointment:
Richard Lascola
265 Liberty Street
Fredonia, NY 14063
Term Expires: 12/31/2027

Re-appointments:
David Hazelton
133 West Main St.
Brocton, NY 14716
Term Expires: 12/31/2027

Terry Niebel
3199 E. Main Street
Dunkirk, NY 14048
Term Expires 12/31/2027
Signed: Scudder, Davis, Gould

Unanimously Adopted – December 15, 2021

RES. NO. 279-21
Confirm Re-Appointments – Parks Commission

By Public Facilities Committee:
At the Request of Chairman Pierre E. Chagnon and Legislator John Hemmer:

WHEREAS, Chairman Pierre E. Chagnon, has submitted the following re-appointments for action by the Legislature; now therefore be it

RESOLVED, That the Chautauqua County Legislature confirms the following re-appointments to the Parks Commission.

Robert Franzen
393 Busti-Surgargrove Road
Jamestown, N.Y. 14701
Term Expires: 12/31/23

Judy Hunt
PO Box 159
Findley Lake, N.Y. 14736
Term Expires: 12/31/23

Signed: Scudder, Davis, Gould

Unanimously Adopted – December 15, 2021

RES. NO. 280-21
Reestablish County Sewer Agency for Proposed Extension of North Chautauqua Lake Sewer District

By Public Facilities Committee:
At the Request of County Executive Paul M. Wendel, Jr. & Chairman Pierre Chagnon:

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

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

WHEREAS, a new development known as Mandolin Ridge is being constructed on the west side of Chautauqua Lake immediately outside the bounds of NCLSD, and the owner of the development has requested sewer service from the NCLSD; and

WHEREAS, other property owners in the immediate vicinity of the development may benefit from a district extension which incorporates their properties; and

WHEREAS, pursuant to County Law Sections 253 and 274, an existing county district may petition the county legislative body to include territory not previously included within its boundaries, and

the existing county district may undertake to furnish or pay the cost of a map and plan for such extension at the district's cost or expense; and

WHEREAS, the NCLSD Board has petitioned the Chautauqua County Legislature to extend the boundaries of NCLSD to include the new development and other properties in the immediate vicinity; and

WHEREAS, NCLSD will undertake to furnish or pay the cost of a map and plan to effectuate said extension of NCLSD; and

WHEREAS, pursuant to County Law Section 253, the County's Sewer Agency must be reconvened in order to review the map and plan and make recommendations to the County Legislature regarding the proposed extension of NCLSD; and

WHEREAS, pursuant to Resolution 208-21 the County Sewer Agency was reestablished for purposes of evaluating an extension of the bounds of the SCCLSD; now therefore be it

RESOLVED, That the Chautauqua County Sewer Agency, reestablished by Resolution 208-21 pursuant to Article 5-A of the County Law, is further charged with reviewing the NCLSD map and plan and making recommendations to the County Legislature regarding the proposed extension of the NCLSD.

Signed: Scudder, Davis, Gould

Unanimously Adopted – December 15, 2021

RES. NO. 281-21

Amend Landfill and Transfer Station User Fees

By Public Facilities, Planning & Economic Development and Audit & Control Committees:
At the Request of County Executive Paul M. Wendel, Jr. and Chairman Pierre E. Chagnon:

WHEREAS, the County operates a Landfill and several transfer stations that provide environmentally sound waste disposal services for County residents and businesses; and

WHEREAS, services are funded by user fees which, pursuant to Local Law 13-95, are to be based on projected costs of operation, market prices, and the nature and volume of refuse; and

WHEREAS, Landfill operational costs, including costs of handling and hauling transfer station waste, have experienced inflationary increases; and

WHEREAS, the Deputy Director in the DPF Division of Solid Waste has reviewed the current user charge schedule and, taking into consideration the factors specified in Local Law 13-95, recommends changes to user fees consistent with such inflationary increases; now therefore be it

RESOLVED, That the following Landfill user charge fee increases, as recommended by the Deputy Director in the DPF Division of Solid Waste, are approved, to be effective January 1, 2022:

<u>TRANSFER STATION FEES:</u>

Construction & Demolition - Cubic Yard - From $55.00 to $60.00 per ton

Construction & Demolition – Scaled Weight - From $55.00 to $60.00 per ton Municipal Solid Waste – Cubic Yard - From $40.00 to $42.00 per ton Municipal Solid Waste – Scaled Weight - From $40.00 to $42.00 per ton

LANDFILL FEES:

Asbestos – Friable – From $72.00 to $80.00 per ton Asbestos – Non-friable – From $36.50 to $40.00 per ton Construction & Demolition – From $36.50 to $40.00 per ton Contaminated Soil – From $26.00 to $28.00 per ton Municipal Solid Waste – From $29.50 to $30.00 per ton
Refractory & Annealing Sand – From $21.50 to $22.00 per ton
Sludge – Industrial – From $37.00 to $38.00 per ton

Signed: Gould, Davis, Muldowney, Scudder, Lawton, Starks, Niebel, Harmon, Nazzaro (P.E.D. Carried with Legislator Penhollow Voting "No")

Adopted w/ Legislators Penhollow and Ward voting "No" – December 15, 2021

RES. NO. 282-21
Amend 2021 Budget for MEP Grant Award

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

WHEREAS, the Chautauqua County Department of Public Facilities - CARTS received notice that the New York State (NYS) Department of Transportation approved the application submitted for the Modernization and Enhancement Program (MEP) grant; and

WHEREAS, the State of New York will provide funding for a FY 2020 grant in the amount of $1,500,000.00, with no local funds, for Contract #20-25-21 for the performance period of 2021; and

WHEREAS, pursuant to Resolution 146-20, the County Executive was authorized to execute an agreement to secure the grant funding with the NYS Department of Transportation; and

WHEREAS, revenues and expenditures associated with this grant were not included in the 2021 capital budget; and

WHEREAS, this grant expands the scope of capital project H.5630.25211 Route Match Software (2021) to include additional technology improvements so the name of project should be changed to reflect the new scope; now therefore be it

RESOLVED, That the Director of Finance is hereby directed to make the following changes to the 2021 Adopted Budget:

ESTABLISH & INCREASE APPROPRIATION ACCOUNTS:

H.5630.25226.4	Contractual—Bus Operations, Hybrid Trolleys (2021)	$ 600,000
H.5630.25227.4	Contractual—Bus Operations, Rebranding (2021)	$ 372,500
H.5630.25211.4	Contractual—Bus Operations, Technology Upgrades (2021)	$ 400,999
H.5630.25228.4	Contractual—Bus Operations, Consultant Routes	$ 126,501

	Total	$1,500,000

ESTABLISH & INCREASE REVENUE ACCOUNTS:

H.5630.25226.R359.7000	NYS AID—Transp Capital	$ 600,000
H.5630.25227.R359.7000	NYS AID—Transp Capital	$ 372,500
H.5630.25211.R359.7000	NYS AID—Transp Capital	$ 400,999
H.5630.25228.R359.7000	NYS AID—Transp Capital	$ 126,501
	Total	$1,500,000

Signed: Gould, Davis, Scudder, Harmon, Niebel, Nazzaro

Unanimously Adopted – December 15, 2021

RES. NO. 283-21
Amend Resolution 151-21: Authorize Agreement for the Purchase and Removal of County Owned Timber from the Thomas Erlandson Park in the Town of Carroll

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

WHEREAS, pursuant to Resolution 151-21, the County of Chautauqua entered into an agreement to sell sawtimber located on approximately twelve acres at the Thomas Erlandson Overlook Park, SBLs 424.00-2-27, 424.00-2-28, 424.00-2-29, 425.00-1-44 and 425.00-1-45, with Marvin Troyer & Sons Lumber; and

WHEREAS, Resolution 151-21 stated that Marvin Troyer & Sons Lumber, 2059 Clymer-Sherman Road, Clymer, NY 14724 submitted the highest bid with an amount of $10,250, but the actual bid amount was $10,500; and

WHEREAS, the total sale amount payable to Chautauqua County is $10,500, and pursuant to Resolution 164-02, revenue from the sale of timber rights will be dedicated to the capital improvements of the County Parks system; now therefore be it

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changed to the 2021 Adopted budget:

INCREASE APPROPRIATION ACCOUNT:

H.7110.25002.4	Contractual—Parks, Parks Capital Improvements (2018)	$250

INCREASE REVENUE ACCOUNT:

H.7110.25002.R265.2000	Sale of Property/Compensa—Sale of Forest Products	$250

Signed: Gould, Davis, Scudder, Harmon, Niebel, Nazzaro

Unanimously Adopted – December 15, 2021

RES. NO. 284-21
Amend Resolution 152-21 Authorizing Agreement with NY State DOT for Performance
Of Federal-Aid Project PIN 5762.56

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

WHEREAS, pursuant to Resolution 152-21 the Chautauqua County Legislature approved the project for Bridge Painting BINS 3324170, 3325940, and 3325830 (Project) with funding under Title 23 U.S. Code, as amended, which called for the apportionment of the costs of such Project, estimated to be $315,000, to be borne at the ratio of 80% Federal funds ($252,000), 15% State Marchiselli funds ($47,250), and 5% Local funds ($15,750); and

WHEREAS, Chautauqua County issued Invitation to Bid PW-4-21 DPF, the award was made to Erie Painting & Maintenance Inc., and now the Project has an expected cost of $230,000; and

WHEREAS, the New York State Department of Transportation has issued a reduction in funding to reflect the low bid, with funding under title 23 U.S. Code, which now calls for the apportionment of the costs of the Project, now estimated to be $230,000, to be $184,000 Federal Funds, $34,500 State Marchiselli funds, and $11,500 local funds; and

WHEREAS, the County of Chautauqua desires to advance the Project by making a commitment of 100% of the Non-Federal share of the costs of the Project PIN 5762.56; and

WHEREAS, the local share is now reduced to $11,500 and can be covered with existing funding in account D.5112.390, and the D.5112.390.4 Contractual – Capital Improvements, County Bridge Program can be reduced by $4,250; now therefore be it

RESOLVED, That the County Legislature of the County of Chautauqua hereby approves the above-subject Project; and it is further

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

RESOLVED, That in the event the full federal and nonfederal share costs of the Project 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 it is further

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

RESOLVED, That a certified copy of this Resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project; and it is 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:

DECREASE CAPITAL APPROPRIATION ACCOUNT:		
D.5112.389.4	Contractual – Capital Improvements, Funded Bridge Program	$85,000
INCREASE CAPITAL APPROPRIATION ACCOUNT:		
D.5112.390.4	Contractual – Capital Improvements, County Bridge Program	$ 4,250
DECREASE CAPITAL REVENUE ACCOUNTS:		
D.5112.389.R458.9002	Federal Aid--Surface Transp Program	$68,000
D.5112.389.R358.9003	New York State Aid--Marchiselli Funds	$12,750
	Total	$80,750

Signed: Niebel, Scudder, Davis, Gould, Harmon, Nazzaro

Unanimously Adopted – December 15, 2021

RES. NO. 285-21
Authorize Extension of Lease Agreement with G. H. Graf Building, LLC for Office Space in Dunkirk, New York

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

WHEREAS, pursuant to Resolution 215-11 the County of Chautauqua entered into a lease agreement with G. H. Graf Building, LLC (Landlord) for the lease of 20,200 square feet of office space in Dunkirk, New York, Agreement number 12-25-04; and

WHEREAS, the lease term ends December 31, 2021; and

WHEREAS, the County has entered into a lease with a different landlord for Dunkirk office space for County Probation and Mental Hygiene staff, and the new location will not be ready for occupation by January 1, 2022; and

WHEREAS, the County is exploring alternate work space for Department of Health and Human Services (DHHS) staff; and

WHEREAS, Landlord has agreed to an extension of the current lease agreement; and

WHEREAS, lease expenses are included in the 2022 budget; now therefore be it

RESOLVED, That the County Executive be and hereby is authorized and empowered to execute an extension to the lease agreement with Landlord, and to execute all necessary documents relating thereto, upon the following terms and conditions:

1. Premises. 319-321 Central Avenue in Dunkirk, New York, Floors 1, 2 and 3
2. Term. Commencing January 1, 2022 and ending December 31, 2022.
3. Rent. $1.696 per square foot per month ($20.352 for 12 months), for square footage of office space actually occupied by County Departments, as determined on a month to month basis on the first day of the month for which rent is paid.

4. Utilities. Landlord shall be responsible for all utilities, including heat and electric. County shall be responsible for the maintenance of phone, data and security systems.
5. Other. As negotiated by the County Executive.

Signed: Scudder, Gould, Davis, Harmon, Niebel, Nazzaro

Unanimously Adopted – December 15, 2021

RES. NO. 286-21
Renew and Amend Resolution 213-21 to Amend 2021 & 2022 Budgets to Implement the County Internet Bandwidth Upgrades Project within the Chautauqua County American Rescue Plan Act(ARPA) Spending Plan

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

WHEREAS, President Biden signed into law the American Rescue Plan Act (ARPA) on March 11, 2021, and this legislation contains a wide array of stimulus and recovery funding designed to ensure the nation's swift economic and public health recovery from COVID-19; and

WHEREAS, Chautauqua County received an award of $24,600,000 in ARPA funding, of which $18,219,169 is available for general county spending based on the Treasury Department's revenue loss formula and other guidance, and the remaining $6,380,831 in funding can only be spent on designated ARPA categories including premium pay; water, sewer, and broadband projects; and responding to the COVID-19 pandemic and its associated economic impacts; and

WHEREAS, an ARPA working group consisting of the County Executive, several legislators, and several department heads worked for many months to create an ARPA Spending Plan (Plan) consisting of priority projects to address the key strategic categories as defined by the Department of Treasury, to be sustainable, and to have a County-wide impact; and

WHEREAS, the Plan, consisting of the priority projects, was thoroughly reviewed by the ARPA working group, the County Executive, and the County Legislature and was adopted pursuant to Resolution No. 202-21; and

WHEREAS, the County Internet Bandwidth Upgrades project, identified as one of the priority projects recommended in Resolution 202-21, is ready to proceed and budget amendments are necessary to authorize spending for the project; therefore be it

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2021 Adopted Budget in order to implement the County Internet Bandwidth Upgrades project:

INCREASE APPROPRIATION ACCOUNTS:

A.1680.----.2	Equipment—Information Technology	$30,800~~***$173,000***~~
A.1680.----.4	Contractual—Information Technology	$ 9,538
	Total	$40,338

ESTABLISH & INCREASE REVENUE ACCOUNT:

A. 1680.----.R408.9ARP	Federal Aid—Oth Fed Aid: ARPA	$40,338~~***$173,000***~~

and; be it further

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2022 Budget in order to implement the County Internet Bandwidth Upgrades project:

INCREASE APPROPRIATION ACCOUNT:
A.1680.----.4 Contractual—Information Technology $28,080

INCREASE REVENUE ACCOUNT:
A. 1680.----.R408.9ARP Federal Aid—Oth Fed Aid: ARPA $28,080

Signed: Vanstrom, Starks, Niebel, Scudder, Davis, Harmon, Muldowney, Gould, Nazzaro

Unanimously Adopted – December 15, 2021

RES. NO. 287-21
Adjust Accounts for the Real Property Tax Office

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

WHEREAS, there is a need to adjust accounts for the Real Property Tax Office due to unforeseen software enhancements that were not included in the 2021 Budget; and

WHEREAS, due to various staff changes and temporary delays in filling vacant positions, actual personal services and employee benefits expenditures are expected to be less than the corresponding appropriations; now therefore be it

RESOLVED, That the Director of Finance is hereby directed to make the following changes to the 2021 Adopted Budget:

INCREASE APPROPRIATION ACCOUNT:
A.1330.----.4 Contractual—Real Property Tax $38,400

DECREASE APPROPRIATION ACCOUNT:
A.1330.----.1 Personal Services—Real Property Tax $38,400

Signed: Scudder, Davis, Starks, Harmon, Niebel, Vanstrom, Muldowney, Gould, Nazzaro

Unanimously Adopted – December 15, 2021

RES. NO. 288-21
Financial Management Policy for the County of Chautauqua

By Administrative Services and Audit & Control Committees:
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 first Financial Management Policy was adopted pursuant to Resolution 168-04, and was further amended by Resolutions 64-05, 147-07, 144-14, 147-15, 167-19 and 227-20; and

WHEREAS, it is appropriate to amend the current Financial Management Policy to eliminate the allocation to the Capital Project Reserve of investment earnings associated with cash contributed from out-of-county waste at the County Landfill, and to eliminate minimum reserves for occupancy tax; therefore be it

RESOLVED, That the County's Financial Management Policy is hereby amended to read as follows:

I. INTRODUCTION

Section 2.05(c) of the Chautauqua County Charter requires the County Legislature to adopt a comprehensive financial management policy for County government on at least an annual basis. The primary objective of this policy is to establish financial guidelines for the maintenance of County operating and capital funds, fund balances, operating and capital revenues, and the use of reserve funds. With a focus on long-term planning, these guidelines are intended to provide sound financial management in order to provide appropriate and responsible budgets for Chautauqua County taxpayers. These policies are for general use, and allow for exceptions as appropriate and necessary on a case-by-case basis.

II. PURPOSE

The County of Chautauqua recognizes the importance of adherence to sound financial management practices. By enacting financial management policies, the County of Chautauqua intends to achieve the following goals and objectives:

A. Credit Rating

The most global indicators of a county's overall financial health are the credit ratings issued by the various rating agencies in the financial community. These ratings assess a county's immediate and future financial needs and its means to fund them. It is the intent of this financial management policy to provide the financial community with the assurance that the County of Chautauqua follows structurally sound budgeting practices, maintains an appropriate level of funds in reserve, and embarks upon vigorous long-range planning for both operating and capital needs.

B. Stable Tax Structure

Government spending relies heavily upon the current economic environment. With New York State counties required to pay 25% or more for most public assistance programs, a majority of county spending is obligated to these mandated programs. During robust economic times, the demand upon social services is lower and there is very little pressure on the tax structure. During periods of slow economic growth or recessions, the demand for government services increases greatly and taxes generally rise to meet these demands. In order to stabilize the peaks and valleys in the tax rate, financial management policies should be implemented to mitigate large changes in the taxation structure.

C. Fund Balances

The New York State Comptroller recommends that each local government assess what is a "reasonable amount" for its particular situation and adopt a fund balance policy. The purpose of this policy is to establish a fund balance policy to address the needs of Chautauqua County ("County") and establish adequate reserves to ensure that unanticipated events will not adversely affect the financial condition of the County nor jeopardize the continuation of necessary public services. This policy will

ensure the County maintains adequate fund balance and reserves in the County's Governmental Funds to provide the capacity to:

1. Provide sufficient cash flow for daily financial needs.
2. Secure and maintain investment grade bond ratings.
3. To provide adequate reserves to offset significant economic downturns or revenue shortfalls, and
4. Provide adequate reserves for unforeseen expenditures related to emergencies.

D. Structurally Balanced Budgets

The County of Chautauqua's definition of a structurally balanced budget is a budget that finances recurring appropriations with recurring revenues. A key component to maintaining stable taxation and fund balances is to limit the use of one-time revenues in the funding of recurring operations. It is the intent of this policy to attain structurally balanced budgets.

E. Long Range Planning

The County of Chautauqua recognizes the importance of long range planning for both operations and capital expenditures to ensure fiscal stability by providing the capability to plan for future expenditures and to weather unforeseen circumstances.

III. POLICIES

A. General Unobligated Fund Balance

1. This policy shall apply to the County's General Fund, only.
2. Fund Balance for the County's Governmental Funds will be comprised of the following categories:
    a) Nonspendable- amounts that cannot be spent because they are either (a) not in spendable form or (b) legally or contractually required to be maintained intact.
    b) Restricted- amounts externally imposed by creditors (debt covenants), grantors, contributors, laws, or regulations of other governments.
    c) Committed- amounts used for specific purposes pursuant to constraints imposed by formal action of the government's highest level of decision-making authority.
    1) Amounts set aside based on self-imposed limitations established and set in place prior to year-end and can be calculated after year-end.
    2) Limitation imposed at highest level and requires same action to remove or modify.
    3) Resolutions that lapse at year end.
    d) Assigned- amounts that are constrained by the government's intent to be used for specific purposes, but are neither restricted nor committed.
    e) Unassigned- amounts that are not reported in any other classification.

3. When resources are available from multiple classifications, the County spends funds in the following order: restricted, committed, assigned, unassigned.
4. The Chautauqua County Legislature is the decision-making authority that can, by resolution, commit fund balance. The commitment may only be modified by a new resolution authorized by the Chautauqua County Legislature.
5. General Unobligated Fund Balance:
    a) For the purpose of this policy, general unobligated fund balance shall consist of the Unassigned Fund Balance less any designations as footnoted in the Basic Financial Statements.
    b) The County shall strive to maintain unobligated fund balance of not less than 5% and not more than 15% of General Fund gross revenues.

c) The Director of Finance shall report the amount and percentage of general unobligated fund balance to the Audit and Control Committee upon completion of the annual audit each year.

d) In the event that unobligated fund balance exceeds 15% of adopted budget gross revenues, the excess may be utilized for any lawful purpose approved by the County Legislature. In order to minimize the long term effect of such use, the excess should be appropriated to fund one-time expenditures which do not result in recurring operating costs, and/or be used to establish or increase reserves.

e) In the event that general unobligated fund balance falls below 5% of adopted budgeted gross revenues, the Budget Officer shall make a recommendation to the Audit and Control Committee to restore the balance to the minimum level in the next budget year or other appropriate period of time.

B. General Fund Five-Year Plan

Beginning in the 2006 budget year, a five-year general fund budget projection shall be completed on an annual basis that projects both expenditures and revenues. A narrative shall be attached identifying all assumptions used in calculating the projection. Additionally, this narrative shall include measures to be taken to close any budget gap that may exist.

C. Capital Projects Six-Year Plan

1. Assessment - A comprehensive capital assessment of Chautauqua County's physical infrastructure shall be completed at least every five years. This assessment shall include an evaluation of the current state and future maintenance needs and or replacement expense of all buildings, roads, bridges, airports, parks, and dams.
2. Capital Requests - Pursuant to guidelines set forth in Article 7 of the Chautauqua County Administrative Code, department heads shall present all proposed capital projects as defined in the Administrative Code.
3. Funding – In order to provide a consistent source of funding for the County's infrastructure, investment earnings accrued from the County's general fund plus investment earnings associated with cash contributed from out-of-county waste at the Landfill[1] shall be dedicated to the Capital Project Reserve. Additionally, revenue from the Motor Vehicle Registration fee shall fund County road and bridge projects.

[1]Investment earnings associated with cash contributed from out-of-county waste at the Landfill shall be calculated as follows:

Total Monthly Investment Earnings
* (Month end cash balance, EL Fund / Month end cash balance, All funds)
* % of out-of-county waste from the last fully audited year
=
Investment earnings associated with cash contributed from out-of-county waste at the Landfill

Effective January 1st, 2023:
Funding – In order to provide a consistent source of funding for the County's infrastructure, investment earnings accrued from the County's general fund shall be dedicated to the Capital Project Reserve. Additionally, revenue from the Motor Vehicle Registration fee shall fund County road and bridge projects.

4. Account closeout – No later than February 28th of every year, all open capital project

accounts shall be assessed and reviewed by the Audit and Control committee. Any projects that are complete and have excess funds shall be closed out and any balances transferred to the Capital Project Reserve.

5. Planning Process – As set forth in Article 7 of the Chautauqua County Administrative Code, a Capital Projects Six-Year Plan shall be recommended by the County Planning Board, Capital Projects Committee, and County Executive on an annual basis, and shall be confirmed by the County Legislature.

D. Tax Stabilization Fund

Tax stabilization fund balance may be utilized in the tentative budget process, pursuant to New York State General Municipal Law § 6-e, in an amount not to exceed 50% of the projected current year fund balance. When the balance reaches $250,000 or less, the entire balance may be utilized.

E. Non-Property Taxes

Non-property taxes (sales, occupancy, mortgage, motor vehicle fee) are very elastic and are dependent upon variable economic trends. It is imperative to budget these revenues with a degree of conservatism to prevent shortages due to changing economic climates. As a general guideline, these revenues shall be budgeted as the actual receipts received two years prior – e.g., the 2005 tentative budget amounts will be the actual level of receipts received in 2003. Deviations from the "two years prior" policy shall only occur based upon known factors that may considerably impact the proposed budget such as a change in tax rates, change in taxable entities, or a rapidly changing economic environment. Any deviation from policy shall be appropriately documented. ~~Occupancy tax shall have the following minimum reserves:~~

~~1. 3% Occupancy Tax - Tourism $50,000~~
~~2. 2% Occupancy Tax - Lakes and Waterways $50,000~~

F. Purposes and Use of Debt

1. Capital Financing: The County will rely on internally generated funds and/or grants and contributions from other governments (i.e. federal, state and local) to finance its capital needs whenever available. Debt will be issued for a capital project when it is an appropriate means to achieve a fair allocation of costs between current and future beneficiaries.
2. Asset Life: The County will consider long-term financing for the acquisition, maintenance, replacement, or expansion of physical assets (including land) only if they have a useful life of at least five years. As a general rule, debt will not be issued for the road and bridge program, because of the recurring nature of road and bridge construction and maintenance. Debt will be used only to finance capital projects and equipment, except in the case of an emergency. County debt will not be issued for periods exceeding the useful life or average useful lives of the project or projects to be financed, as prescribed in Local Finance Law.
3. Debt Authorization: No County debt issued for the purpose of funding capital projects shall be authorized by the Legislature unless it has been included in the Six-Year Capital Projects Plan or until the Legislature has modified the Plan.

G. Financial Tracking System

To provide a quantitative analysis of the fiscal condition of county finances, the New York State Comptroller's Office has developed a series of fiscal indicators. The following indicators shall be computed and tracked on an annual basis upon completion of the audit of the County's basic financial statements. The final results shall be reported to the Audit and Control committee no later than September 30th.

Indicator 1: Year-End Fund Balance

1. Assigned and Unassigned Fund Balance – To identify the amount of fund balance that is available in the general, special revenue, and/or enterprise funds to provide a cushion for revenue shortfalls or expenditure overruns.
2. Total Fund Balance – To identify the amount of fund balance that is available to be used to fund operations, provide a cushion for revenue shortfalls or expenditure overruns, and/or is reserved for specific future purposes.

Indicator 2: Operating deficits

3. Operating Deficit – To identify local governments that are incurring operating deficits

Indicator 3: Cash Position

4. Cash Ratio – To identify the ability of the local government to liquidate current liabilities.
5. Cash % of Monthly Expenditures – To identify the ability of the local government to fund the ensuing fiscal year's operations from available cash.

Indicator 4: Use of Short-Term Debt

6. Short-Term Debt Issuance – To identify the amount of short-term debt that is issued to meet obligations (cash flow).
7. Short –Term Debt Issuance Trend – To identify the trend in the issuance of short-term debt.

Indicator 5: Fixed Costs

8. Personal Services and Employee Benefits % Revenues – To identify the amount that revenues are restricted to be used for salaries and benefits.
9. Debt service % Revenues – To identify the amount that revenues are restricted to be used for debt service expenditures.

IV. MISCELLANEOUS

A. Adoption

The County of Chautauqua Financial Management Policy shall be presented to and adopted by the Chautauqua County Legislature as official County policy by formal legislative resolution.

B. Modification and Review

These policies, along with the Chautauqua County Investment policy, shall be reviewed annually by the Finance Department, Budget Department, Legislative Financial Analyst and Legal Counsel, and the Audit and Control Committee for formal approval in June of every year.

Signed: Niebel, Gould, Davis, Starks, Scudder, Harmon, Vanstrom, Muldowney, Nazzaro

Unanimously Adopted – December 15, 2021

RES. NO. 289-21
Amend Chautauqua County Purchasing Policy

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

WHEREAS, pursuant to Section 104-b of New York State General Municipal Law (GML), the County Legislature adopted a Purchasing Policy in Resolution 182-92, as amended by Resolutions 268-93, 171-94, 124-09, 142-13, 68-14, 161-15, 230-16, 189-18 and 184-20; and

WHEREAS, the County periodically receives Community Development Block Grant Funds, and is required to comply with certain purchasing-related requirements in connection therewith; now, therefore, be it

RESOLVED, That Section 1(b) of the County Purchasing Policy established by Resolution 184-20 is amended as follows:

Purchases must also be compliant with any funding source requirements. See, for example, the requirements of Title 2: Grants and Agreements, of the Code of Federal Regulations (CFR), Part 200—Uniform Administrative Requirements, Cost Principles, and Audit requirements for Federal Awards ("Uniform Guidance") §§200.318-200.326. Solicitations and awards for purchases to be paid for in whole or in part with Community Development Block Grant (CDBG) funds must be consistent with applicable requirements of 24 C.F.R. Part 75 "Economic Opportunities for Low- and Very-Low Income Persons", including requirements for participation of Section 3 residents and businesses, as well as MWBE requirements.

Signed: Niebel, Davis, Vanstrom, Scudder, Harmon, Starks, Muldowney, Gould, Nazzaro

Unanimously Adopted – December 15, 2021

RES. NO. 290-21
Amend 2022 Budget to Implement the Emergency Services Message Boards Project
within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan

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

WHEREAS, President Biden signed into law the American Rescue Plan Act (ARPA) on March 11, 2021, and this legislation contains a wide array of stimulus and recovery funding designed to ensure the nation's swift economic and public health recovery from COVID-19; and

WHEREAS, Chautauqua County received an award of $24,600,000 in ARPA funding, of which $18,219,169 is available for general county spending based on the Treasury Department's revenue loss formula and other guidance, and the remaining $6,380,831 in funding can only be spent on designated ARPA categories including premium pay; water, sewer, and broadband projects; and responding to the COVID-19 pandemic and its associated economic impacts; and

WHEREAS, an ARPA working group consisting of the County Executive, several legislators, and several department heads worked for many months to create an ARPA Spending Plan (Plan) consisting of priority projects to address the key strategic categories as defined by the Department of Treasury, to be sustainable, and to have a County-wide impact; and

WHEREAS, the Plan, consisting of the priority projects, was thoroughly reviewed by the ARPA working group, the County Executive, and the County Legislature and was adopted pursuant to Resolution No. 202-21; and

WHEREAS, the Emergency Services Message Boards project, identified as one of the priority projects recommended in Resolution 202-21, is ready to proceed and budget amendments are necessary to authorize spending for the project(s); therefore be it

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2022 Adopted Budget in order to implement the OES Message Boards project(s):

INCREASE APPROPRIATION ACCOUNTS:		
A.3010.----.2	Equipment—Emergency Services	$ 30,000
ESTABLISH & INCREASE REVENUE ACCOUNT:		
A.3010.----.R408.9ARP	Federal Aid—Oth Fed Aid: ARPA	$ 30,000

Signed: Whitford, Pavlock, Niebel, Harmon, Gould, Nazzaro

Unanimously Adopted – December 15, 2021

RES. NO. 291-21
Amend 2022 Budget to Implement the Office of Emergency Services (OES) Emergency Medical Service (EMS) Gear Project within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan

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

WHEREAS, President Biden signed into law the American Rescue Plan Act (ARPA) on March 11, 2021, and this legislation contains a wide array of stimulus and recovery funding designed to ensure the nation's swift economic and public health recovery from COVID-19; and

WHEREAS, Chautauqua County received an award of $24,600,000 in ARPA funding, of which $18,219,169 is available for general county spending based on the Treasury Department's revenue loss formula and other guidance, and the remaining $6,380,831 in funding can only be spent on designated ARPA categories including premium pay; water, sewer, and broadband projects; and responding to the COVID-19 pandemic and its associated economic impacts; and

WHEREAS, an ARPA working group consisting of the County Executive, several legislators, and several department heads worked for many months to create an ARPA Spending Plan (Plan) consisting of priority projects to address the key strategic categories as defined by the Department of Treasury, to be sustainable, and to have a County-wide impact; and

WHEREAS, the Plan, consisting of the priority projects, was thoroughly reviewed by the ARPA working group, the County Executive, and the County Legislature and was adopted pursuant to Resolution No. 202-21; and

WHEREAS, the OES EMS Gear project, identified as one of the priority projects recommended in Resolution 202-21, is ready to proceed and budget amendments are necessary to authorize spending for the projects; therefore be it

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2022 Adopted Budget in order to implement the OES EMS Gear projects:

INCREASE APPROPRIATION ACCOUNT:		
A.3989.EMS.2	Equipment—Emergency Medical Service, Fly Car & Ambulance Services	$121,200
ESTABLISH & INCREASE REVENUE ACCOUNT:		
A.3989.EMS.R408.9ARP	Federal Aid—Oth Fed Aid: ARPA	$121,200

Signed: Whitford, Pavlock, Niebel, Harmon, Gould, Nazzaro

Unanimously Adopted – December 15, 2021

RES. NO. 292-21
Amend 2022 Budget to Implement the Emergency Services Office Upgrades Project within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan

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

WHEREAS, President Biden signed into law the American Rescue Plan Act (ARPA) on March 11, 2021, and this legislation contains a wide array of stimulus and recovery funding designed to ensure the nation's swift economic and public health recovery from COVID-19; and

WHEREAS, Chautauqua County received an award of $24,600,000 in ARPA funding, of which $18,219,169 is available for general county spending based on the Treasury Department's revenue loss formula and other guidance, and the remaining $6,380,831 in funding can only be spent on designated ARPA categories including premium pay; water, sewer, and broadband projects; and responding to the COVID-19 pandemic and its associated economic impacts; and

WHEREAS, an ARPA working group consisting of the County Executive, several legislators, and several department heads worked for many months to create an ARPA Spending Plan (Plan) consisting of priority projects to address the key strategic categories as defined by the Department of Treasury, to be sustainable, and to have a County-wide impact; and

WHEREAS, the Plan, consisting of the priority projects, was thoroughly reviewed by the ARPA working group, the County Executive, and the County Legislature and was adopted pursuant to Resolution No. 202-21; and

WHEREAS, the Emergency Services Office Upgrades project, identified as one of the priority project(s) recommended in Resolution 202-21, is ready to proceed and budget amendments are necessary to authorize spending for the project(s); therefore be it

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2022 Adopted Budget in order to implement the OES Upgrades project(s):

ESTABLISH & INCREASE APPROPRIATION ACCOUNTS:		
H.3010.14011.4	Contractual—EOC Upgrades (2022)	$41,500
A.9950.----.9	Interfund Transfers—Transfer to Capital	$41,500
	Total	$83,000

ESTABLISH & INCREASE REVENUE ACCOUNTS:		
H.3010.14011.R408.9ARP	Federal Aid—Oth Fed Aid: ARPA	$41,500
A.9950.----.R408.9ARP	Interfund Transfers—Oth Fed Aid: ARPA	$41,500
	Total	$83,000

Signed: Whitford, Pavlock, Niebel, Harmon, Gould, Nazzaro

Unanimously Adopted – December 15, 2021

RES. NO. 293-21
Amend 2022 Budget to Implement the Office of Emergency Services Dive Boat Project within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan

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

WHEREAS, President Biden signed into law the American Rescue Plan Act (ARPA) on March 11, 2021, and this legislation contains a wide array of stimulus and recovery funding designed to ensure the nation's swift economic and public health recovery from COVID-19; and

WHEREAS, Chautauqua County received an award of $24,600,000 in ARPA funding, of which $18,219,169 is available for general county spending based on the Treasury Department's revenue loss formula and other guidance, and the remaining $6,380,831 in funding can only be spent on designated ARPA categories including premium pay; water, sewer, and broadband projects; and responding to the COVID-19 pandemic and its associated economic impacts; and

WHEREAS, an ARPA working group consisting of the County Executive, several legislators, and several department heads worked for many months to create an ARPA Spending Plan (Plan) consisting of priority projects to address the key strategic categories as defined by the Department of Treasury, to be sustainable, and to have a County-wide impact; and

WHEREAS, the Plan, consisting of the priority projects, was thoroughly reviewed by the ARPA working group, the County Executive, and the County Legislature and was adopted pursuant to Resolution No. 202-21; and

WHEREAS, the OES Dive Boat project(s), identified as one (or more) of the priority project(s) recommended in Resolution 202-21, is ready to proceed and budget amendments are necessary to authorize spending for the project(s); therefore be it

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2022 Adopted Budget in order to implement the OES Dive Boat project(s):

ESTABLISH & INCREASE APPROPRIATION ACCOUNTS:		
H.3010.14010.4	Contractual—Emergency Services, Dive Boat (2022)	$135,000
A.9950.----.9	Interfund Transfers—Transfer to Capital	$135,000
	Total	$270,000

ESTABLISH & INCREASE REVENUE ACCOUNTS:		
H.3010.14010.R408.9ARP	Federal Aid—Oth Fed Aid: ARPA	$135,000
A.9950.----.R408.9ARP	Interfund Transfers—Oth Fed Aid: ARPA	$135,000
	Total	$270,000

Signed: Whitford, Pavlock, Harmon, Gould, Niebel, Nazzaro

Unanimously Adopted – December 15, 2021

RES. NO. 294-21
Amend 2022 Budget to Implement the Emergency Services Paving Project within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan

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

WHEREAS, President Biden signed into law the American Rescue Plan Act (ARPA) on March 11, 2021, and this legislation contains a wide array of stimulus and recovery funding designed to ensure the nation's swift economic and public health recovery from COVID-19; and

WHEREAS, Chautauqua County received an award of $24,600,000 in ARPA funding, of which $18,219,169 is available for general county spending based on the Treasury Department's revenue loss formula and other guidance, and the remaining $6,380,831 in funding can only be spent on designated ARPA categories including premium pay; water, sewer, and broadband projects; and responding to the COVID-19 pandemic and its associated economic impacts; and

WHEREAS, an ARPA working group consisting of the County Executive, several legislators, and several department heads worked for many months to create an ARPA Spending Plan (Plan) consisting of priority projects to address the key strategic categories as defined by the Department of Treasury, to be sustainable, and to have a County-wide impact; and

WHEREAS, the Plan, consisting of the priority projects, was thoroughly reviewed by the ARPA working group, the County Executive, and the County Legislature and was adopted pursuant to Resolution No. 202-21; and

WHEREAS, the Emergency Services Paving Project, identified as one of the priority projects recommended in Resolution 202-21, is ready to proceed and budget amendments are necessary to authorize spending for the projects; therefore be it

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2022 Adopted Budget in order to implement the Emergency Services Paving Project:

ESTABLISH & INCREASE APPROPRIATION ACCOUNTS:

~~H.3010.14012.4~~Contractual—***EMS*** Paving (2022)		$250,000
H.1620.25249.4		
A.9950.----.9	Interfund Transfers—Transfer to Capital	$250,000
	Total	$500,000

ESTABLISH & INCREASE REVENUE ACCOUNTS:

~~H.3010.14012.R408.9ARP~~	Federal Aid—Oth Fed Aid: ARPA	$250,000
H.1620.25249.R408.9ARP		
A.9950.----.R408.9ARP	Interfund Transfers—Oth Fed Aid: ARPA	$250,000
	Total	$500,000

Signed: Whitford, Pavlock, Niebel, Harmon, Gould, Nazzaro (A.C. – Amended by strike through and new account numbers added)

Unanimously Adopted – December 15, 2021

RES. NO. 295-21
Amend 2022 Budget to Implement the Office of Emergency Services (OES) Communications Project within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan

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

WHEREAS, President Biden signed into law the American Rescue Plan Act (ARPA) on March 11, 2021, and this legislation contains a wide array of stimulus and recovery funding designed to ensure the nation's swift economic and public health recovery from COVID-19; and

WHEREAS, Chautauqua County received an award of $24,600,000 in ARPA funding, of which $18,219,169 is available for general county spending based on the Treasury Department's revenue loss formula and other guidance, and the remaining $6,380,831 in funding can only be spent on designated ARPA categories including premium pay; water, sewer, and broadband projects; and responding to the COVID-19 pandemic and its associated economic impacts; and

WHEREAS, an ARPA working group consisting of the County Executive, several legislators, and several department heads worked for many months to create an ARPA Spending Plan (Plan) consisting of priority projects to address the key strategic categories as defined by the Department of Treasury, to be sustainable, and to have a County-wide impact; and

WHEREAS, the Plan, consisting of the priority projects, was thoroughly reviewed by the ARPA working group, the County Executive, and the County Legislature and was adopted pursuant to Resolution No. 202-21; and

WHEREAS, the Communication project, identified as one of the priority projects recommended in Resolution 202-21, is ready to proceed and budget amendments are necessary to authorize spending for the project; therefore be it

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2022 Adopted Budget in order to implement the Communications project:

ESTABLISH & INCREASE APPROPRIATION ACCOUNTS:

H.3010.14009.4	Contractual—Emergency Services, Communications (2022)	$175,000
A.9950.----.9	Interfund Transfers----Transfer to Capital	$175,000
	Total	$350,000

ESTABLISH & INCREASE REVENUE ACCOUNTS:

H.3010.14009.R408.9ARP	Federal Aid—Oth Fed Aid: ARPA	$175,000
A.9950.----.R408.9ARP	Interfund Transfers – Oth Fed Aid: ARPA	$175,000
	Total	$350,000

Signed: Whitford, Pavlock, Niebel, Harmon, Gould, Nazzaro

Unanimously Adopted – December 15, 2021

RES. NO. 296-21
FY2021 State Homeland Security Program (SHSP)

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

WHEREAS, the Office of Emergency Services was awarded funds from the New York State Division of Homeland Security and Emergency Services in the total amount of $170,713.00; and

WHEREAS, the grant period runs from September 1, 2021 through August 31, 2024, or as may be amended; and

WHEREAS, the expenses and revenues for the grant agreement are within the financial parameters of the proposed 2022 County Budget; now therefore be it

RESOLVED, That the County Executive is hereby authorized to sign and execute all necessary agreements to accept the award and subsequent changes to work plans.

Signed: Whitford, Pavlock, Niebel, Harmon, Gould, Nazzaro

Unanimously Adopted – December 15, 2021

RES. NO. 297-21
Authorize Acceptance of 2022 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 $65,000.00 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, 2022 through December 31, 2022; 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 managed by the New York State Division of Criminal Justice Services (DJCS); and

WHEREAS, these funds have already been included in the 2022 Adopted Budget; therefore be it

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

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 therefore 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: Whitford, Pavlock, Niebel, Harmon, Gould, Nazzaro

Unanimously Adopted – December 15, 2021

RES. NO. 298-21
Amend 2022 Budget to Implement the District Attorney Office Expansion Project in the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan

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

WHEREAS, President Biden signed into law the American Rescue Plan Act (ARPA) on March 11, 2021, and this legislation contains a wide array of stimulus and recovery funding designed to ensure the nation's swift economic and public health recovery from COVID-19; and

WHEREAS, Chautauqua County received an award of $24,600,000 in ARPA funding, of which $18,219,169 is available for general county spending based on the Treasury Department's revenue loss formula and other guidance, and the remaining $6,380,831 in funding can only be spent on designated ARPA categories including premium pay; water, sewer, and broadband projects; and responding to the COVID-19 pandemic and its associated economic impacts; and

WHEREAS, an ARPA working group consisting of the County Executive, several legislators, and several department heads worked for many months to create an ARPA Spending Plan (Plan) consisting of priority projects to address the key strategic categories as defined by the Department of Treasury, to be sustainable, and to have a County-wide impact; and

WHEREAS, the Plan, consisting of the priority projects, was thoroughly reviewed by the ARPA working group, the County Executive, and the County Legislature and was adopted pursuant to Resolution No. 202-21; and

WHEREAS, the District Attorney Office Expansion is identified as one of the priority projects recommended in Resolution 202-21, has been reviewed and recommended by the Chautauqua County Planning Board, and budget amendments are necessary to authorize spending for the project; and

WHEREAS, the District Attorney Office Expansion project, including architecture, construction, equipment, and furniture will total $70,000, with the cost broken down into the following categories: $5,000 architecture, $20,000 construction, $13,000 equipment, and $32,000 furniture; therefore be it

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2022 Adopted Budget in order to implement the District Attorney Office Expansion project:

ESTABLISH & INCREASE APPROPRIATION ACCOUNTS:

H.1165.03001.4	Contractual—District Attorney Office Expansion (2022)	$ 70,000
A.9950.-----.9	Interfund Transfers----Transfer to Capital	$ 70,000
	Total	$140,000

ESTABLISH & INCREASE REVENUE ACCOUNTS:

H.1165.03001.R503.1000	Interfund Transfers – Interfund Transfer	$ 70,000
A.9950.-----.R408.9ARP	Interfund Transfers – Oth Fed Aid: ARPA	$ 70,000
	Total	$140,000

Signed: Whitford, Pavlock, Harmon, Niebel, Gould, Nazzaro

Unanimously Adopted – December 15, 2021

RES. NO. 299-21
Authorize Agreements with Various Entities for Enhanced Police Protection Services FY22

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

WHEREAS, various municipalities or school districts have requested the Chautauqua County Office of the Sheriff provide enhanced police services within their respective geographic boundaries during the 2022 calendar year; and

WHEREAS, the Chautauqua County Sheriff has negotiated tentative agreements with these entities for the period of January 1, 2022 through December 31, 2022 for estimated costs not to exceed amounts listed, based on an hourly rate of at least $44.38 and a holiday hourly rate of at least $56.11:

Town of Ripley	$35,000
Chautauqua Lake Central School	$ 3,000
Town of Charlotte	$ 4,000

and;

WHEREAS, this revenue is included in the 2022 Adopted Budget so no budget amendments are needed; now therefore be it

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

Signed: Whitford, Pavlock, Niebel, Harmon, Gould, Nazzaro

Unanimously Adopted – December 15, 2021

RES. NO. 300-21
Amend 2021 & 2022 Budgets for Capital Projects

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

WHEREAS, the County established capital projects for Jail Kitchen Oven, Jail Kitchen Mixer and Meal Carts; and

WHEREAS, the actual cost of Meal Carts will be less than anticipated, and

WHEREAS, there is an additional piece of Jail kitchen equipment, a Steam Kettle, that is now urgently needed; and

WHEREAS, all of these projects encompass Jail kitchen needs; now therefore be it

RESOLVED, That the Director of Finance would consider it prudent to amend the title of Capital Account H.3150.06008 from Jail Kitchen Mixer (2021) to Jail Kitchen Equipment (2021); and be it also

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2021 & 2022 Adopted Capital Budgets:

INCREASE CAPITAL REVENUE ACCOUNT:			
H.3150.06008.R503.1000	Interfund Transfer – Interfund Transfer		$31,697
INCREASE CAPITAL APPROPRIATION ACCOUNT:			
H.3150.06008.4	Contractual—Jail, Jail Kitchen Equipment (2021)		$31,697
DECREASE CAPITAL REVENUE ACCOUNTS:			
H.3150.06007.R503.1000	Interfund Transfer – Interfund Transfer		$ 1,697
H.3150.06014.R503.1000	Interfund Transfer – Interfund Transfer		$30,000
		Total:	$31,697
DECREASE CAPITAL APPROPRIATION ACCOUNTS:			
H.3150.06007.4	Contractual—Jail, Jail Kitchen Oven (2021)		$ 1,697
H.3150.06014.4	Contractual—Jail, Meal Carts (2022)		$30,000
		Total:	$31,697

Signed: Whitford, Pavlock, Niebel, Harmon, Gould, Nazzaro

Unanimously Adopted – December 15, 2021

RES. NO. 301-21
Authorize Agreements with Various Towns for Court Security Services FY22

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

WHEREAS, various municipalities have requested that the Chautauqua County Office of the Sheriff provide part-time deputy sheriffs for court security detail on designated court nights; and

WHEREAS, the Chautauqua County Sheriff has negotiated tentative agreements with these townships for the period of January 1, 2022 through December 31, 2022 for estimated costs not to exceed amounts listed, based on an hourly rate of at least $33.82:

Town of North Harmony	$8,000
Town of Kiantone	$7,000
Town of Mina	$5,000
Town of Stockton	$6,000
Town of Ellery	$3,000
Town of Harmony	$4,000

and;

WHEREAS, this revenue is included in the 2022 Adopted Budget so no budget amendments are needed; now therefore be it

RESOLVED, That the County Executive is hereby authorized and empowered to execute agreements with the above Towns for court security services as set forth above with revenues to be credited to revenue account A.3110.R226.0000.

Signed: Whitford, Pavlock, Niebel, Harmon, Gould, Nazzaro

Unanimously Adopted – December 15, 2021

RES. NO. 302-21
Authorize MOU with E2CCB and Chautauqua Lake Central School for Incarcerated Youth Program at the Chautauqua County Jail

By Public Safety Committee:
At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, Erie 2-Chautauqua-Cattaraugus BOCES (E2CCB) and Chautauqua Lake Central School have requested the continuation of an Incarcerated Youth Program at the Chautauqua County Jail in compliance with Section 7070.2 of the State Commission of Corrections enabling youth to obtain a GED while incarcerated; and

WHEREAS, E2CCB and Chautauqua Lake Central School would like to enter into a Memorandum of Understanding for the period of September 1, 2021 through June 30, 2022; and

WHEREAS, this agreement requires no cost to the County so no budget amendment is needed; now therefore be it

RESOLVED, That the County Executive is authorized to execute an agreement with Erie 2-Chautauqua-Cattaraugus BOCES and Chautauqua Lake Central School for the Incarcerated Youth Program as set forth above.

Signed: Whitford, Pavlock, Niebel

Unanimously Adopted – December 15, 2021

RES. NO. 303-21
Amend 2022 Budget Appropriations to Include Office of Mental Health (OMH)
Workforce Block Grant Allocation

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

WHEREAS, the Chautauqua County Department of Mental Hygiene has been awarded an Office of Mental Health (OMH) Workforce Block Grant to be used for educational/training expenses and career development; and

WHEREAS, the grant covers the period of July 1, 2021 through December 31, 2022, and the maximum amount of funding over the term of the grant is $70,000; and

WHEREAS, this grant funding is not included in the 2022 Adopted Budget; now therefore be it

RESOLVED, That the County Executive is hereby authorized to execute any and all necessary documents for the acceptance of such grant funds, and is further authorized to enter into agreements with various government and municipal entities, including but not limited to local school districts, colleges, and universities; and be it further

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2022 Adopted Budget:

INCREASE APPROPRIATION ACCOUNTS:

A.4310.----.4	Contractual—Mental Hygiene Admin		$15,000
A.4320.----.4	Contractual—Mental Hygiene Programs		$55,000
		Total	$70,000

INCREASE REVENUE ACCOUNTS:

A.4310.----.R449.0000	Federal Aid—Federal Aid-Ment Hlth		$15,000
A.4320.----.R449.0000	Federal Aid—Federal Aid-Ment Hlth		$55,000
		Total	$70,000

Signed: Whitney, Whitford, Lawton, Pavlock, Harmon, Gould, Niebel, Nazzaro

Unanimously Adopted – December 15, 2021

RES. NO. 304-21
To Amend 2022 Budget to Implement the Environmental Permit Fee Waiver Program Project
within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan

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

WHEREAS, President Biden signed into law the American Rescue Plan Act (ARPA) on March 11, 2021, and this legislation contains a wide array of stimulus and recovery funding designed to ensure the nation's swift economic and public health recovery from COVID-19; and

WHEREAS, Chautauqua County received an award of $24,600,000 in ARPA funding, of which $18,219,169 is available for general county spending based on the Treasury Department's revenue loss formula and other guidance, and the remaining $6,380,831 in funding can only be spent on designated ARPA categories including premium pay; water, sewer, and broadband projects; and responding to the COVID-19 pandemic and its associated economic impacts; and

WHEREAS, an ARPA working group consisting of the County Executive, several legislators and several department heads worked for many months to create an ARPA Spending Plan (Plan) consisting of priority projects to address the key strategic categories as defined by the Department of Treasury, to be sustainable, and to have a County-wide impact; and

WHEREAS, the Plan, consisting of the priority projects, was thoroughly reviewed by the ARPA working group, the County Executive, and the County Legislature and was adopted pursuant to Resolution No. 202-21; and

WHEREAS, the Environmental Permit Fee Waiver Program project, identified as one of the priority projects recommended in Resolution 202-21, is ready to proceed, and budget amendments are necessary to authorize spending for the project; therefore be it

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2022 Adopted Budget in order to implement the Environmental Permit Fee Waiver Program project:

ESTABLISH & INCREASE REVENUE ACCOUNT:	
A.4090.----.R408.9ARP Federal Aid—Oth Fed Aid: ARPA	$120,000
DECREASE REVENUE ACCOUNTS:	
A.4090.----.R160.1FSE Departmental Income—Fees: Public Health Food Service	$107,000
A.4090.----.R160.1OTH Departmental Income—Fees: Public Health Other	$ 13,000
Total	$120,000

Signed: Whitney, Whitford, Lawton, Pavlock, Harmon, Gould, Niebel, Nazzaro

Unanimously Adopted – December 15, 2021

RES. NO. 305-21
Amend 2021 Budget to Implement the Strong Starts Chautauqua Project within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan

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

WHEREAS, President Biden signed into law the American Rescue Plan Act (ARPA) on March 11, 2021, and this legislation contains a wide array of stimulus and recovery funding designed to ensure the nation's swift economic and public health recovery from COVID-19; and

WHEREAS, Chautauqua County received an award of $24,600,000 in ARPA funding, of which $18,219,169 is available for general county spending based on the Treasury Department's revenue loss formula and other guidance, and the remaining $6,380,831 in funding can only be spent

on designated ARPA categories including premium pay; water, sewer, and broadband projects; and responding to the COVID-19 pandemic and its associated economic impacts; and

WHEREAS, an ARPA working group consisting of the County Executive, several legislators and several department heads worked for many months to create an ARPA Spending Plan (Plan) consisting of priority projects to address the key strategic categories as defined by the Department of Treasury, to be sustainable, and to have a County-wide impact; and

WHEREAS, the Plan, consisting of the priority projects, was thoroughly reviewed by the ARPA working group, the County Executive, and the County Legislature and was adopted pursuant to Resolution No. 202-21; and

WHEREAS, the Strong Starts Chautauqua project, identified as one of the priority projects recommended in Resolution 202-21, is ready to proceed, and budget amendments are necessary to authorize spending for the project; therefore be it

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2021 Adopted Budget in order to implement the Strong Starts Chautauqua project:

ESTABLISH & INCREASE REVENUE ACCOUNT:

A.6010.----.R408.9ARP	Federal Aid—Oth Fed Aid ARPA Funds	$25,300

ESTABLISH & INCREASE APPROPRIATION ACCOUNT:

A.6010.----.4	Contractual—Social Services Admin	$25,300

Signed: Whitney, Whitford, Lawton, Pavlock, Harmon, Gould, Niebel, Nazzaro

Unanimously Adopted – December 15, 2021

RES. NO. 306-21
Amend 2022 Budget to Implement the Strong Starts Chautauqua Project within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan

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

WHEREAS, President Biden signed into law the American Rescue Plan Act (ARPA) on March 11, 2021, and this legislation contains a wide array of stimulus and recovery funding designed to ensure the nation's swift economic and public health recovery from COVID-19; and

WHEREAS, Chautauqua County received an award of $24,600,000 in ARPA funding, of which $18,219,169 is available for general county spending based on the Treasury Department's revenue loss formula and other guidance, and the remaining $6,380,831 in funding can only be spent on designated ARPA categories including premium pay; water, sewer, and broadband projects; and responding to the COVID-19 pandemic and its associated economic impacts; and

WHEREAS, an ARPA working group consisting of the County Executive, several legislators and several department heads worked for many months to create an ARPA Spending Plan (Plan) consisting of priority projects to address the key strategic categories as defined by the Department of Treasury, to be sustainable, and to have a County-wide impact; and

WHEREAS, the Plan, consisting of the priority projects, was thoroughly reviewed by the ARPA working group, the County Executive, and the County Legislature and was adopted pursuant to Resolution No. 202-21; and

WHEREAS, the Strong Starts Chautauqua project, identified as one of the priority projects recommended in Resolution 202-21, is ready to proceed, and budget amendments are necessary to authorize spending for the project; therefore be it

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2022 Adopted Budget in order to implement the Strong Starts Chautauqua project:

INCREASE REVENUE ACCOUNT:

A.6010.----.R408.9ARP	Federal Aid—Oth Fed Aid ARPA Funds	$226,700

INCREASE APPROPRIATION ACCOUNT:

A.6010.----.4	Contractual—Social Services Admin	$226,700

Signed: Whitney, Whitford, Lawton, Harmon, Pavlock, Gould, Niebel, Nazzaro (H.S. Amended by Substitution)

Unanimously Adopted – December 15, 2021

RES. NO. 307-21
Amend Chautauqua County Health & Human Services 2021 Budget For Rollover of Community Development Block Grant - Septic and Wells Program

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

WHEREAS, 2020 expenditures for Community Development Block Grant - Septic and Wells Program were less than expected; and

WHEREAS, 2020 revenues for the Community Development Block Grant - Septic and Wells Program were also less than expected; and

WHEREAS, activity on the project continues into 2021 and unused funds are still available as the grant is for a two year period with no requirements as to how much is to be spent per year; therefore, be it

RESOLVED, That the Director of Finance is authorized and directed to make the following changes to the 2021 Adopted Budget:

INCREASE APPROPRIATION ACCOUNT:

A.4090.----.4	Contractual – Environmental Health	$25,212

INCREASE REVENUE ACCOUNT:

A.4090.----.R478.9WSA	Federal Aid – Wastewater & Well Assist	$25,212

Signed: Whitney, Whitford, Lawton, Pavlock, Harmon, Gould, Niebel, Nazzaro

Unanimously Adopted – December 15, 2021

RES. NO. 308-21
To Accept National Association of County & City Health Officials (NACCHO) Wastewater Surveillance Mentorship Pilot Program Funding

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

WHEREAS, the Chautauqua County Department of Health and Human Services has been selected as one of two mentee sites for the National Association of County & City Health Officials' (NACCHO's) Wastewater Surveillance Mentorship Pilot Program; and

WHEREAS, this mentorship program will help to ensure that local health departments have the support necessary to start or expand wastewater surveillance programs to fit their communities' needs; and

WHEREAS, NACCHO's Wastewater Surveillance Mentorship Pilot Program mentee sites will receive funding in the amount of $11,000 for the period 11/01/21 – 07/31/22; and

WHEREAS, the purpose of the award is to support local health departments in implementing and expanding their wastewater surveillance efforts for COVID-19, and selected mentees will work with NACCHO and subject matter experts from the Centers for Disease Control and Prevention (CDC) of the U.S. Department of Health and Human Services throughout the program; now therefore be it

RESOLVED, That the County Executive is hereby authorized to enter into all agreements and execute all necessary award-related documents for the above-named award for so long as the County continues to be funded by this program; and be it further

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

Signed: Whitney, Whitford, Lawton, Pavlock, Harmon, Gould, Niebel, Nazzaro

Unanimously Adopted – December 15, 2021

RES. NO. 309-21
Amend Chautauqua County Health & Human Services 2021 Adopted Budget for Contractual Costs – Nursing

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

WHEREAS, 2021 contractual expenditures for Public Health Administration- Nursing are now projected to be in excess of the budgeted amount; and

WHEREAS, 2021 contractual expenditures for Social Services Administration are now projected to be less than the budgeted amount; now therefore be it

RESOLVED, That the Director of Finance is authorized and directed to make the following changes to the 2021 Adopted Budget:

INCREASE APPROPRIATION ACCOUNT:

A.4010.NURS.4	Contractual—Public Health Admin, Nursing	$150,000

DECREASE APPROPRIATION ACCOUNT:

A.6010.----.4	Contractual—Social Services Admin	$150,000

Signed: Whitney, Whitford, Lawton, Pavlock, Harmon, Gould, Niebel, Nazzaro

Unanimously Adopted – December 15, 2021

RES. NO. 310-21
Amend Chautauqua County Health & Human Services 2021 Adopted Budget for Contractual Costs – Environmental Health

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

WHEREAS, 2021 contractual expenditures for Environmental Health are now projected to be in excess of the budgeted amount; and

WHEREAS, 2021 contractual expenditures for Public Health Administration- Nursing and for Other Public Health Programs-Lead Testing are now projected to be less than the budgeted amount; now therefore be it

RESOLVED, That the Director of Finance is authorized and directed to make the following changes to the 2021 Adopted Budget:

INCREASE APPROPRIATION ACCOUNT:

A.4090.----.4	Contractual—Environmental Health	$20,000

DECREASE APPROPRIATION ACCOUNTS:

A.4010.NURS.4	Contractual—Public Health Admin, Nursing	$15,000
A.4189.LEAD.4	Contractual—Other Public Health Progs, Lead Testing	$ 5,000
	Total	$20,000

Signed: Whitney, Whitford, Lawton, Pavlock, Harmon, Gould, Niebel, Nazzaro

Unanimously Adopted – December 15, 2021

RES. NO. 311-21
Amend 2021 Budget – Clean Energy Community Grant (2019)

By Planning & Econ. Development and Audit & Control:
At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, the Department of Planning and Development was awarded the Clean Energy Community grant in 2019 through the New York State Energy Research and Development Authority (NYSERDA) in the amount of $150,000; and

WHEREAS, a total of five projects were completed and included LED lighting upgrades to the airport tunnel, electrical vehicle purchases, electrical vehicle charging stations, Department of Public Facilities LED lighting upgrades, and airport hangar LED lighting upgrades totaling $165,000; and

WHEREAS, the Department of Planning and Development applied for the Zero-emission Vehicle Rebate program and was awarded rebate funding through the New York State Department of Environmental Conservation (NYSDEC) in the amount of $15,000; and

WHEREAS, the revenues and expenditures associated with the rebate and total project costs were not entirely included in the 2021 Capital Budget; now therefore be it

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2021 Adopted Budget:

INCREASE APPROPRIATION ACCOUNT:

H.8020.37005.4	Contractual – Planning, Clean Energy Comm Grant (2019)	$15,000

INCREASE REVENUE ACCOUNT:

H.8020.37005.R398.9000	New York State Aid – Env Facility Corp	$15,000

Signed: Ward, Muldowney, Lawton, Penhollow, Starks, Harmon, Gould, Niebel, Nazzaro

Unanimously Adopted – December 15, 2021

RES. NO. 312-21
Authorize Agreement with Small Business Development Center at Jamestown Community College

By Planning & Economic Development and Audit & Control Committees:
At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, the County Department of Planning & Development is striving to increase the viability of businesses within the County by providing a technical assistance program for start-up businesses in the County, which will track and assist businesses in their early stages of development; and

WHEREAS, Jamestown Community College has an established Small Business Development Center at its Jamestown Campus, in cooperation with the State University of New York, that provides a technical assistance program; and

WHEREAS, the Chautauqua County Legislature has appropriated funds for such services in its 2022 Adopted Budget; now therefore be it

RESOLVED, That the County Executive is hereby authorized to execute an agreement with the Small Business Development Center for technical assistance in the amount of $34,653.00 for the term commencing as of January 1, 2022 through December 31, 2022.

Signed: Ward, Muldowney, Lawton, Penhollow, Starks, Harmon, Niebel, Nazzaro

Unanimously Adopted – December 15, 2021

RES. NO. 313-21
Authorize Agreement with the County of Chautauqua Industrial Development Agency for Business Development, Promotion, and Assistance

By Planning & Econ. Development and Audit & Control:
At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, the County of Chautauqua Industrial Development Agency was formed pursuant to Section 895-h of the New York State General Municipal Law to promote, develop, encourage, and assist in economic development throughout Chautauqua County; and

WHEREAS, pursuant to Article 6 and Section 6.00 of the Chautauqua County Administrative Code, the County of Chautauqua Department of Planning & Development is responsible for originating programs and activities to improve the economy of Chautauqua County by stimulating job retention, job creation and growth, and capital improvements, as well as seeking funds to be used for development and working with private interests and public agencies of all types; and

WHEREAS, the Chautauqua County Legislature has appropriated funds for such purpose in its 2022 Adopted Budget; now therefore be it

RESOLVED, That the County Executive is hereby authorized to enter into an agreement with the County of Chautauqua Industrial Development Agency for industrial development and promotion in the amount of $161,107.00 for the period from January 1, 2022 through December 31, 2022.

Signed: Gould, Ward, Muldowney, Lawton, Penhollow, Starks, Harmon, Niebel, Nazzaro

Unanimously Adopted – December 15, 2021

RES. NO. 314-21
Authorize Agreement with County of Chautauqua Industrial Development Agency for Attraction and Development of Tourism Related Businesses

By Planning & Econ. Development and Audit & Control:

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

WHEREAS, Chautauqua County is known for its rural charm, agriculture, and natural amenities, and has a vibrant tourism economy; and

WHEREAS, the County unanimously adopted its County Comprehensive Plan (*Chautauqua 20/20*) in 2011 that advocates for the preservation and promotion of its natural resources; and

WHEREAS, the County has formed the Partnership for Economic Growth, that has a strong tourism-development component; and

WHEREAS, the County of Chautauqua Industrial Development Agency ("CCIDA") and the Chautauqua County Department of Planning & Development ("CCDPD") are working to create secondary tourism attractions and attract tourism-related businesses to take advantage of the County's wealth of natural assets; and

WHEREAS, the Chautauqua County Legislature has appropriated funds for such services in its 2022 Adopted Budget; now therefore be it

RESOLVED, That the County Executive is hereby authorized to execute an agreement with the County of Chautauqua Industrial Development Agency to provide services which will help grow existing tourism-related businesses and attract new tourism-related businesses to the County, in the amount of $68,000.00, for the period from January 1, 2022 through December 31, 2022.

Signed: Ward, Muldowney, Lawton, Penhollow, Starks, Harmon, Gould, Niebel, Nazzaro

Unanimously Adopted – December 15, 2021

RES. NO. 315-21
Authorize Extension of Lease Agreement for Department of Planning & Development at the BWB Center

By Planning & Economic Development and Audit & Control Committees:
At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, the Chautauqua County Department of Planning & Development ("CCDPD") and the Chautauqua County Industrial Development Agency ("CCIDA") have shared office space for many years; and

WHEREAS, the County entered into a lease agreement with CCIDA for such office space at the BWB Center; and

WHEREAS, County is desirous of extending the lease agreement for an additional year upon the following terms and conditions; and

WHEREAS, the Chautauqua County Legislature has appropriated funds for this lease in its 2022 Adopted Budget; now therefore be it

RESOLVED, That the County Executive is hereby authorized and empowered to execute an extension of a lease agreement with the Chautauqua County Industrial Development Agency for office space in the BWB Center on substantially the following terms and conditions:

1. Premises: 1,900 square feet on the first floor of the BWB Center, 201 West Third Street, Jamestown, New York.
2. Rent: At $6.58 a square foot, an annual sum not to exceed $12,000.00 to be paid monthly at a rate of $1,000.00 per month beginning in January 2022.
3. Utilities: Landlord to pay utilities.
4. Term: Twelve (12) months commencing on January 1, 2022 and terminating on December 31, 2022, subject to termination by prior notice.

5. Other: As negotiated by County Executive.

Signed: Ward, Muldowney, Lawton, Penhollow, Starks, Harmon, Gould, Niebel, Nazzaro

Unanimously Adopted – December 15, 2021

RES. NO. 316-21
Setting Salary for Coordinator of Aging Services II

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

WHEREAS, the Director of Office for Aging Services has requested that salary be set for a new supervisory position responsible for planning and assisting in the administration of multiple programs and coordination of the various components and activities of county projects to meet the needs of the elderly, and

WHEREAS, the Human Resources Department has classified the position as Coordinator of Aging Services II and supports the request that the salary be set at CSEA 6300 grade 19, therefore be it

RESOLVED, That the title of Coordinator of Aging Services II be added to the CSEA 6300 Salary Plan at Grade 19.

Grade 19: (2021: $25.20 - $32.19 per hour)
(2022: $25.96 - $33.16 per hour)

Signed: Scudder, Davis, Vanstrom, Whitney, Pavlock, Harmon, Starks, Muldowney, Whitford, Lawton

Unanimously Adopted – December 15, 2021

COMMENDATIONS:

CHRISTINE STARKS – DISTRICT 4
CHARLES NAZZARO – DISTRICT 9
ROBERT WHITNEY – DISTRICT 11
WILLIAM WARD – DISTRICT 18

MEMORIALS:

Ronald Szot
By
Legislator Robert Bankoski

Victoria James
By
Legislator Charles Nazzaro

Alvin McGrath “Mac” Crowe
By
Legislator Bob Scudder

Robert Duff
By
Legislator Bob Scudder

Thomas Harte
By
Legislator Kenneth Lawton

2nd PRIVILEGE OF THE FLOOR

Chairman Chagnon: 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. And I will again request anyone addressing the legislature at the second privilege of the floor, please wear a mask. Is there anyone wishing to address the second privilege of the floor?

Kathy Abbate: *(Inaudible)* But I can't wear a mask alright I'm nervous enough, I'll just keep my distance. Good evening my name is Kathy Abbate of Ashville New York. I'm here to thank and encourage our county executive and those on this legislature who stood behind him in the decision to stand against the illegal and unconstitutional mandates and fines associated with noncompliance. I also appreciate that Andy Goodell and George Borrello also gave statements against these mandates. Please continue to stand against all forms of illegal unconstitutional mandates including vaccine passports, they are not what the USA stands for. My concern is though that I don't see our county actively pushing the early treatment approach that has been effective around the world to eradicate this bioweapon/virus. I want to encourage each of you as our elected representatives to research these protocols through the frontline critical care Covid alliance group. It's an amazing group, you can find them out online. These doctors are not only helping people get these medications but sharing data from *(Inaudible)* studies around the world. Why is this being ignored here in the USA? My conclusion is that there is much money to be made by the pharmaceutical companies with these vaccines and not much to be made with cheap long time safer and effective drugs we have used for decades. I would think it would be much safe and more effective to promote getting people the protocols as soon as they test positive. I know for a fact this is not happening. Those I personally know that have gone to the emergency room and tested positive are given prednisone, maybe an albuterol inhaler, sent home and told if they get worse to come back to the ER. They then get admitted – these are the people that I know that have had that happen – they then get admitted to the hospital and many times end up on a ventilator. We could keep people from even entering the hospital by treating with ivermectin, hydroxychloroquine, inhaled budesonide, vitamin C and D, coricidin, zinc, z packs and corticosteroids if needed. These are being used very effectively by fearless, courageous doctors and they have very few patients who end up in the hospital or die. Some of these doctors are Dr. Peter Mcculla, Dr. Zev Zelenko, Dr. Pierre Corrie, Dr. Simone Gold and that's just a very small amount here in the United States. There must be bold actions taken against the vaccine narrative to care for people's health. Continuing to promote a vaccine that has no long term studies and has injured 1.8 million in the USA as reported to the VAERS of which 20,000 of those are deaths as in my opinion *(Inaudible).* How would it feel if you told someone to get the vaccine and they died shortly after or they were permanently injured for life? I personally know of 3 people – 3 people who experienced severe adverse events right after receiving the vaccine. One of those people used to live here in Chautauqua

County and is in Pennsylvania now. He got the vaccine, within one week he came down with Covid, ended up unconscious and in a coma for 4 weeks and because of micro clotting, lost both of his feet, his right hand and several fingers. These stories need to be told. There are thousands and thousands of them all over the country and the world.

Chairman Chagnon: Excuse me, you've exceeded your 3 minutes please wrap it up.

Kathy Abbate: I'm wrapping it up right now. I believe in freedom to choose what is best for your own body. If you have complete informed consent and you choose to take the vaccine, that is your choice but please also start promoting early treatment and stop making those who choose to not take the injection feel that they are wrong in doing so. There is something very wrong with bribing people to get a vaccine – let people make their own choice without dangling carrots in front of them, thank you.

Chairman Chagnon: Thank you, anyone else wishing to address the second privilege of the floor? There are masks available on the table.

Ben Schenk: Thank you for the mask. My name is Ben Schenk. I'm here because of Sheriff Quattrone because I have seen our government slipping away or I should say the freedoms of the people of the United States and you guys are citizens also. Our freedoms have been slipping away. Your freedoms have been slipping away. And I'm very concerned about that. Where do we start? You know, I guess for 30 years – I've noticed it for 30 years since 1997 – safety. The Constitution – there is - no you show me one place in the Constitution where it says "it is the government's responsibility to keep the citizens safe" – you show it to me. If you cannot show it to me, it is not your authority to keep the citizenship safe. And if it's not in your – it's not your responsibility if it's not written in the constitution it is the responsibility of the citizenship to keep ourselves safe and so if you think that it's the right thing to do because the health department says it's the right thing to do – they have no authority and you have no authority and you have no authority to keep me safe and to keep these people safe and to keep yourself safe because you are citizens. You are nothing more than a servant to these people to these people right here and you have no authority because the constitution gives you no authority to keep us safe. So do not tell me that you have the authority or the state has the authority to mandate masks or to mandate a vaccination. You have no authority. I'm sorry that I'm a little bit passionate. Or even test. You just have no authority. And it's time for the – for years I've worked and I didn't have time to get involved in government because man I just want to go home and rest. And so the citizenships – the citizen just says "well we just got to trust our government". And we've been conditioned for that for years to just trust that the government is going to take care of us and the government just keeps getting more and more *(Inaudible)* and it's got to stop. So we've got to stand up, citizens, you citizens, we need to stand up to *(Inaudible).*

Chairman Chagnon: Mr. Schenk you've exceeded your 3 minutes, please wrap it up.

Ben Schenk: Thank you. God Bless American, God Bless Chautauqua County, God Bless you people. Courage is the act of standing against fear and I would ask you to take these silly masks off.

Chairman Chagnon: Anyone else wishing to address the second privilege of the floor?

Diana Pretski(?): My name is Diana Pretski(?) I live in Gerry, New York. Thank you for not reminding me again to put a mask on my face, I appreciate that.

Chairman Chagnon: May I interrupt you for a moment?

Diana Pretski(?): Sure

Chairman Chagnon: You are a guest in the Chambers of the Chautauqua County Legislators. I requested you to wear a mask and I would expect and appreciate some respect for this chambers, these legislatures and my position. You may continue.

Diana Pretski(?): Thank you, I get to continue. So I actually was going to stand up here and say thank you to P.J. for his seemingly support of not enforcing the mandates however, prior to waking up and speaking truth, I actually got paid to be a social worker and I worked in clinical work and I was a trauma specialist and all those fun things and so now I'm just a lunatic that stands on the corner with a flag and have people like this gentleman make fun of us for not having enough people here tonight as he walks in. And so –

Legislator Ward: Are we going to go on record?

Diana Pretski: Go on record for what?

Legislator Ward: Are we going to go on record ignoring the state mandate? As a body, are we going to go on record here because that's what we're doing?

Diana Pretski: It is not a law. Mandates are not laws.

Legislator Ward: I'm just asking a question *(Inaudible)*

Chairman Chagnon: Legislator Ward, please you've interrupted one of the speakers. You're free to make that comment as another participant and a second privilege of the floor. Please continue.

Diana Pretski: Thank you. So one of the things that we know about in social work is that language is the first place of safety. So when you read in the paper that we're not going to support these mask mandates and then you say things like the "non-compliant patrons". I am not a non-compliant patron. I am a God Fearing citizen of the United States of America that has certain rights under God of which the Government is supposed to make sure that my rights are upheld, not tell me what I am supposed to do with my body. Not tell me that I have to get a jab that is experimental and by the way it is not FDA approved. The version that is FDA approved has not even hit the market until 2023 when the clinical trials are over. Everything that's being handed out right now is an experiment. Everything that we're sending you is factual information and you are participating in crimes against humanity by telling our citizens to go out and get this jab. You're all going to be held accountable, it's coming. You're going to be held accountable so it's your time to start doing the research, finding out how many people that have died from this jab, what it does to the body, follow Dr. David Martin, and watch the damn video. He shows all the patents, all the – the bioweapon covid19 and the bioweapon of the jab. Its toxic spiked proteins. Stop telling your citizens to inject themselves with a killer bioweapon and stop telling me that I have to put masks on my children. My son was born 10 weeks early in the NICU on a ventilator. Do you think that I stood 52 days next to his side in the hospital, came home on oxygen so that I can now put a mask on his face so that I could kill him in society? Wake up and know your role, thank you.

Chairman Chagnon: Anyone else wishing to address the second privilege of the floor?
Legislator Ward.

Legislator Ward: Okay my apologies for the interruption, I should have waited for your answer for the point of order, I am sorry about that. That is my question though, are we in a position to go on record as ignoring the state mandate here in this chambers tonight because we are so far. I would presume that if we continue that that is our position. I hate to begin anything that I say at the last meeting that I

attend with the words that I'm disappointed. Especially since Christine wrote us such a beautiful letter and in that letter in caucus she said that "I'm always positive and to keep smiling" and I really appreciate that Christine, thank you for those words. And because of that letter I'm just going to – I'm going to leave my disappointment and just say that I stand with the county's stance, the health department's stance that encourages folks to wear masks, that encourages all businesses, schools and public gatherings to follow the health department guidelines, require masking and social distancing. I would encourage the Chautauqua County Government to support those practices and save lives. Our hospitals – the simple fact is there are no hospital beds left in this county or near it. We are at crisis stage because people can't breathe. That's a simple fact. It has been said by the health department that if you're not in health care you don't know that. Businesses right now are in an unfortunate and *(Inaudible)* predicament and they're facing boycotts. They're facing – I was at a health care facility who said they are being *(Inaudible)* boycott because of the stance that the county has taken. I love you P.J. but fear that we have put the businesses and individuals in Chautauqua County in this *(Inaudible)* predicament. I would urge the county to change its stance on the state mandate, thank you.

Chairman Chagnon: Okay, next for the second privilege of the floor, please.

Anthony Tada: Good evening my name is Anthony Tada. I live at 144 Clifton Avenue in Jamestown and I appreciate and I would like to say it separately the responses of our county executive and Assemblyman Andrew Goodell, concerning for showing that New Yorkers that governor Kathy Hochul's mask mandate is illegal and it makes Kathy Hochul a ruling *(Inaudible)* similar to the royalty of old England. Such behavior that sparked a revolution in free system of government that's being threatened right now by Kathy Hochul. Because Covid is a state wide issue affecting all New Yorkers, we have the right to be heard through our state representatives, through due process of law as assemblymen Goodell stated in the paper for the purposes of establishing laws regarding Covid 19. Governor Hochul is disregarding HIPAA law, privacy protections concerning our medical treatment and denying New Yorkers the right to make an informed decision as to treatment based on the reliability of the medical information. Further, Governor Hochul is tampering with the 14th Amendment to the U.S Constitution and its companion in New York State Constitution which protect the right to bodily integrity or in other words, the right to do whatever you want with your own body. For these reasons and more, Kathy Hochul has exceeded the authority for executive orders allowed to a governor by federal and state constitutions resulting in these orders being unenforceable and requiring Governor Kathy Hochul's impeachment. Governor Hochul is oppressing the other two branches of government and destroying the protection someone like her given to Americans under the balance of power doctrines. Now just for a looking at Kathy Hochul's defense of promoting the general welfare. Well you allow thousands – tens of thousands of people in football stadiums every week. You allow people to go shopping in malls and plazas. Is that an intent to promote the general welfare? President Biden allows 60,000 illegals to cross the border every month. Those illegals statistically have multiple the times of Covid infection that we have here in the Americas. He then puts them on a plane and disperses them to the four corners of the United States along with Covid 19 and other diseases. Is President Biden – is his intent to promote the general welfare or is he failing to do his job as the President, being a hypocrite and allowing this disease to spread unnecessarily while oppressing the rest of us? Thank you.

Chairman Chagnon: Thank you Mr. Tada for respecting my request to wear a mask when you spoke, thank you. Next, Legislator Nazzaro.

Legislator Nazzaro: Thank you Mr. Chairman. I am up here not as a legislator but as a lifelong resident of this county. I live in Jamestown, New York Springdale Avenue. I respect all of you and I thank you for coming. You have the right of freedom of speech and I honor that. And most of you know I'm pretty bipartisan and non-political so I'm not here to debate the political issue. What I am here to tell you is that 24 hours ago I was in the ICU saying goodbye to one of my best friends who died of the

Covid. He refused the vaccine, his choice, freedom of right. He would not wear a mask unless he had to. Again, freedom of choice. He thought he could beat the Covid. Today, I went with his wife to Lind's Funeral home to help to make arrangements for his burial. Today also I was at the Catholic Church saying goodbye to a close relative at a funeral who died of the Covid. Not a good couple of days for me. Thank you, and again I respect all of you. What I'm here for is to do the right thing. We are in a health crisis. Over 800,000 people have died nationally. We can debate the issue, sure we can. This county, we had 11 deaths last week. Two weeks ago we had over 800 new cases. This past week I did not hear the exact numbers but I heard it was close to 700. We are in a healthcare pandemic and the reason I wear the mask is because I believe it's the right thing to do and that's my right but also I don't want to give this virus – I've been vaccinated as you probably could guess and I *(Inaudible)* booster and I was reluctant to get the booster and I had – I got pretty sick from it but I want to protect my family. I want to protect my friends and my loved ones, the people I'm sitting here with. So non-political, I'm not trying to infringe on your rights but my opinion, the right thing to do is get vaccinated unless you have a medical reason not to and wear the mask and let's get through this damn pandemic that is crippling this country and the world. Thank you for letting me speak.

Chairman Chagnon: Is there anyone else wishing to address the second privilege of the floor?

Carrie (?): Hi, I want to say I'm very sorry for your loss and for anybody that has lost anybody due to the pandemic, relating to Covid or any illness whatsoever. Death is not an easy thing to deal with. I know I've worked as a nurse for a long time now and I'm here to say that there's always going to be diseases that we are dealing with and to put Covid aside, I'm not trying to speak of it lightly because it is very serious and we should take it very seriously but –

Chairman Chagnon: Excuse me, I neglected to ask you to introduce yourself.

Carrie (?): Oh I apologize, Carrie. My name is Carrie.

Chairman Chagnon: And you live?

Carrie (?): I live in Stockton. I've never been to any political event at all I am just now trying to get involved because of common sense. Things that are happening now and actually since the pandemic has begun, common sense has just kind of gone out the door and it's – fear has set in. And what I'm trying to tell you is that our healthcare system has had a lot of issues, way before the pandemic even started. I could tell you horror stories, horrific stories that I have experienced personally working in the ICU, working in the ER, working on the med surge floor, working in our community and all of our nursing homes in this area I've been throughout every single area as a nurse. I apologize I'm really nervous right now. What I wanted to say is that I know it's hard because we're all getting really emotional based on fear – fear that our rights are being taken away, fear that we're going to die from a disease, from a virus. But we have to think logically about what is happening and common sense as a society right now. There are rights being taken away but for what? It's out of fear right now. We have to think logically. As a nurse, I'm taught basic 101 nursing school to question things. I could tell you so many times if I didn't question orders from a physician or another nurse or another medical professional, my patients would have died if I did not question it, use my nursing judgement. So this what a lot of the people, a third of the population right now are doing are questioning the practices that are happening because they don't make sense. Just again throughout the pandemic I was told to not wear a mask at the very beginning even though I was the one that started wearing a mask originally and then it was okay wear a cloth mask and then wear an N-95, oh no now it's just surgical, oh wait now you have to wear a N-95 and then a surgical mask, now wear your face shield, oh wait now this week it's okay to just wear a surgical mask. I know that's just one silly example but there's so many different things that do not make sense so as a healthcare professional I have to question what is going on right now and again Covid is serious and it should be

taken very very seriously but we are missing just these very basic facts and it's just frightening what is happening and to not allow healthcare workers in our state to not work because of a vaccine that we're questioning the *(Inaudible)* of – that's just insane to me so now all my experience as a registered nurse, my professionalism and I could – I'm not trying to boast myself by any means but my patients were well taken care of and I could tell you thousands of other nurses who are not working right now that need to be working to help advocate and take care of everybody's family members for Covid. I have a good friend in the ICU going on 3 weeks right now at Brooks still there related to Covid because her primary physician would not see them. They wouldn't take care of them, why? Again, common sense to me like I can't tell you what your lungs sound like just from looking at you. I have to be able to assess. Why are we not treating Covid patients? We would have a lot better outcome if we just did a better job instead of forcing things.

Chairman Chagnon: You've exceeded your 3 minutes please wrap it up.

Carrie (?): Oh, I'm sorry. Thank you for your time and I hope everyone has a safe Merry Christmas. Thank you for allowing us to come and speak. Just please try to open your minds a little bit more. We have to not think fear, fear, fear and yes we want to save lives but we have to do it with common sense. Thank you very much for your time.

Chairman Chagnon: Anyone else wishing to address the second privilege of the floor?

Gerrit Cain: Good evening Mr. Chairman, members of the legislature, Mr. Wendel. First of all I would like to thank executive Wendel in this body for taking the constitutional motion passed a few months ago seriously. And again, thank you to Mr. Davis and Mr. Pavlock for putting that forward and everyone else who voted in favor of it. And thank you for having the courage to resist or return to government overreached to deal with this Covid situation. I think with nearly half the counties in our state refusing to participate in the enforcement of our interim governors recent unconstitutional mandates. There appears to be hope that we're coming to our senses. Myself, many others and perhaps some of you especially from what I've seen tonight have *(Inaudible)* the extreme politicization around this virus and the tension and division it has caused and is causing in our lives and in society. What I've hoped we've learned or will soon understand is that heavy handed government mandates are not how we should deal with this type of virus. I believe as a county, you as a body and especially executive Wendel have an opportunity to demonstrate more a leadership and responsibility in taking some additional steps to further help depoliticize this situation. And I think that's the main problem that we face tonight is that we started off, right off the bat politicizing this virus. Wouldn't it have been nice if no politician ever grabbed the microphone and spoke about this virus if only real scientists and real doctors were allowed to disseminate the information and keep the politics out of it and keep the politicians out of it? I don't think it's a – putting the toothpaste back in the tube type situation. I think we do have an opportunity here and I think we as a county can lead this if we're willing to be courageous and take a few next steps. And this is going to sound extreme but I really think that we can do it and I think that it can be the next logical step that hopefully other counties will follow and help us like I said, depoliticize this situation further. I think the county health department should see spending public resources in the form of tax money and personal and personnel for materials promoting vaccination as well as running and administering vaccination clinics or drives. I am not opposed to people making the decision to get themselves or their children vaccinated. The issue I have is with government being involved to the point of using tax money that belongs to all of us for this purpose which is clearly controversial and is fanning the flames of division in our community. Case in point, this meeting tonight. Another case in point, the Chautauqua County health department has had to pull and disable comments from their Facebook page regarding vaccination drives for children. The money used to fund our county health department is collected from a wide range of people with a wide range of strong opinions of the virus and the vaccine. To put it to use for things that are so

controversial and so *(Inaudible)* is both immoral and irresponsible. Additionally, our health department is also responsible for services such as mental health, addiction treatment, as well as foster care.

Chairman Chagnon: Excuse me, you've exceeded your 3 minutes please wrap it up.

Gerrit Cain: I'm speaking for the Libertarian Party as well as myself.

Chairman Chagnon: Okay would you please introduce yourself and your address.

Gerrit Cain: Oh sorry Mr. Chairman. Gerrit Cain, 2486 Falconer Frewsburg Road, Jamestown New York. As a Libertarian, I gladly go to the matt, rhetorically not literally Mr. Wendel in favor of these services being better handled by non-government entities. Yet at this place in time it remains in the hands of the counties and state departments of health for now. Vaccinations are readily available at primary care doctors and pediatricians as well as most area pharmacies. We don't need to spend valuable public resources on max vaccination clinics and bring many people to one location. What some would call a risk for spread? Inclosing, I encourage this body and the executive to direct the county to cease participation in vaccination promotion and administration in the interest of using their resources to better address of issues of mental health, addiction and foster care that are lacking in this area and throughout the state. Likewise, this is in the interest of depoliticizing the issue of Covid and vaccination in good faith the county could help those signed up for the upcoming vaccination clinic to schedule an appointment with their physician or nearest pharmacy. If we take this step, hopefully similar to the recent state mandate nullification, other counties will take notice of our courage and follow our lead to get their departments of health refocused on less politically contentious priorities. It is my hope that we can deescalate the emotions and the vitriol that is poisoning our government, communities and families. That we can get to the point where government is restored to a very limited role, where our founding fathers intended it and a society where people and their God given rights matter more than politics. Thank you, Merry Christmas.

Chairman Chagnon: Thank you. Anyone else wishing to address the second privilege of the floor? Legislator Niebel.

Legislator Niebel: Route 20, Sheridan. To these folks in the back here, look many legislators are probably sympathetic to your views. Show me one resolution or one motion where this body has supported mask or vaccine mandates? There aren't any. Your disagreement is with the state and federal government and that quite frankly that's where your efforts should be directed. Thank you.

Chairman Chagnon: Thank you. Anyone else wishing to address the second privilege of the floor?

Mindy White: Mindy White, Clymer, New York Bush Road if you need the street. I think I would agree with what you just said sir however, I think and even though I appreciate County Executive Wendel who states he stands against the governors unconstitutional mandate. There is a real fear in my own small town of Clymer, the one restaurant we have has a fear of $1,000 fine for every person who comes in. The Health Department or excuse me, whoever regulates the food industry, I'm sorry I'm not sure if it's the Health Department – that's real. So yes, we can write letters and many of us do but it's in our faces every day and that makes a big difference for a small business in these small towns. I would like to say that I agree, this disease is very real. My husband, who is volunteer EMT in our town, caught Covid by taking a patient while he was wearing all the gear to protect himself. Thankfully they both survived. It is very real and he also works as Emergency – excuse me operating room nurse but because of the mandates where health care workers unless you're vaccinated you cannot work he cannot do many of the surgeries because that has not been shut down and so now he is now working in the Emergency Room. My husband has been telling me day after day, it is a battle ground there. It is terrible at WCA, our local hospital. The

beds are taken up but you also don't have the staff. It is crazy. They are overworked – it is just a disaster and I can't believe that those in charge of these decisions like our governor, have created this situation and making a bad situation worse. So please do your part to make it known that we need to approach this differently. Thank you.

Chairman Chagnon: Thank you. Anyone else wishing to address the second privilege of the floor? Anyone else? Thank you, please introduce yourself.

Tim Smart: Good evening everybody, my name is Tim Smart. Jamestown New York *(Inaudible)* Ave so district 11. I just wanted to speak with you guys very briefly to kind of make two sorts of points. Number 1, I am speaking on behalf of myself but I think to some degree I'm also speaking on behalf of a group of people like me and I'm not saying literally a group but just that there are a lot of people that have been on the similar journey so at the beginning of the pandemic, let's say March 2020 right around in there whenever it was that it came down to we need to all work together as a community to flatten the curve. There was projections that there might be as much as 2 million people that would die from this and we were doing the best we could with the information we had which was minimal and everybody was reacting very quickly. I'm a pastor of a local church so we – you know I'm immediately wrestling with okay where's the separation of church and state, how does this work? You know, all of these things that we haven't really had to think about that much. So we elected to go with the community response, let's all work together to do what we can to save lives. Over the course of time, we find that the information, particularly that model of 2 million people that was incorrect. We found out as we go that the testing – there's all kinds of issues and we don't need to get into all of that. The point is, that I am a representative who had very little to do with off year elections, local government. I don't want to be here you know I just want to be able to vote and trust our representative to do what they need to do but over the course of these last couple years my trust in the federal and state government responses and in a sense the local government response has gone down drastically. My trust in the system, the CDC, the FDA, the involvement of money, there's corruptions – a lot we could say about that. It has gone down drastically. My frustration and anger with government in general has gone up. I would always just say "I'm just going to vote and that's that" and leave it go and – so this most recent election I went out and voted when I normally wouldn't. If it wasn't you know a federal or state or something you know is going on. And I think there's a lot more people than we realize that are having these same sort of realizations and waking up to a large degree to say it matters very much what we do locally. It matters very much at all levels. The one point was that someone like me standing here – this hasn't happened in my whole adult life to come and speak to the legislature – it's just the tip of the iceberg and I really believe that. It's anecdotal but I believe that and then I just wanted to ask a question – have us kind of think about that as we leave – to what degree is county government just a rubber stamp for the state? I don't know the answer I really don't. I'm trying to understand like I have not even considered county government until this very very recently. But one of the gentleman made a point that "You should be upset with the state, you should be upset with the federal, that's really where these things happen" And I understand what your point is because when the health department – this health department came to our school and threatening to shut it down and fine us every which way to Sunday and thousands of dollars here, there and everywhere and it was very aggressive. They would reference the state and the state referenced the CDC and I have zero trust in them. And what I want to have us think about and consider is like to what degree are we just a rubber stamp like do we have to do everything that the state says? And I think by definition probably yes, you know mostly as a county. But is there some room for creative solutions? Is there some room to kind of do what we need to do in terms of compliance but also not come at it as aggressively as the people up the chain who are making some of these policies?

Chairman Chagnon: You have now exceeded your five minutes, please wrap it up.

Tim Smart: That's all I have to say so thank you for listening.

Chairman Chagnon: Is there anyone else wishing to address the second privilege of the floor? Anyone else wishing to address the second privilege of the floor? Seeing no one.

MOVED by Legislator Gould, SECONDED by Legislator Bankoski and duly carried the meeting was adjourned. *(8:01 p.m.)*

THE 2021 CHAUTAUQUA COUNTY BUDGET CAN BE VIEWED

IN THE LEGISLATURE CLERK'S OFFICE

NUMERICAL INDEX

January 4, 2021 (Organizational Meeting)

01 Appointing Clerk of the Legislature 3
02 Appointing Deputy Clerk/Secretary to the Legislature 4
03 Designation of Official Newspapers 2021 4
04 Delegate Authority to Chairman of Legislature to Correct Errors on Tax Rolls and to Provide Refunds and Credits of Taxes Pursuant to Section 554 and 556 of the Real Property Tax Law 4

January 27, 2021 (Regular Meeting)

05 Confirm Appointment and Re-Appointments - New York Fish & Wildlife Management Board 7
06 Confirm Appointments and Re-Appointments - Chautauqua County Fire Advisory Board 7
07 Confirm Appointments - Chautauqua County Community Services Board 9
08 Confirm Appointment and Re-Appointments – Chautauqua County Planning Board 9
09 Confirm Appointments and Re-Appointments – Agriculture & Farmland Protection Board 10
10 NCLSD SEQR Determination for Chautauqua Shores and Orchard Terrace I&I Repair 11
11 Continuation of Interim Funding for North Chautauqua County Water District 11
12 Authorizing Sale and Option Agreements for Redevelopment of Roberts Road Properties in the City of Dunkirk 12
13 Denial of Level 3 Applications for Refunds/Credits of Real Property Taxes form RP 556 for the 2018 Property Tax 13
14 Authorize Acceptance of Indigent Legal Services Grant for the Period January 1, 2020 to December 31, 2022 14
15 To Authorize Emergency Use Facility and Public Health Mutual Aid Services Agreements with Chautauqua County Municipalities and Other Governmental Entities 15
16 Amend Capital Project H.6010.31003 16
17 Accept Grant Funding from the Chautauqua Region Foundation to Update the Chautauqua County Agriculture and Farmland Protection Plan 17
18 Authorize Chautauqua County State Grant Application and Commitment of Matching Funds for County Complex Green Infrastructure Retrofit Project 18
19 Authorizing the Adoption of a Section 3 Participation Plan in Connection With Community Development Block Grant Funding 19
20 Confirming 2021 Salary of Public Defender 20

February 24, 2021 (Regular Meeting)

21 Confirm Appointment and Re-Appointments - Parks Commission 24
22 Confirm Appointments and Re-Appointments - Emergency Medical Services Council 25
23 Confirm Appointment - Chautauqua County Planning Board 27
24 Confirm Appointment and Re-Appointments - Southern Tier Extension Railroad Authority Board of Directors 27
25 Confirm Re-Appointments - Southern Tier West Regional Planning & Development Board 28
26 Confirm Re-Appointments - Conewango Watershed Commission 28
27 Amend 2020 Budget for Year End Reconciliations - South & Center Chautauqua Lake Sewer Districts 29
28 Amend 2020 Budget for Year End Reconciliations - Portland, Pomfret, Dunkirk Sewer District **29**
29 Amend 2020 Budget for Year End Reconciliations - North Chautauqua Lake Sewer District 30
30 Amend 2020 Budget for Year End Reconciliations - Public Facilities Road Machinery and Debt Service 31
31 Amend 2020 Budget for Year End Reconciliations - Public Facilities Admin and Snow Removal Co Roads (D Fund) 31
32 Amend 2020 Budget for Year End Reconciliations - Public Facilities (A Fund) 32
33 Amend 2020 Budget for Year End Reconciliations - Landfill - Environment 33
34 Amend 2020 Budget for Year End Reconciliations - County Executive 34
35 Amend 2020 Budget for Year End Reconciliations - Law Department 35
36 Amend 2020 Budget for Year End Reconciliations - Information Technology Services 35
37 Amend 2020 Budget for Year End Reconciliations - Human Resources 36
38 Amend 2020 Budget for Year End Reconciliations - Board of Elections 37
39 Amend 2020 Budget for Year End Reconciliations - County Clerk 37
40 Amend 2020 Budget for Year End Reconciliations - Health Insurance Fund (M Fund) 38
41 Amend 2020 Budget for Year End Reconciliations - Debt Service 39
42 Amend 2020 Budget for Year End Reconciliations - Finance 40
43 Amend 2020 Budget for Year End Reconciliations - Community College Tuition 41
44 Amend 2020 Budget for Year End Reconciliations - Office of the Sheriff 41
45 Amend 2020 Budget for Year End Reconciliations - District Attorney's Office 42
46 Amend 2020 Budget for Year End Reconciliations - Emergency Services 43
47 Amend 2020 Budget for Year End Reconciliations - Veterans Service Agency 44
48 Amend 2020 Budget for Year End Reconciliations - Health & Human Services 44
49 Close Capital Project - 2020 Year End Reconciliation 45
50 Amend 2020 & 2021 Budgets for Year End Reconciliations and Grant Equipment Revenue - Mental Hygiene 46
51 Amend 2020 & 2021 Budgets for Grant Equipment Revenue - Office of the Sheriff 47

52 Amend 2021 Capital Project Account (DPF Large Equipment) 47
53 Amend 2021 Budget for State Homeland Security Program (SHSP) Grant Award 48
54 Amend 2021 Budget for State Homeland Security Homeland Security Program (SHSP) Grant Award **49**
55 Amend Emergency Services 2021 Budget for Vehicle Accident Claim 49
56 2020 and 2021 County Sponsorship Contributions for JCC 50
57 Fiscal Year 2019 Hazardous Materials Emergency Preparedness (HMEP) Grant Program 50
58 Authorize Acceptance of WIIA Grant with EFC Financing for North Chautauqua County Water District 51
59 Amend Capital Project Budget for Landfill Phase IV Construction 52
60 Authorize Continuation of Natural Gas Lease at Chautauqua County Landfill 52
61 Authorizing Public Hearing regarding the implementation of Chautauqua County's 2019 Community Development Block Grant Program, "Chautauqua Septics and Wells", funded by the New York State Homes and Community Renewal Housing Trust Fund Corporation's Office of Community Renewal 53
62 Authorizing Public Hearing Regarding a Potential Application for 2021 Community Development Block Grant Funding through the New York State Homes and Community Renewal Housing Trust Fund Corporation's Office of Community Renewal and the Uses of Said Funding 54
63 Approve Corrective Action Plan (CAP) for Submission to Office of the State Comptroller 54
64 Application for Credit of Real Property Taxes for 2021 55
65 Application for Credit of Real Property Taxes for 2021 ..... 55, 64

March 24, 2021 (Regular Meeting)
65 Application for Credit of Real Property Taxes for 2021 64
66 Confirm Appointment - Chautauqua County Ethics Board 65
67 Amend Parks Capital Accounts 65
68 Authorize Supplemental Agreement No. 1 with NY State DOT for Performance of Federal Aid Project PIN 5761.82 66
69 Vehicle Loan Agreement - E2CCB 67
70 Adoption and Certification of New York State Police Reform and Reinvention Collaborative Plan 68
71 Amend 2021 Budget for Grant Expenses - Office of the Sheriff 68
72 Amend 2021 Budget for Capital Project Jail Upgrades 69
73 Amend 2020 Budget for Year End Reconciliations - Additional Adjustments for Various Departments 70
74 Authorize Grant Application for 2021 Community Development Block Grant Funding through the New York State Office of Community Renewal - Septic and Wells Program 74
75 Authorizing Public Hearing Regarding a Potential Application for 2021 Community Development Block Grant 75
76 Close Capital Projects - 2020 Year End Reconciliation 75
77 Authorization for Receipt of Bids and Offers via Electronic Submission 76
78 Extend 2020 Tax Foreclosure Redemption Date 77
79 Application for Credit of Real Property Taxes for 2021 77
80 Appointment - Loren T. Kent (D) Commissioner of Elections 78
81 Authorize Grant Agreement with New York State Department of Environmental Conservation for the South Chautauqua Lake West Side Sewer Extension 79

April 28, 2021 (Regular Meeting)
82 Confirm Appointment - Chautauqua County Ethics Board 92
83 Amend 2021 Budget Appropriations to Accommodate New Customer Billing Software for Chautauqua County Sewer Districts 93
84 Authorize Acceptance of Coronavirus Response and Relief Supplemental Appropriation Act 2021 (CRRSA) Grant to defray Operating Costs for Chautauqua County Dunkirk Airport 93
85 Authorize Acceptance of Coronavirus Response and Relief Supplemental Appropriation Act 2021 (CRRSA) Grant to Defray Operating Costs for Chautauqua County Jamestown Airport 94
86 Authorize Agreement with Monroe County for Security of Inmates at the Rochester Psychiatric Center 2021-2026 95
87 Fiscal Year 2020 Hazardous Materials Emergency Preparedness (HMEP) Grant Program 96
88 Authorizing the Submittal of a New York State Community Development Block Grant Application for Microenterprise Assistance 96
89 Accept Grant Funds from the Community Foundation for Greater Buffalo to Purchase Mobile Trail Counters 97
90 Amend Budget for County Clerk to Accommodate Digitizing of Microfilm 98
91 Cleanup and Sale of Tax Foreclosure Property 99
92 Quit Claim Deeds 100
93 Authorize Sale of Tax Foreclosure Property in Village of Silver Creek 100

May 26, 2021 (Regular Meeting)
94 Confirm Appointments - Parks Commission 108
95 Confirm Appointments - Chautauqua County Office for Aging Services Advisory Council 108

96 Confirm Appointments - Chautauqua County Land Bank Board of Directors 109
97 Amend 2021 Capital Project Account (DPF Large Equipment) 110
98 Acceptance of Funds from the FAA for Reconstruction of Taxiway A East Including Associated Drainage and Remarking (Design) at the Chautauqua County Dunkirk Airport 110
99 FY19 Cyber Security Grant Program 111
100 Distribution of Mortgage Taxes 112
101 Amend 2021 Budget - District Attorney 113
102 Authorize Execution of New York State Office of Homeland Security and Emergency Services Grant for Explosive Detection Canine Team FY19 114
103 Authorize Execution of New York State Office of Homeland Security and Emergency Services Grant for Bomb Squad Initiative Program FY19 114
104 Amend 2021 Budget for Office of the Sheriff 115
105 Authorize Agreement with Chautauqua-Cattaraugus Erie II BOCES for Culinary Arts Instruction 116
106 Authorize Agreement with Silver Creek Central School District for School Resource Officer 116
107 Authorize Agreement with Town of Hanover for Enhanced Police Protection Services FY21 117
108 FY2019 Hazardous Materials Grant Program 117
109 Authorize Agreement with Village of Lakewood for Purchase of Fuel 118
110 Amend Chautauqua County Health & Human Services 2021 Adopted Budget for Increased Home Energy Assistance Program Costs 118
111 Designate Chautauqua County Legislature as the Lead Agency Responsible for Environmental Quality Review (SEQR) of Proposed Agricultural District Modifications 119
112 Authorizing Public Hearing Regarding Proposed Modifications to Chautauqua County Agricultural Districts 120
113 Endorsement of 2021 Chautauqua Lake Memorandum of Understanding 121
114 Confirm Appointment - Liz Torres (D) Commissioner of Elections 122
115 Extend 2020 Tax Foreclosure Redemption Date 122

June 23, 2021 (Regular Meeting)
116 Confirm Appointments and Re-Appointments - Chautauqua County Food Policy Council 127
117 Confirm Appointment - Chautauqua County Community Services Board 128
118 Re- Appointments - Chautauqua Opportunities Board of Directors 129
119 Confirm Appointments and Re-Appointments - Chautauqua County Historian's Advisory Board 129
120 Increase Capital Account for the Rehabilitation of Taxiway B South (Construction) at the Chautauqua County Dunkirk Airport 130
121 Increase Capital Account for the Rehabilitation of Hangar C at the Chautauqua County/Jamestown Airport 131
122 Reallocating Salary Grade for Bus Driver II 132
123 Adjust D5112 - Capital Improvement Accounts 133
124 Adjust D.5112 Capital Improvement Account Funded Roads 134
125 Request Funding for Repairs to Heating and Cooling Systems at MMB and GOB 135
126 Request Funding for DPF Sheridan Shop Fuel System 136
127 Request Funding for DPF Sherman Shop Fuel System 137
128 Authorize Pre-Order of Leased Vehicles for 2022 138
129 Authorize Acceptance of Aid to Defense Grant 2021-2022 138
130 Authorize Acceptance of 2021-2022 Aid to Prosecution Funds 139
131 Authorize MOU with Homeland Security Investigations for Joinr Operation Participation 140
132 Authorize Agreement with Chautauqua-Cattaraugus Erie II BOCES for Two (2) School Resource Officers 140
133 Authorize Agreement with Brocton Central School for School Resource Officer 141
134 Authorize Lease Agreement with Warwick Plaza,LLC for Office Space for the Chautauqua County Veterans Service Agency 142
135 Designating the North Chautauqua County Water District as the Administrative Head of the North County Industrial Water District No.1 143
136 Amend Resolution 315-17 Regarding Membership of Chautauqua Lake Protection and Rehabilitation Agency 144
137 Approve Updated By Laws for Southern Tier West Regional Planning & Development Board 144
138 Authorize Use of Lake Erie Management Commission Capital Project H.8020.37011 Funds to Co Fund Dunkirk Lighthouse and Veterans Park Museum Perimeter Fence 145
139 Accept Environmental Assessment (SEQRA) of Proposed Agricultural District Modifications 146
140 Determination of Chautauqua County Legislature on Proposed Agricultural District Modifications 147
141 Standard Workday and Reporting Resolution 148
142 Quit Claim Deeds 149
143 Transfer of Foreclosed Properties to Chautauqua County Land Bank Corporation 149
144 To Accept New York State Department of Health (NYSDOH) ELC Reopening Schools Award 151

NUMERICAL INDEX

July 28, 2021 (Regular Meeting)

135 Designating the North Chautauqua County Water District as the Administrative Head of the North County Industrial District No. 1 173
145 Confirm Appointment - Chautauqua County Health Board 174
146 Confirm Appointment - Chautauqua County Food Policy Council 174
147 Authorize South Chautauqua Lake Sewer District Funding Applications for West Side Extension Phase II, from Stow to Prendergast Creek 175
148 Modification of Membership of North Chautauqua Lake Sewer District Board and Portland-Pomfret-Dunkirk Sewer District Board 176
149 Authorize County to Apply for Grants on Behalf of the North Chautauqua Lake Sewer District for an Inflow and Infiltration Study 177
150 Authorize County to Apply for Grants on Behalf of the Portland Pomfret Dunkirk Sewer District for Inflow and Infiltration (I&I) Studies 178
151 Authorize Agreement for the Purchase and Removal of County Owned Timber from the Thomas Erlandson Park in the Town of Carroll 179
152 Authorize Agreements with NY State DOT for Performance of Federal Aid Project PIN 5762.56 180
153 Acceptance of Funds from the FAA for the Rehabilitation of Runway 7-25 (Construction Phase) at the Chautauqua County Jamestown Airport 181
154 Authorizing Contract for 2022 Administration of Chautauqua County Self-Insurance Plan (Workers' Compensation) 183
155 Authorizing 2022 Levy of Participant's Share of Chautauqua County Self-Insurance Plan (Workers' Compensation) Costs 183
156 Authorize Early Voting Expansion Grant Award from the New York State Board of Elections 184
157 Authorize Technology Innovations and Election Resource Grant Award from the New York State Board of Elections 185
158 Amend 2021 Budget-District Attorney Crime Victims 186
159 Authorize Acceptance of the Gun Involved Violence Elimination ("GIVE") Grant Funds for 2021-2022 187
160 Authorize Execution of New York State Office of Homeland Security Grant for Public Safety Answering Point (PSAP) FY20 187
161 Authorize Memorandum of Understanding with the City of Jamestown 188
162 Consolidated Appropriations Act Funding for Older Adults in Chautauqua County 189
163 American Rescue Plan Funding for Older Adults in Chautauqua County 190
164 Authorize Use of Lake Erie Management Commission Capital Project J.8020.37011 Funds to Co-Fund Barcelona Harbor Dredging 191
165 Amend Rules and Regulations of the Chautauqua County Legislature 192
166 Quit Claim Deeds 193

August 25, 2021 (Regular Meeting)

167 Confirm Appointment Southern Tier West Regional Planning & Development Board 201
168 Amend 2021 Budget for DPF Parks Division 201
169 Authorize Acceptance of American Rescue Plan Act of 2021 (ARPA) Grant to Provide Economic Relief for Chautauqua County Dunkirk Airport 202
170 Authorize Acceptance of American Rescue Plan Act of 2021 (ARPA) Grant to Provide Economic Relief for Chautauqua County Jamestown Airport 203
171 Acceptance of Funds from the FAA for Replacement of Snow Removal Equipment (Blower) at the Chautauqua County Dunkirk Airport 204
172 Authorization of Fund Reallocation for Purchase of Replacement Grounds Maintenance Tractor at the Chautauqua County Dunkirk Airport 205
173 Amend 2021 Budget for County Executive 206
174 Amend 2021 Budget- District Attorney 207
175 Accept New York State Department of Health Award to Support Nurse Family Partnership 208
176 To Accept New York State Office of Children and Family Services (OCFS) Safe Summer NY 208
177 Amend Chautauqua County Health & Human Services 2021 Adopted Budget for Increased Preschool Transportation Costs 209
178 Authorizing Public Hearing Regarding a Potential Application for 2021 Community Development Block Grant Funding through the New York State Homes and Community Renewal Housing Trust Fund Corporation's Office of Community Renewal and the Uses of Said Funding 210
179 Authorizing and Approving a Settlement Agreement in an Action Relating to the Opioid Crisis (J & J) 210
180 Authorize Use of Chautauqua County 2% Occupancy Tax Reserve Funds to Remove Debris from Goose Creek 211
181 Authorize Chautauqua County Visitors Bureau as the Local Tourist Promotion Agency for Matching Funds Program Sponsored by the New York State Division of Tourism 212
182 Amend 2021 Budget - Kayaks Along Chautauqua 214
183 Prospective Cancellation of Uncollectible Tax Liens 214
184 Approving Labor Contract with Deputy Sheriffs' Association of Chautauqua County (DSACC) 215

185 Quit Claim Deeds 216
186 Appointment of Johnathan R. Penhollow as Legislator from District 7, North East Town of Chautauqua, Towns of Stockton & Portland and Villages of Brocton & Cassadaga 200

September 22, 2021 (Regular Meeting)
187 Authorization for Agreements with New York State to Maintain Overland Trails..... 224
188 Amend 2021 Budget for Public Facilities Maintenance of Roads 225
189 MOA with NYS DHSES for Temporary Loan of Interoperable Communications Resources..... 225
190 Amend 2021 Budget for Office of the Sheriff 226
191 FEMA Hazard Mitigation Grant Program (HMGP) 226
192 Authorize Execution of New York State Governor's Traffic Safety Committee Grant for the Police Traffic Services Program..... 227
193 Amend Chautauqua County Health & Human Services 2021 Adopted Budget for Employee Benefits Costs..... 228
194 Authorize Grant Application for 2021 Community Development Block Grant Funding through the New York State Homes and Community Renewal Housing Trust Fund Corporation's Office of Community Renewal - Septic and Wells Program..... 228
195 Amend Chautauqua County Health & Human Services 2021 Adopted Budget for Increased ELC COVID Grant..... 229
196 Accept New York State Department of Health COVID 19 Vaccine Response Award..... 230
197 Amend Chautauqua County Health & Human Services 2021 Adopted Budget for New York State Department of Health ELC Reopening Schools Award..... 230
198 Amend 2021 Budget Appropriations to Include Additional IGT Matching Funds..... 231
199 Authorize Use of Chautauqua County 2% Occupancy Tax Reserve Funds for Mallard Cove Repairs 232
200 Amend 2021 Budget - Village of Lakewood Loan..... 233
201 Authorizing and Approving a Settlement Agreement in an Action Relating to the Opioid Crisis (Big 3 Distributors).... 234
202 American Rescue Plan Act (ARPA) Spending Plan 235
203 Quit Claim Deeds 238
204 Rescind 2020 Tax Foreclosure Redemption Date and Consolidate 2020, 2021, and 2022 Tax Foreclosure..... 239

October 27, 2021 (Regular Meeting)
205 Confirm Appointment - Chautauqua Opportunities Board of Directors 258
206 Confirm Appointment - Chautauqua County Health Board..... 258
207 Confirm Appointment - Chautauqua County Planning Board 259
208 Reestablish County Sewer Agency for Proposed Phase 2 Extension of South & Center Chautauqua Lake Sewer Districts 259
209 Amend 2021 Budget for DPF Parks Division..... 260
210 Amend 2021 Budget to Implement the Purchase of Heavy Equipment Project within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan 261
211 Increase Capital Account for the Replacement of Hangar 3 at the Chautauqua County Dunkirk Airport 262
212 Amend 2021 Budget to Implement the Air Service Development Study Project within Chautauqua County American Rescue Plan Act (ARPA) Spending Plan 263
213 Amend 2021 Budget to Implement the County Internet Bandwidth Upgrades Project Within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan..... 265
214 Amend 2021 Budget to Increase Revenue & Expenditure Accounts for Historian Department..... 266
215 Amend 2021 Budget for Liability Insurance 266
216 Authorize Acceptance of Criminal Justice Discovery Reform Funding 267
217 Amend 2021 Budget for Capital Project Servicer & Storage Replacement 268
~~218 Amend 2021 Budget to Implement the New Handguns Project within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan~~ 269
219 Amend 2021 Budget to Implement the Body & Mail Scanners Project within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan..... 270
220 Authorize Lease Agreement with Erie 2-Chautauqua Cattaraugus BOCES at Hewes Educational Center 271
221 Authorize Lease Agreement with Erie 2-Chautauqua Cattaraugus BOCES at Phillip J. LoGuidice Educational Center. 271
222 Authorize Agreement with Forestville Central School for School Resources Officer..... 272
223 Authorize Execution of State Interoperability Communications Grant Program FY20..... 272
224 Emergency Services 2021 Budget Amendment..... 273
225 Amend Emergency Services 2021 Budget for Vehicle Accident Claims 274
226 Authorize Agreement for Early Intervention Services Program Administration 274
227 Amend Chautauqua Health & Human Services 2021 Adopted Budget for New York State Department of Health Award to Support Nurse Family Partnership 275
228 Amend 2021 Budget to Implement the Chautauqua County Agricultural Improvement Plan Project within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan 276

229 Amend 2021 Budget for New York State Housing Trust Fund Corporation Community Development Block Grant Award 277
230 Amend 2021 Budget to Implement the Workforce Development Initiative Project within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan 278
231 Amend 2021 Occupancy Tax Program Budgets to Include Chautauqua County American Rescue Plan Act (ARPA) Funding 279
232 Amend 2021 Budget to Implement the Support for the Jefferson Project at Chautauqua Lake Project within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan 280
233 Amend 2021 Budget to Implement the Chautauqua County Partnership for Economic Growth (CCPEG) Project within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan 281
234 Amend 2022 Tentative Budget to Develop a Chautauqua Lake District Work Plan Project Within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan 282
235 Amend 2021 Budget to Implement the Marketing Assistance to Businesses and Not-for-Profits Project within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan 283
236 Amend 2021 Budget to Implement the Chautauqua County Site Acquisition for Shovel Ready Sites Project within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan 284
237 Amend 2021 Budget to Implement the Ag Building Upgrades within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan 285
238 Amend 2021 Budget to Implement the Conewango Dams Project within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan 286
239 Amend Resolution 141-21 - Standard Workday and Reporting Resolution 287
240 Canceling Outstanding Tax Balances on County-Owned Properties and a Property Conveyed to the City of Jamestown 288
241 Amend Resolution 185-21 Regarding Quit Claim Deeds 288
242 Approving Labor Contract with Chautauqua County Sheriff's Supervisors' Association (CCSSA) 289
243 Consider 2022 Tentative Budget, with the Changes Listed Below, and Present Same to the County Executive for His Consideration and Action 290

November 17, 2021 (Regular Meeting)
244 Confirm Re-Appointments - North Chautauqua Lake Sewer District Board 295
245 Amend 2021 Budget to Implement the LED Lighting Retrofit for Various County Owned Buildings 295
246 Authorizing Lease of Office Space in the City of Dunkirk 296
247 Probation DCJS Employment Focused Services Grant 297
248 Emergency Services 2021 Budget Adjustment 297
249 Authorize Lease of Property for Ten (10) Years from Christopher Cannon for Chautauqua County Radio System 298
250 Authorize Execution of NYS Office of Homeland Security Funding Grant - Operation Stonegarden FY21 298
251 Authorize Execution of NYS Office of Homeland Security FY21 State Law Enforcement Terrorism Prevention Program Grant 299
252 Amend 2021 Budget for Office of the Sheriff 299
253 Amend Chautauqua County Health & Human Services 2021 Adopted Budget for Personal Services and Employee Benefits Costs 300
254 Amend Chautauqua County Health & Human Services 2021 Adopted Budget for Increased Equipment Costs 301
255 Co-Fund Lake Erie Weed Harvester 301
256 2022 County Sponsorship Contribution for JCC 303
257 Standard Workday and Reporting Resolution 303
258 Amend 2021 Budget to Implement the Upgrades to County Trails Project within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan 304
259 Amend 2021 Budget to Implement the HVAC/Indoor Quality Improvements for County Owned Buildings within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan 305
260 Authorize Acceptance of American Rescue Plan Act of 2021 (ARPA) Grant to Provide Economic Relief for Chautauqua County Dunkirk Airport 306
261 Authorize Acceptance of American Rescue Plan Act of 2021 (ARPA) Grant to Provide Economic Relief for Chautauqua County Jamestown Airport 307
262 Amend 2021 Budget to Implement the New Handguns Project within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan 308
263 Environmental Review for Occupancy Tax for Lakes & Waterways Grant Within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan 309
264 Amend 2022 Budget to Implement the Digitization of County Records Project within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan 311
265 Distribution of Mortgage Taxes 312

266 A Resolution Authorizing the Issuance pursuant to Section 90.10 of the Local Finance Law of Refunding Bonds of Chautauqua, New York, to be Designated Substantially "Public Improvement Refunding (Serial) Bonds," and Providing for Other Matters in Relation Thereto and the Payment of the Bonds to be Refunded Thereby 313
267 A Resolution Authorizing Various Capital Projects in and for the County of Chautauqua, New York, at a total maximum estimated cost of $5,509,151, and Authorizing the Issuance of $4,986,000 in bonds of said County to pay costs thereof 318
268 Making Appropriations for the Conduct of County Government For Fiscal Year 2022 320
269 Authorize Tax Levy 320
270 Authorize Levy of Town Taxes 321
271 Authorize Levy of Unpaid Town Charges 322
272 Authorize Levy of Omitted Taxes 322
273 Authorize Tax Levy - North Chautauqua Lake Sewer District 322
274 Authorize Tax Levy - Portland-Pomfret-Dunkirk Sewer Districts 322
275 Authorize Levy of Unpaid Sewer User Charges & Civil Penalties - North, South & Center Chautauqua Lake & Portland-Pomfret-Dunkirk Sewer Districts 323
276 Fixing Equalization Rates for 2022 323
277 Transfer of Foreclosed Properties to Chautauqua County Land Bank Corporation……..324

December 15, 2021 (Regular Meeting)
278 Confirm Appointment & Re-Appointments - North Chautauqua County Water District Administrative Board 331
279 Confirm Re-Appointments - Parks Commission 332
280 Reestablish County Sewer Agency for Proposed Extension of North Chautauqua Lake Sewer District 332
281 Amend Landfill and Transfer Station User Fees 333
282 Amend 2021 Budget for MEP Grant Award 334
283 Amend Resolution 151-21 Authorization Agreement for the Purchase and Removal of County Owned Timber from the Thomas Erlandson Park in the Town of Carroll 335
284 Amend Resolution 152-21 Authorizing Agreement with NY State DOT for Performance of Federal - Aid Project PIN 5726.56 336
285 Authorize Extension of Lease Agreement with G.H. Graf Building, LLC for Office Space in Dunkirk, New York 337
286 Renew and Amend Resolution 213-21 to Amend 2021 & 2022 Budgets to Implement the County Internet Bandwidth Upgrades Project within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan 338
287 Adjust Accounts for the Real Property Tax Office 339
288 Financial Management Policy for the County of Chautauqua 339
289 Amend Chautauqua County Purchasing Policy 345
290 Amend 2022 Budget to Implement the Emergency Services Message Boards Project within the Chautauqua County American Rescue Plan Act (ARPA) Spending Pan 345
291 Amend 2022 Budget to Implement the Office of Emergency Services (OES) Emergency Medical Service (EMS) Gear Project within the Chautauqua County American Rescue { 346
292 Amend 2022 Budget to Implement the Emergency Services Office Upgrades Project within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan 347
293 Amend 2022 Budget to Implement the Office of Emergency Services Dive Boat Project within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan 348
294 Amend 2022 Budget to Implement the Emergency Services Paving Project within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan 349
295 Amend 2022 Budget to Implement the Office of Emergency Services (OES) Communications Project within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan 350
296 FY2021 State Homeland Security Program (SHSP) 351
297 Authorize Acceptance of 2022 Crimes Against Revenue Program ("CARP") Funds 351
298 Amend 2022 Budget to Implement the District Attorney Office Expansion Project in the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan 352
299 Authorize Agreements with Various Entities for Enhanced Police Protection Services FY22 353
300 Amend 2021 & 2022 Budgets for Capital Projects 354
301 Authorize Agreements with Various Towns for Court Security Services FY22 354
302 Authorize MOU with E2CCA and Chautauqua Lake Central School for Incarcerated Youth Program at the Chautauqua County Jail 355
303 Amend 2022 Budget Appropriations to Include Office of Mental Health (OMH) Workforce Block Grant Allocation ... 356
304 To Amend 2022 Budget to Implement the Environmental Permit Fee Waiver Program Project within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan 356
305 Amend 2021 Budget to Implement the Strong Starts Chautauqua Project within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan 357
306 Amend 2022 Budget to Implement the Strong Starts Chautauqua Project within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan 358

NUMERICAL INDEX

307 Amend Chautauqua County Health & Human Services 2021 Budget For Rollover of Community Development Block Grant - Septic and Wells Program 359
308 To Accept National Association of County & City Health Officials (NACCHO) Wastewater Surveillance Mentorship Pilot Program Funding 360
309 Amend Chautauqua County Health & Human Services 2021 Adopted Budget for Contractual Costs - Nursing 360
310 Amend Chautauqua County Health & Human Services 2021 Adopted Budget for Contractual Costs - Environmental Health 361
311 Amend 2021 Budget - Clean Energy Community Grant 361
312 Authorize Agreement with Small Business Development Center at Jamestown Community College 362
313 Authorize Agreement with the County of Chautauqua Industrial Development Agency for Business Development, Promotion, ad Assistance 363
314 Authorize Agreement with County of Chautauqua Industrial Development Agency for Attraction and Development of Tourism Related Businesses 363
315 Authorize Extension of Lease Agreement for Department of Planning & Development at the BWB Center 364
316 Setting the Salary for Coordinator of Aging Services II 365

ALPHABETICAL INDEX

A

AGRICULTURE
09 Confirm Appointments and Re-Appointments – Agriculture & Farmland Protection Board 10
17 Accept Grant Funding from the Chautauqua Region Community Foundation to Update the Chautauqua County Agriculture and Farmland Protection Plan 17
111 Designate Chautauqua County Legislature as the Lead Agency Responsible for Environmental Quality Review (SEQR) of Proposed Agricultural District Modifications 119
112 Authorizing Public Hearing Regarding Proposed Modifications to Chautauqua County Agricultural Districts 120
139 Accept Environmental Assessment (SEQRA) of Proposed Agricultural District Modifications 146
140 Determination of Chautauqua County Legislature on Proposed Agricultural District Modifications 147
AIRPORTS
84 Authorize Acceptance of Coronavirus Response and Relief Supplemental Appropriation Act 2021 (CRRSA) Grant to defray Operating Costs for Chautauqua County Dunkirk Airport 93
85 Authorize Acceptance of Coronavirus Response and Relief Supplemental Appropriation Act 2021 (CRRSA) Grant to Defray Operating Costs for Chautauqua County Jamestown Airport 94
98 Acceptance of Funds from the FAA for Reconstruction of Taxiway A East Including Associated Drainage and Remarking (Design) at the Chautauqua County Dunkirk Airport 110
120 Increase Capital Account for the Rehabilitation of Taxiway B South (Construction) at the Chautauqua County Dunkirk Airport 130
121 Increase Capital Account for the Rehabilitation of Hangar C at the Chautauqua County/Jamestown Airport 131
153 Acceptance of Funds from the FAA for the Rehabilitation of Runway 7-25 (Construction Phase) at the Chautauqua County Jamestown Airport 181
169 Authorize Acceptance of American Rescue Plan Act of 2021 (ARPA) Grant to Provide Economic Relief for Chautauqua County Dunkirk Airport 202
170 Authorize Acceptance of American Rescue Plan Act of 2021 (ARPA) Grant to Provide Economic Relief for Chautauqua County Jamestown Airport 203
171 Acceptance of Funds from the FAA for Replacement of Snow Removal Equipment (Blower) at the Chautauqua County Dunkirk Airport 204
172 Authorization of Fund Reallocation for Purchase of Replacement Grounds Maintenance Tractor at the Chautauqua County Dunkirk Airport 205
211 Increase Capital Account for the Replacement of Hangar 3 at the Chautauqua County Dunkirk Airport 262
212 Amend 2021 Budget to Implement the Air Service Development Study Project within Chautauqua County American Rescue Plan Act (ARPA) Spending Plan 263
260 Authorize Acceptance of American Rescue Plan Act of 2021 (ARPA) Grant to Provide Economic Relief for Chautauqua County Dunkirk Airport 306
APPOINTMENTS
01 Appointing Clerk of the Legislature 3
02 Appointing Deputy Clerk/Secretary to the Legislature 4
05 Confirm Appointment and Re-Appointments - New York Fish & Wildlife Management Board 7
06 Confirm Appointments and Re-Appointments - Chautauqua County Fire Advisory Board 7
07 Confirm Appointments - Chautauqua County Community Services Board 9
08 Confirm Appointment and Re-Appointments – Chautauqua County Planning Board 9
09 Confirm Appointments and Re-Appointments – Agriculture & Farmland Protection Board 10
21 Confirm Appointment and Re-Appointments - Parks Commission 24
22 Confirm Appointments and Re-Appointments - Emergency Medical Services Council 25
23 Confirm Appointment - Chautauqua County Planning Board 27
24 Confirm Appointment and Re-Appointments - Southern Tier Extension Railroad Authority Board of Directors 27
25 Confirm Re-Appointments - Southern Tier West Regional Planning & Development Board 28
26 Confirm Re-Appointments - Conewango Watershed Commission 28
66 Confirm Appointment - Chautauqua County Ethics Board 65
80 Appointment - Loren T. Kent (D) Commissioner of Elections 78
82 Confirm Appointment - Chautauqua County Ethics Board 92
94 Confirm Appointments - Parks Commission 108
95 Confirm Appointments - Chautauqua County Office for Aging Services Advisory Council 108
96 Confirm Appointments - Chautauqua County Land Bank Board of Directors 109
114 Confirm Appointment - Liz Torres (D) Commissioner of Elections 122
116 Confirm Appointments and Re-Appointments - Chautauqua County Food Policy Council 127
117 Confirm Appointment - Chautauqua County Community Services Board 128
118 Re- Appointments - Chautauqua Opportunities Board of Directors 129

119 Confirm Appointments and Re-Appointments - Chautauqua County Historian's Advisory Board 129
135 Designating the North Chautauqua County Water District as the Administrative Head of the North County Industrial Water District No.1 143
145 Confirm Appointment - Chautauqua County Health Board..... 174
146 Confirm Appointment - Chautauqua County Food Policy Council 174
167 Confirm Appointment - Southern Tier West Regional Planning & Development Board 201
186 Appointment of Johnathan R. Penhollow as Legislator from District 7, North East Town of Chautauqua, Towns of Stockton & Portland and Villages of Brocton & Cassadaga 200
205 Confirm Appointment - Chautauqua Opportunities Board of Directors 258
206 Confirm Appointment - Chautauqua County Health Board..... 258
207 Confirm Appointment - Chautauqua County Planning Board 259
244 Confirm Re-Appointments - North Chautauqua Lake Sewer District Board..... 295
278 Confirm Appointment & Re-Appointments - North Chautauqua County Water District Administrative Board..... 331
279 Confirm Re-Appointments - Parks Commission 332

B

BOARD OF ELECTIONS
38 Amend 2020 Budget for Year End Reconciliations - Board of Elections..... 37
80 Appointment - Loren T. Kent (D) Commissioner of Elections..... 78
114 Confirm Appointment - Liz Torres (D) Commissioner of Elections 122
156 Authorize Early Voting Expansion Grant Award from the New York State Board of Elections..... 184
157 Authorize Technology Innovations and Election Resource Grant Award from the New York State Board of Elections. 185
BONDS
266 A Resolution Authorizing the Issuance pursuant to Section 90.10 of the Local Finance Law of Refunding Bonds of Chautauqua, New York, to be Designated Substantially "Public Improvement Refunding (Serial) Bonds," and Providing for Other Matters in Relation Thereto and the Payment of the Bonds to be Refunded Thereby 313
267 A Resolution Authorizing Various Capital Projects in and for the County of Chautauqua, New York, at a total maximum estimated cost of $5,509,151, and Authorizing the Issuance of $4,986,000 in bonds of said County to pay costs thereof 318
BUDGET
27 Amend 2020 Budget for Year End Reconciliations - South & Center Chautauqua Lake Sewer Districts..... 29
28 Amend 2020 Budget for Year End Reconciliations - Portland, Pomfret, Dunkirk Sewer Districts..... 29
29 Amend 2020 Budget for Year End Reconciliations - North Chautauqua Lake Sewer District..... 30
30 Amend 2020 Budget for Year End Reconciliations - Public Facilities Road Machinery and Debt Service 31
31 Amend 2020 Budget for Year End Reconciliations - Public Facilities Admin and Snow Removal Co Roads (D Fund) 31
32 Amend 2020 Budget for Year End Reconciliations - Public Facilities (A Fund) 32
33 Amend 2020 Budget for Year End Reconciliations - Landfill-Environment..... 33
34 Amend 2020 Budget for Year End Reconciliations - County Executive..... 34
35 Amend 2020 Budget for Year End Reconciliations - Law Department..... 35
36 Amend 2020 Budget for Year End Reconciliations - Information Technology Services 35
37 Amend 2020 Budget for Year End Reconciliations - Human Resources..... 36
38 Amend 2020 Budget for Year End Reconciliations - Board of Elections..... 37
39 Amend 2020 Budget for Year End Reconciliations - County Clerk 37
40 Amend 2020 Budget for Year End Reconciliations - Health Insurance Fund (M Fund) 38
41 Amend 2020 Budget for Year End Reconciliations - Debt Service..... 39
42 Amend 2020 Budget for Year End Reconciliations - Finance..... 40
43 Amend 2020 Budget for Year End Reconciliations - Community College Tuition..... 41
44 Amend 2020 Budget for Year End Reconciliations - Office of the Sheriff 41
45 Amend 2020 Budget for Year End Reconciliations - District Attorney's Office 42
46 Amend 2020 Budget for Year End Reconciliations - Emergency Services 43
47 Amend 2020 Budget for Year End Reconciliations - Veterans Service Agency 44
48 Amend 2020 Budget for Year End Reconciliations - Health & Human Services..... 44
50 Amend 2020 & 2021 Budgets for Year End Reconciliations and Grant Equipment Revenue - Mental Hygiene..... 46
51 Amend 2020 & 2021 Budgets for Grant Equipment Revenue - Office of the Sheriff..... 47
53 Amend 2021 Budget for State Homeland Security Program (SHSP) Grant Award 48
54 Amend 2021 Budget for State Homeland Security Homeland Security Program (SHSP) Grant Award..... **49**
55 Amend Emergency Services 2021 Budget for Vehicle Accident Claim..... 49
59 Amend Capital Project Budget for Landfill Phase IV Construction 52
71 Amend 2021 Budget for Grant Expenses - Office of the Sheriff..... 68
72 Amend 2021 Budget for Capital Project Jail Upgrades..... 69

ALPHABETICAL INDEX

73 Amend 2020 Budget for Year End Reconciliations - Additional Adjustments for Various Departments 70
76 Close Capital Projects - 2020 Year End Reconciliation 75
83 Amend 2021 Budget Appropriations to Accommodate New Customer Billing Software for Chautauqua County Sewer Districts 93
90 Amend Budget for County Clerk to Accommodate Digitizing of Microfilm 98
101 Amend 2021 Budget - District Attorney 113
104 Amend 2021 Budget for Office of the Sheriff 115
110 Amend Chautauqua County Health & Human Services 2021 Adopted Budget for Increased Home Energy Assistance Program Costs 118
158 Amend 2021 Budget-District Attorney Crime Victims 186
168 Amend 2021 Budget for DPF Parks Division 201
173 Amend 2021 Budget for County Executive 206
174 Amend 2021 Budget- District Attorney 207
177 Amend Chautauqua County Health & Human Services 2021 Adopted Budget for Increased Preschool Transportation Costs 209
182 Amend 2021 Budget - Kayaks Along Chautauqua 214
188 Amend 2021 Budget for Public Facilities Maintenance of Roads 225
190 Amend 2021 Budget for Office of the Sheriff 226
193 Amend Chautauqua County Health & Human Services 2021 Adopted Budget for Employee Benefits Costs 228
195 Amend Chautauqua County Health & Human Services 2021 Adopted Budget for Increased ELC COVID Grant 229
197 Amend Chautauqua County Health & Human Services 2021 Adopted Budget for New York State Department of Health ELC Reopening Schools Award 230
198 Amend 2021 Budget Appropriations to Include Additional IGT Matching Funds 231
200 Amend 2021 Budget - Village of Lakewood Loan 233
209 Amend 2021 Budget for DPF Parks Division 260
210 Amend 2021 Budget to Implement the Purchase of Heavy Equipment Project within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan 261
212 Amend 2021 Budget to Implement the Air Service Development Study Project within Chautauqua County American Rescue Plan Act (ARPA) Spending Plan 263
213 Amend 2021 Budget to Implement the County Internet Bandwidth Upgrades Project Within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan 265
214 Amend 2021 Budget to Increase Revenue & Expenditure Accounts for Historian Department 266
215 Amend 2021 Budget for Liability Insurance 266
217 Amend 2021 Budget for Capital Project Servicer & Storage Replacement 268
~~218 Amend 2021 Budget to Implement the New Handguns Project within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan~~ 269
219 Amend 2021 Budget to Implement the Body & Mail Scanners Project within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan 270
224 Emergency Services 2021 Budget Amendment 273
225 Amend Emergency Services 2021 Budget for Vehicle Accident Claims 274
227 Amend Chautauqua Health & Human Services 2021 Adopted Budget for New York State Department of Health Award to Support Nurse Family Partnership 275
228 Amend 2021 Budget to Implement the Chautauqua County Agricultural Improvement Plan Project within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan 276
229 Amend 2021 Budget for New York State Housing Trust Fund Corporation Community Development Block Grant Award 277
230 Amend 2021 Budget to Implement the Workforce Development Initiative Project within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan 278
231 Amend 2021 Occupancy Tax Program Budgets to Include Chautauqua County American Rescue Plan Act (ARPA) Funding 279
232 Amend 2021 Budget to Implement the Support for the Jefferson Project at Chautauqua Lake Project within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan 280
233 Amend 2021 Budget to Implement the Chautauqua County Partnership for Economic Growth (CCPEG) Project within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan 281
234 Amend 2022 Tentative Budget to Develop a Chautauqua Lake District Work Plan Project Within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan 282
235 Amend 2021 Budget to Implement the Marketing Assistance to Businesses and Not-for-Profits Project within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan 283
236 Amend 2021 Budget to Implement the Chautauqua County Site Acquisition for Shovel Ready Sites Project within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan 284

237 Amend 2021 Budget to Implement the Ag Building Upgrades within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan 285
238 Amend 2021 Budget to Implement the Conewango Dams Project within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan 286
243 Consider 2022 Tentative Budget, with the Changes Listed Below, and Present Same to the County Executive for His Consideration and Action 290
245 Amend 2021 Budget to Implement the LED Lighting Retrofit for Various County Owned Buildings 295
248 Emergency Services 2021 Budget Adjustment 297
252 Amend 2021 Budget for Office of the Sheriff 299
253 Amend Chautauqua County Health & Human Services 2021 Adopted Budget for Personal Services and Employee Benefits Costs 300
258 Amend 2021 Budget to Implement the Upgrades to County Trails Project within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan 304
259 Amend 2021 Budget to Implement the HVAC/Indoor Quality Improvements for County Owned Buildings within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan 305
261 Authorize Acceptance of American Rescue Plan Act of 2021 (ARPA) Grant to Provide Economic Relief for Chautauqua County Jamestown Airport 307
262 Amend 2021 Budget to Implement the New Handguns Project within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan 308
264 Amend 2022 Budget to Implement the Digitization of County Records Project within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan 311
282 Amend 2021 Budget for MEP Grant Award 334
286 Renew and Amend Resolution 213-21 to Amend 2021 & 2022 Budgets to Implement the County Internet Bandwidth Upgrades Project within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan 338
290 Amend 2022 Budget to Implement the Emergency Services Message Boards Project within the Chautauqua County American Rescue Plan Act (ARPA) Spending Pan 345
291 Amend 2022 Budget to Implement the Office of Emergency Services (OES) Emergency Medical Service (EMS) Gear Project within the Chautauqua County American Rescue { 346
292 Amend 2022 Budget to Implement the Emergency Services Office Upgrades Project within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan 347
293 Amend 2022 Budget to Implement the Office of Emergency Services Dive Boat Project within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan 348
294 Amend 2022 Budget to Implement the Emergency Services Paving Project within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan 349
295 Amend 2022 Budget to Implement the Office of Emergency Services (OES) Communications Project within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan 350
298 Amend 2022 Budget to Implement the District Attorney Office Expansion Project in the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan 352
300 Amend 2021 & 2022 Budgets for Capital Projects 354
302 Amend 2022 Budget Appropriations to Include Office of Mental Health (OMH) Workforce Block Grant Allocation ... 356
304 To Amend 2022 Budget to Implement the Environmental Permit Fee Waiver Program Project within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan 356
305 Amend 2021 Budget to Implement the Strong Starts Chautauqua Project within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan 357
306 Amend 2022 Budget to Implement the Strong Starts Chautauqua Project within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan 358
307 Amend Chautauqua County Health & Human Services 2021 Budget For Rollover of Community Development Block Grant - Septic and Wells Program 359
309 Amend Chautauqua County Health & Human Services 2021 Adopted Budget for Contractual Costs - Nursing 360
310 Amend Chautauqua County Health & Human Services 2021 Adopted Budget for Contractual Costs - Environmental Health 361
311 Amend 2021 Budget - Clean Energy Community Grant 361

C

CAPITAL

16 Amend Capital Project H.6010.31003 16
49 Close Capital Project - 2020 Year End Reconciliation 45
52 Amend 2021 Capital Project Account (DPF Large Equipment) 47
59 Amend Capital Project Budget for Landfill Phase IV Construction 52
67 Amend Parks Capital Accounts 65
72 Amend 2021 Budget for Capital Project

Jail Upgrades 69
76 Close Capital Projects - 2020 Year End Reconciliation 75
97 Amend 2021 Capital Project Account (DPF Large Equipment) 110
120 Increase Capital Account for the Rehabilitation of Taxiway B South (Construction) at the Chautauqua County Dunkirk Airport 130
123 Adjust D5112 - Capital Improvement Accounts 133
124 Adjust D.5112 Capital Improvement Account Funded Roads 134
138 Authorize Use of Lake Erie Management Commission Capital Project H.8020.37011 Funds to Co Fund Dunkirk Lighthouse and Veterans Park Museum Perimeter Fence 145
164 Authorize Use of Lake Erie Management Commission Capital Project J.8020.37011 Funds to Co-Fund Barcelona Harbor Dredging 191
211 Increase Capital Account for the Replacement of Hangar 3 at the Chautauqua County Dunkirk Airport 262
217 Amend 2021 Budget for Capital Project Servicer & Storage Replacement 268
267 A Resolution Authorizing Various Capital Projects in and for the County of Chautauqua, New York, at a total maximum estimated cost of $5,509,151, and Authorizing the Issuance of $4,986,000 in bonds of said County to pay costs thereof 318
300 Amend 2021 & 2022 Budgets for Capital Projects 354

COMMUNICATIONS:

January 27, 2021

1. Certification – Election Commissioner Certification – Norman P. Green
2. Letter – Bob Bentley – Re: Support for South Ripley Solar Project
3. Report – Finance Director Crow – November 2020 Investment Report
4. Report & Proof of Publication – NYS Comptroller, Thomas P. DiNapoli – Ethics Oversight
5. Letters (4)– County Executive Wendel – Appointments to various Boards
6. Letter – NYS Department of State – Acknowledgement of Local Laws 1-21 & 2-21
7. Minutes – Conewango Watershed Commission – January 6, 2021 Meeting
8. Letter – District Attorney – Appointment of Assistant District Attorneys

February 24, 2021

1. Letters (5)– County Executive Wendel – Appointments to various Boards
2. Letters – County Executive Wendel – Appointment of Acting Director of Real Property Tax Services
3. Report – NYS Small Business Development Center - Chautauqua County Quarterly Report
4. Report – NYS Small Business Development Center - Chautauqua County Business Permit Center Quarterly Report
5. Report – NYS Small Business Development Center - Chautauqua County Annual Report
6. Report – NYS Small Business Development Center - Chautauqua County Business Permit Center Annual Report

March 24, 2021

1. Letter – County Executive Wendel – Appointment to Ethics Board
2. Report – Finance Director Crow – December 2020 Investment Report
3. Report – Finance Director Crow – January 2021 Investment Report
4. March 22, 2021 – County Executive Wendel – Amendments to the Chautauqua County Administrative Code – Re: Article IV, Public Facilities
5. Affidavit of Publication – 30 Day Public Review Period for Chautauqua County Agricultural Districts – Post Journal
6. Affidavit of Publication – 30 Day Public Review Period for Chautauqua County Agricultural Districts – Observer
7. Affidavit of Publication – Legal Notice of Public Hearing – Re: Implementation of Chautauqua County's 2019 Community Development Block Grant Program, "Chautauqua Septics and Wells"
8. Patricia W. Lefferts – Fredonia, N.Y. – Support of Ms. Torres
9. Marie T. Carrubba – Jamestown, N.Y. – Support of Loren Kent
10. Nancy Jankowski Kubera – Support of Luz Torres
11. Marion A. Gibbon & Robert Gibbon MD – Lakewood, N.Y. – Support of Loren Kent
12. Susan Baldwin – Villenova, N.Y. – Support of Loren Kent
13. Lynda Albert – Bemus Point, N.Y. – Support of Loren Kent
14. Mary Ellen Decker – Dunkirk, N.Y. – Support of Loren Kent
15. Janet Keefe – Fredonia, N.Y. – Support of Luz Torres
16. Susan T. Westling – Support of Luz Torres
17. Amy Near – Chautauqua County Democratic Committee Member – Support of Loren Kent
18. Donna Higginbotham – Support of Loren Kent
19. Susan E. Conti – Support of Loren Kent
20. Nancy Padak – Lakewood-Busti Democratic Committee – Support of Loren Kent
21. Nancy Boynton – Support of Luz Torres

22. Chris Anderson – Lakewood-Busti Democratic Committee – Support of Loren Kent
23. Tamu Graham-Reinhardt – Jamestown City Council At-Large – Support of Loren Kent
24. Andrew Maggitti – Asks to Table the vote for Election Commissioner
25. Marcia Johnson – Fredonia, N.Y. – Support of Luz Torres
26. Leanna S. McMahon, Ph. D. – Support of Luz Torres
27. Mary Jane Wagner – Support of Luz Torres

April 28, 2021
1. Letter – County Executive Wendel – Appointment to Ethics Board
2. Certification – Election Commissioner Certification – NYS Board of Elections
3. Letter – Resignation – Norman Green, Chautauqua County Democratic Commissioner
4. Report – Finance Director Crow – February 2021 Investment Report
5. Affidavit of Publication – Legal Notice of Public Hearing – Re: Potential Application for 2021 Community Development Block Grant – Post Journal
6. Affidavit of Publication – Legal Notice of Public Hearing – Re: Potential Application for 2021 Community Development Block Grant – Observer
7. Affidavit of Publication – Legal Notice of Public Hearing – Re: Office of Community Renewal Grant Program Application – Post Journal
8. Affidavit of Publication – Legal Notice of Public Hearing – Re: Office of Community Renewal Grant Program Application – Observer
9. Minutes – Conewango Watershed Commission – April 7, 2021 Meeting
10. Report - Chautauqua County IDA & Component Units – Report on Financial Statements – For Year Ended December 31, 2020

May 26, 2021
1. Letter – Town of Ellery to Chairman Chagnon, Re: CLPRA
2. Letter –Reply to Town of Ellery, Re: CLPRA
3. Reports – Quarterly reports – Small Business Development Center
4. Letter – Chautauqua County Agriculture & Farmland Protection Board, Re: 2021 Agricultural District Review
5. Affidavit of Publication – Post-Journal, Re: Legal Notice of Local Law Amending the Chautauqua County Code of Ethics
6. Affidavit of Publication – Observer, Re: Legal Notice of Local Law Amending the Chautauqua County Code of Ethics
7. Report – Finance Director Crow, Re: March 2021 Investment Report
8. Notices – List of Certified 2021 State Equalization Rates
9. Message of Necessity - County Executive Wendel, Re: Local Law Introductory No. 2-21
10. Letter – Brad Zimmer, Re: Chautauqua Lake District Tax
11. Affidavit of Publication – Post-Journal, Re: Adoption of Local Law Amending the Chautauqua County Code of Ethics
12. Letter - Chautauqua County Ag & Farmland Protection Board – Re: Concerns Regarding Renewable Energy Projects on Agricultural Lands

June 23, 2021
1. Letters (4) – NYS Department of Taxation and Finance – Certified 2021 State Equalization Rates
2. Report – Chautauqua County Planning Board – 2022 Capital Budget and 2023-2027 Capital Plan
3. Policy – Chautauqua County Information Technology Policy
4. Report – Finance Director Crow, Re: April 2021 Investment Report
5. Minutes – Conewango Watershed Commission – June 8, 2021 Meeting
6. Report – Chautauqua County Land Bank – 2020 Annual Report
7. Affidavit of Publication – Post-Journal – Re: Public Hearing- Modifications to Chautauqua County's Agricultural Districts
8. Affidavit of Publication – Observer – Re: Public Hearing- Modifications to Chautauqua County's Agricultural Districts
9. Affidavit of Publication – Post-Journal – Legal Notice – Re: Local Law Introductory No. 2-21
10. Affidavit of Publication – Observer – Legal Notice – Re: Local Law Introductory No. 2-21
11. Letter – NYS Department of State – Ack. Receipt of Local Law 3-21 (A Local Law Amending the Chautauqua County Code of Ethics)

July 28, 2021
1. Letter – Legislator Mark Odell – Resignation Effective August 17, 2020
2. Letter – NYS Department of State – Ack. Receipt of Local Law 4-21 (A Local Law Adopting a Pilot Youth Deer Hunting Program)
3. Letter - Chautauqua County Department of Law – Chautauqua County Purchasing Policy

4. Minutes – Conewango Watershed Commission – July 14, 2021 Meeting
5. Invitation – WNY Regional Off-Track Betting Corporation – Annual Legislative Night
6. Affidavit of Publication – Post-Journal – Re: Local Law 4-21 (A Local Law Adopting a Pilot Youth Deer Hunting Program)
7. Affidavit of Publication – Observer – Re: Local Law 4-21 (A Local Law Adopting a Pilot Youth Deer Hunting Program)
8. Report - Chautauqua County Ethics Board – 2020 Annual Report
9. Report – Finance Director Crow, Re: May 2021 Investment Report

August 25, 2021

1. Minutes – Conewango Watershed Commission – August 11, 2021 Meeting
2. Report – Bonadio & Co., LLP – Single Audit Report 2020
3. Report – Small Business Development Center – Quarterly Report
4. Report –Small Business Development Center – Business Permit Center – Quarterly Report
5. Report – Chautauqua County Department of Health and Human Services – 2019-2020 Annual Report
6. Report (4) – Bonadio & Co., LLP – Results of the 2020 Year-End Audit
7. Certificate – Fill Vacancy on County Legislature – District
8. Certificate of Acceptance – District 7 – Johnathan Penhollow

September 22, 2021

1. Letter – NY Connects – Chautauqua County Long Term Care Council (CCLTCC)
2. Letter – Chautauqua County Department of Planning and Development – County Ag. and Farmland Protection Board Concerns Regarding Renewable Energy Projects on Ag. Lands
3. Letter – NYS Agriculture and Markets – Consolidation of Agricultural Districts
4. Reports (2) – Department of Finance – 2021 Investment Reports – Re: June & July
5. Affidavit of Publication – Post-Journal – Re: Community Development Block Grant Public Hearing
6. Affidavit of Publication – Observer – Re: Community Development Block Grant Public Hearing
7. 2022 Tentative Budget – County Executive Wendel

October 27 2021

1. Report – NYS Office of Real Property Tax Services – Re: County Equalization Rates 2021
2. Letter – Robert Neratko
3. Report – Department of Finance – 2021 Investment Report – Re: August
4. Affidavits of Publication (2) – Post-Journal – Re: Public Hearing- Chautauqua County Tentative Budget and Sewer Districts Assessment Rolls
5. Affidavits of Publication (2) – Observer – Re: Public Hearing- Chautauqua County Tentative Budget and Sewer Districts Assessment Rolls
6. Minutes – Conewango Watershed Commission – October 13, 2021

November 17, 2021

1. Letter – Resignation - L.J. Foster as Committee Secretary/Chaut. Co. Legislature
2. Report – Small Business Development Center – Quarterly Report
3. Report –Small Business Development Center – Business Permit Center – Quarterly Report

December 15, 2021

1. Report – County Executive Wendel – County-Wide Shared Services Property Tax Savings Plan 2021
2. Letter – Chautauqua County Legislature – Acknowledgement of Receipt of 2021 Financial Disclosure Statements
3. Minutes – Conewango Watershed Commission – November 10, 2021 Meeting
4. Affidavits of Publication (2) – Post-Journal – Re: Legal Notice of Estoppel – Bonding Resolutions
5. Affidavits of Publication (2) – Observer – Re: Legal Notice of Estoppel – Bonding Resolutions
6. Affidavit of Publication (1) – Post-Journal – Re: Public Hearing – Local Law Intro. 3-21
7. Affidavit of Publication (1) – Observer – Re: Public Hearing – Local Law Intro. 3-21
8. Chautauqua County 2022 Adopted Budget
9. Letter – Marla Connelly – Parks Commission Resignation
10. Resolution – North Chautauqua Lake Sewer District – Re: Extension of Bounds
11. Email – Ben Schenk - Re: Concern about Covid Restrictions

ALPHABETICAL INDEX

CONTRACTS & AGREEMENTS
105 Authorize Agreement with Chautauqua-Cattaraugus Erie II BOCES for Culinary Arts Instruction 116
106 Authorize Agreement with Silver Creek Central School District for School Resource Officer 116
107 Authorize Agreement with Town of Hanover for Enhanced Police Protection Services FY21 117
109 Authorize Agreement with Village of Lakewood for Purchase of Fuel 118
128 Authorize Pre-Order of Leased Vehicles for 2022 138
132 Authorize Agreement with Chautauqua-Cattaraugus Erie II BOCES for Two (2) School Resource Officers 140
133 Authorize Agreement with Brocton Central School for School Resource Officer 141
134 Authorize Lease Agreement with Warwick Plaza,LLC for Office Space for the Chautauqua County Veterans Service Agency 142
15 To Authorize Emergency Use Facility and Public Health Mutual Aid Services Agreements with Chautauqua County Municipalities and Other Governmental Entities 15
151 Authorize Agreement for the Purchase and Removal of County Owned Timber from the Thomas Erlandson Park in the Town of Carroll 179
152 Authorize Agreements with NY State DOT for Performance of Federal Aid Project PIN 5762.56 180
154 Authorizing Contract for 2022 Administration of Chautauqua County Self-Insurance Plan (Workers' Compensation) .. 183
161 Authorize Memorandum of Understanding with the City of Jamestown 188
179 Authorizing and Approving a Settlement Agreement in an Action Relating to the Opioid Crisis (J & J) 210
181 Authorize Chautauqua County Visitors Bureau as the Local Tourist Promotion Agency for Matching Funds Program Sponsored by the New York State Division of Tourism 212
184 Approving Labor Contract with Deputy Sheriffs' Association of Chautauqua County (DSACC) 215
187 Authorization for Agreements with New York State to Maintain Overland Trails 224
189 MOA with NYS DHSES for Temporary Loan of Interoperable Communications Resources 225
196 Accept New York State Department of Health COVID 19 Vaccine Response Award 230
201 Authorizing and Approving a Settlement Agreement in an Action Relating to the Opioid Crisis (Big 3 Distributors) 234
216 Authorize Acceptance of Criminal Justice Discovery Reform Funding 267
220 Authorize Lease Agreement with Erie 2-Chautauqua Cattaraugus BOCES at Hewes Educational Center 271
221 Authorize Lease Agreement with Erie 2-Chautauqua Cattaraugus BOCES at Phillip J. LoGuidice Educational Center . 271
222 Authorize Agreement with Forestville Central School for School Resources Officer 272
226 Authorize Agreement for Early Intervention Services Program Administration 274
242 Approving Labor Contract with Chautauqua County Sheriff's Supervisors' Association (CCSSA) 289
246 Authorizing Lease of Office Space in the City of Dunkirk 296
249 Authorize Lease of Property for Ten (10) Years from Christopher Cannon for Chautauqua County Radio System 298
250 Authorize Execution of NYS Office of Homeland Security Funding Grant - Operation Stonegarden FY21 298
283 Amend Resolution 151-21 Authorization Agreement for the Purchase and Removal of County Owned Timber from the Thomas Erlandson Park in the Town of Carroll 335
284 Amend Resolution 152-21 Authorizing Agreement with NY State DOT for Performance of Federal - Aid Project PIN 5726.56 336
299 Authorize Agreements with Various Entities for Enhanced Police Protection Services FY22 353
301 Authorize Agreements with Various Towns for Court Security Services FY22 354
302 Authorize MOU with E2CCA and Chautauqua Lake Central School for Incarcerated Youth Program at the Chautauqua County Jail 355
308 To Accept National Association of County & City Health Officials (NACCHO) Wastewater Surveillance Mentorship Pilot Program Funding 360
312 Authorize Agreement with Small Business Development Center at Jamestown Community College 362
313 Authorize Agreement with the County of Chautauqua Industrial Development Agency for Business Development, Promotion, ad Assistance 363
314 Authorize Agreement with County of Chautauqua Industrial Development Agency for Attraction and Development of Tourism Related Businesses 363
315 Authorize Extension of Lease Agreement for Department of Planning & Development at the BWB Center 364
68 Authorize Supplemental Agreement No. 1 with NY State DOT for Performance of Federal Aid Project PIN 5761.82 66
69 Vehicle Loan Agreement - E2CCB 67
86 Authorize Agreement with Monroe County for Security of Inmates at the Rochester Psychiatric Center 2021-2026 95

COUNTY CLERK
39 Amend 2020 Budget for Year End Reconciliations - County Clerk 37
90 Amend Budget for County Clerk to Accommodate Digitizing of Microfilm 98

COUNTY EXECUTIVE
173 Amend 2021 Budget for County Executive 206
243 Consider 2022 Tentative Budget, with the Changes Listed Below, and Present Same to the County Executive for His Consideration and Action 290
34 Amend 2020 Budget for Year End Reconciliations - County Executive 34

ALPHABETICAL INDEX

D

DISTRICT ATTORNEY
101 Amend 2021 Budget - District Attorney 113
130 Authorize Acceptance of 2021-2022 Aid to Prosecution Funds 139
158 Amend 2021 Budget-District Attorney Crime Victims 186
159 Authorize Acceptance of the Gun Involved Violence Elimination ("GIVE") Grant Funds for 2021-2022 187
174 Amend 2021 Budget- District Attorney 207
297 Authorize Acceptance of 2022 Crimes Against Revenue Program ("CARP") Funds 351
298 Amend 2022 Budget to Implement the District Attorney Office Expansion Project in the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan 352
45 Amend 2020 Budget for Year End Reconciliations - District Attorney's Office 42

E

EMERGENCY MANAGEMENT
06 Confirm Appointments and Re-Appointments - Chautauqua County Fire Advisory Board 7
46 Amend 2020 Budget for Year End Reconciliations - Emergency Services 43
53 Amend 2021 Budget for State Homeland Security Program (SHSP) Grant Award 48
54 Amend 2021 Budget for State Homeland Security Homeland Security Program (SHSP) Grant Award **49**
57 Fiscal Year 2019 Hazardous Materials Emergency Preparedness (HMEP) Grant Program 50
87 Fiscal Year 2020 Hazardous Materials Emergency Preparedness (HMEP) Grant Program 96
108 FY2019 Hazardous Materials Grant Program 117
109 Authorize Agreement with Village of Lakewood for Purchase of Fuel 118
191 FEMA Hazard Mitigation Grant Program (HMGP) 226
224 Emergency Services 2021 Budget Amendment 273
225 Amend Emergency Services 2021 Budget for Vehicle Accident Claims 274
248 Emergency Services 2021 Budget Adjustment 297
290 Amend 2022 Budget to Implement the Emergency Services Message Boards Project within the Chautauqua County American Rescue Plan Act (ARPA) Spending Pan 345
291 Amend 2022 Budget to Implement the Office of Emergency Services (OES) Emergency Medical Service (EMS) Gear Project within the Chautauqua County American Rescue { 346
292 Amend 2022 Budget to Implement the Emergency Services Office Upgrades Project within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan 347
293 Amend 2022 Budget to Implement the Office of Emergency Services Dive Boat Project within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan 348
294 Amend 2022 Budget to Implement the Emergency Services Paving Project within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan 349
295 Amend 2022 Budget to Implement the Office of Emergency Services (OES) Communications Project within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan 350
296 FY2021 State Homeland Security Program (SHSP) 351

F

FINANCE
42 Amend 2020 Budget for Year End Reconciliations - Finance 40
77 Authorization for Receipt of Bids and Offers via Electronic Submission 76

G

GOVERNMENT
268 Making Appropriations for the Conduct of County Government For Fiscal Year 2022 320
GRANTS
14 Authorize Acceptance of Indigent Legal Services Grant for the Period January 1, 2020 to December 31, 2022 14
17 Accept Grant Funding from the Chautauqua Region Foundation to Update the Chautauqua County Agriculture and Farmland Protection Plan 17
18 Authorize Chautauqua County State Grant Application and Commitment of Matching Funds for County Complex Green Infrastructure Retrofit Project 18
19 Authorizing the Adoption of a Section 3 Participation Plan in Connection With Community Development Block Grant Funding 19
50 Amend 2020 & 2021 Budgets for Year End Reconciliations and Grant Equipment Revenue - Mental Hygiene 46
51 Amend 2020 & 2021 Budgets for Grant Equipment Revenue - Office of the Sheriff 47
57 Fiscal Year 2019 Hazardous Materials Emergency Preparedness (HMEP) Grant Program 50

ALPHABETICAL INDEX

58 Authorize Acceptance of WIIA Grant with EFC Financing for North Chautauqua County Water District 51
61 Authorizing Public Hearing regarding the implementation of Chautauqua County's 2019 Community Development Block Grant Program, "Chautauqua Septics and Wells", funded by the New York State Homes and Community Renewal Housing Trust Fund Corporation's Office of Community Renewal 53
62 Authorizing Public Hearing Regarding a Potential Application for 2021 Community Development Block Grant Funding through the New York State Homes and Community Renewal Housing Trust Fund Corporation's Office of Community Renewal and the Uses of Said Funding 54
71 Amend 2021 Budget for Grant Expenses - Office of the Sheriff 68
74 Authorize Grant Application for 2021 Community Development Block Grant Funding through the New York State Office of Community Renewal - Septic and Wells Program 74
75 Authorizing Public Hearing Regarding a Potential Application for 2021 Community Development Block Grant 75
81 Authorize Grant Agreement with New York State Department of Environmental Conservation for the South Chautauqua Lake West Side Sewer Extension 79
84 Authorize Acceptance of Coronavirus Response and Relief Supplemental Appropriation Act 2021 (CRRSA) Grant to defray Operating Costs for Chautauqua County Dunkirk Airport 93
85 Authorize Acceptance of Coronavirus Response and Relief Supplemental Appropriation Act 2021 (CRRSA) Grant to Defray Operating Costs for Chautauqua County Jamestown Airport 94
87 Fiscal Year 2020 Hazardous Materials Emergency Preparedness (HMEP) Grant Program 96
88 Authorizing the Submittal of a New York State Community Development Block Grant Application for Microenterprise Assistance 96
89 Accept Grant Funds from the Community Foundation for Greater Buffalo to Purchase Mobile Trail Counters 97
98 Acceptance of Funds from the FAA for Reconstruction of Taxiway A East Including Associated Drainage and Remarking (Design) at the Chautauqua County Dunkirk Airport 110
99 FY19 Cyber Security Grant Program 111
102 Authorize Execution of New York State Office of Homeland Security and Emergency Services Grant for Explosive Detection Canine Team FY19 114
103 Authorize Execution of New York State Office of Homeland Security and Emergency Services Grant for Bomb Squad Initiative Program FY19 114
108 FY2019 Hazardous Materials Grant Program 117
129 Authorize Acceptance of Aid to Defense Grant 2021-2022 138
130 Authorize Acceptance of 2021-2022 Aid to Prosecution Funds 139
147 Authorize South Chautauqua Lake Sewer District Funding Applications for West Side Extension Phase II, from Stow to Prendergast Creek 175
149 Authorize County to Apply for Grants on Behalf of the North Chautauqua Lake Sewer District for an Inflow and Infiltration Study 177
150 Authorize County to Apply for Grants on Behalf of the Portland Pomfret Dunkirk Sewer District for Inflow and Infiltration (I&I) Studies 178
153 Acceptance of Funds from the FAA for the Rehabilitation of Runway 7-25 (Construction Phase) at the Chautauqua County Jamestown Airport 181
156 Authorize Early Voting Expansion Grant Award from the New York State Board of Elections 184
157 Authorize Technology Innovations and Election Resource Grant Award from the New York State Board of Elections 185
159 Authorize Acceptance of the Gun Involved Violence Elimination ("GIVE") Grant Funds for 2021-2022 187
160 Authorize Execution of New York State Office of Homeland Security Grant for Public Safety Answering Point (PSAP) FY20 187
169 Authorize Acceptance of American Rescue Plan Act of 2021 (ARPA) Grant to Provide Economic Relief for Chautauqua County Dunkirk Airport 202
170 Authorize Acceptance of American Rescue Plan Act of 2021 (ARPA) Grant to Provide Economic Relief for Chautauqua County Jamestown Airport 203
171 Acceptance of Funds from the FAA for Replacement of Snow Removal Equipment (Blower) at the Chautauqua County Dunkirk Airport 204
175 Accept New York State Department of Health Award to Support Nurse Family Partnership 208
176 To Accept New York State Office of Children and Family Services (OCFS) Safe Summer NY 208
191 FEMA Hazard Mitigation Grant Program (HMGP) 226
192 Authorize Execution of New York State Governor's Traffic Safety Committee Grant for the Police Traffic Services Program 227
194 Authorize Grant Application for 2021 Community Development Block Grant Funding through the New York State Homes and Community Renewal Housing Trust Fund Corporation's Office of Community Renewal - Septic and Wells Program 228
195 Amend Chautauqua County Health & Human Services 2021 Adopted Budget for Increased ELC COVID Grant 229
196 Accept New York State Department of Health COVID 19 Vaccine Response Award 230
223 Authorize Execution of State Interoperability Communications Grant Program FY20 272

229 Amend 2021 Budget for New York State Housing Trust Fund Corporation Community Development Block Grant Award 277
247 Probation DCJS Employment Focused Services Grant 297
251 Authorize Execution of NYS Office of Homeland Security FY21 State Law Enforcement Terrorism Prevention Program Grant 299
260 Authorize Acceptance of American Rescue Plan Act of 2021 (ARPA) Grant to Provide Economic Relief for Chautauqua County Dunkirk Airport 306
261 Authorize Acceptance of American Rescue Plan Act of 2021 (ARPA) Grant to Provide Economic Relief for Chautauqua County Jamestown Airport 307
263 Environmental Review for Occupancy Tax for Lakes & Waterways Grant Within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan 309
282 Amend 2021 Budget for MEP Grant Award 334
296 FY2021 State Homeland Security Program (SHSP) 351
297 Authorize Acceptance of 2022 Crimes Against Revenue Program (..... 351
303 Amend 2022 Budget Appropriations to Include Office of Mental Health (OMH) Workforce Block Grant Allocation ... 356
307 Amend Chautauqua County Health & Human Services 2021 Budget For Rollover of Community Development Block Grant - Septic and Wells Program 359
311 Amend 2021 Budget - Clean Energy Community Grant 361

H

HEALTH & HUMAN SERVICES

15 To Authorize Emergency Use Facility and Public Health Mutual Aid Services Agreements with Chautauqua County Municipalities and Other Governmental Entities 15
48 Amend 2020 Budget for Year End Reconciliations - Health & Human Services 44
110 Amend Chautauqua County Health & Human Services 2021 Adopted Budget for Increased Home Energy Assistance Program Costs 118
162 Consolidated Appropriations Act Funding for Older Adults in Chautauqua County 189
163 American Rescue Plan Funding for Older Adults in Chautauqua County 190
175 Accept New York State Department of Health Award to Support Nurse Family Partnership 208
176 To Accept New York State Office of Children and Family Services (OCFS) Safe Summer NY 208
177 Amend Chautauqua County Health & Human Services 2021 Adopted Budget for Increased Preschool Transportation Costs 209
179 Authorizing and Approving a Settlement Agreement in an Action Relating to the Opioid Crisis (J & J) 210
193 Amend Chautauqua County Health & Human Services 2021 Adopted Budget for Employee Benefits Costs 228
195 Amend Chautauqua County Health & Human Services 2021 Adopted Budget for Increased ELC COVID Grant 229
196 Accept New York State Department of Health COVID 19 Vaccine Response Award 230
197 Amend Chautauqua County Health & Human Services 2021 Adopted Budget for New York State Department of Health ELC Reopening Schools Award 230
198 Amend 2021 Budget Appropriations to Include Additional IGT Matching Funds 231
201 Authorizing and Approving a Settlement Agreement in an Action Relating to the Opioid Crisis (Big 3 Distributors) 234
202 American Rescue Plan Act (ARPA) Spending Plan 235
226 Authorize Agreement for Early Intervention Services Program Administration 274
227 Amend Chautauqua Health & Human Services 2021 Adopted Budget for New York State Department of Health Award to Support Nurse Family Partnership 275
253 Amend Chautauqua County Health & Human Services 2021 Adopted Budget for Personal Services and Employee Benefits Costs 300
254 Amend Chautauqua County Health & Human Services 2021 Adopted Budget for Increased Equipment Costs 301
303 Amend 2022 Budget Appropriations to Include Office of Mental Health (OMH) Workforce Block Grant Allocation ... 356
304 To Amend 2022 Budget to Implement the Environmental Permit Fee Waiver Program Project within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan 356
305 Amend 2021 Budget to Implement the Strong Starts Chautauqua Project within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan 357
306 Amend 2022 Budget to Implement the Strong Starts Chautauqua Project within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan 358
307 Amend Chautauqua County Health & Human Services 2021 Budget For Rollover of Community Development Block Grant - Septic and Wells Program 359
308 To Accept National Association of County & City Health Officials (NACCHO) Wastewater Surveillance Mentorship Pilot Program Funding 360
309 Amend Chautauqua County Health & Human Services 2021 Adopted Budget for Contractual Costs - Nursing 360
310 Amend Chautauqua County Health & Human Services 2021 Adopted Budget for Contractual Costs - Environmental Health 361

ALPHABETICAL INDEX

HUMAN RESOURCES
37 Amend 2020 Budget for Year End Reconciliations - Human Resources ... 36
141 Standard Workday and Reporting Resolution ... 148
239 Amend Resolution 141-21 - Standard Workday and Reporting Resolution ... 287
257 Standard Workday and Reporting Resolution ... 303
316 Setting the Salary for Coordinator of Aging Services II ... 365

I

INDUSTRIAL & ECONOMIC DEVELOPMENT
202 American Rescue Plan Act (ARPA) Spending Plan ... 235
INFORMATION TECHNOLOGY
36 Amend 2020 Budget for Year End Reconciliations - Information Technology Services ... 35
99 FY19 Cyber Security Grant Program ... 111
189 MOA with NYS DHSES for Temporary Loan of Interoperable Communications Resources ... 225
213 Amend 2021 Budget to Implement the County Internet Bandwidth Upgrades Project Within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan ... 265
217 Amend 2021 Budget for Capital Project Servicer & Storage Replacement ... 268
286 Renew and Amend Resolution 213-21 to Amend 2021 & 2022 Budgets to Implement the County Internet Bandwidth Upgrades Project within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan ... 338
INSURANCE
40 Amend 2020 Budget for Year End Reconciliations - Health Insurance Fund (M Fund) ... 38
154 Authorizing Contract for 2022 Administration of Chautauqua County Self-Insurance Plan (Workers' Compensation) ... 183
155 Authorizing 2022 Levy of Participant's Share of Chautauqua County Self-Insurance Plan (Workers' Compensation) Costs ... 183
215 Amend 2021 Budget for Liability Insurance ... 266

L

LAKES & WATERWAYS
113 Endorsement of 2021 Chautauqua Lake Memorandum of Understanding ... 121
238 Amend 2021 Budget to Implement the Conewango Dams Project within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan ... 286
LAND BANK
96 Confirm Appointments - Chautauqua County Land Bank Board of Directors ... 109
143 Transfer of Foreclosed Properties to Chautauqua County Land Bank Corporation ... 149
277 Transfer of Foreclosed Properties to Chautauqua County Land Bank Corporation ... 324
LANDFILL
33 Amend 2020 Budget for Year End Reconciliations - Landfill - Environment ... 33
59 Amend Capital Project Budget for Landfill Phase IV Construction ... 52
60 Authorize Continuation of Natural Gas Lease at Chautauqua County Landfill ... 52
281 Amend Landfill and Transfer Station User Fees ... 333
LEASES
60 Authorize Continuation of Natural Gas Lease at Chautauqua County Landfill ... 52
128 Authorize Pre-Order of Leased Vehicles for 2022 ... 138
134 Authorize Lease Agreement with Warwick Plaza,LLC for Office Space for the Chautauqua County Veterans Service Agency ... 142
220 Authorize Lease Agreement with Erie 2-Chautauqua Cattaraugus BOCES at Hewes Educational Center ... 271
221 Authorize Lease Agreement with Erie 2-Chautauqua Cattaraugus BOCES at Phillip J. LoGuidice Educational Center ... 271
246 Authorizing Lease of Office Space in the City of Dunkirk ... 296
249 Authorize Lease of Property for Ten (10) Years from Christopher Cannon for Chautauqua County Radio System ... 298
250 Authorize Execution of NYS Office of Homeland Security Funding Grant - Operation Stonegarden FY21 ... 298
285 Authorize Extension of Lease Agreement with G.H. Graf Building, LLC for Office Space in Dunkirk, New York ... 337
315 Authorize Extension of Lease Agreement for Department of Planning & Development at the BWB Center ... 364
LEGAL
35 Amend 2020 Budget for Year End Reconciliations - Law Department ... 35
LEGISLATURE
01 Appointing Clerk of the Legislature ... 3
02 Appointing Deputy Clerk/Secretary to the Legislature ... 4
03 Designation of Official Newspapers 2021 ... 4

ALPHABETICAL INDEX

04 Delegate Authority to Chairman of Legislature to Correct Errors on Tax Rolls and to Provide Refunds and Credits of Taxes Pursuant to Section 554 and 556 of the Real Property Tax Law 4
111 Designate Chautauqua County Legislature as the Lead Agency Responsible for Environmental Quality Review (SEQR) of Proposed Agricultural District Modifications 119
165 Amend Rules and Regulations of the Chautauqua County Legislature 192
186 Appointment of Johnathan R. Penhollow as Legislator from District 7, North East Town of Chautauqua, Towns of Stockton & Portland and Villages of Brocton & Cassadaga 200
268 Making Appropriations for the Conduct of County Government For Fiscal Year 2022 320

M

MEMORANDUM OF UNDERSTANDING
113 Endorsement of 2021 Chautauqua Lake Memorandum of Understanding 121
MENTAL HYGIENE
50 Amend 2020 & 2021 Budgets for Year End Reconciliations and Grant Equipment Revenue - Mental Hygiene 46

N

NEWSPAPERS
03 Designation of Official Newspapers 2021 4

O

OCCUPANCY TAX
180 Authorize Use of Chautauqua County 2% Occupancy Tax Reserve Funds to Remove Debris from Goose Creek 211
199 Authorize Use of Chautauqua County 2% Occupancy Tax Reserve Funds for Mallard Cove Repairs 232
231 Amend 2021 Occupancy Tax Program Budgets to Include Chautauqua County American Rescue Plan Act (ARPA) Funding 279
255 Co-Fund Lake Erie Weed Harvester 301
263 Environmental Review for Occupancy Tax for Lakes & Waterways Grant Within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan 309

P

PARKS
67 Amend Parks Capital Accounts 65
94 Confirm Appointments - Parks Commission 108
168 Amend 2021 Budget for DPF Parks Division 201
209 Amend 2021 Budget for DPF Parks Division 260
279 Confirm Re-Appointments - Parks Commission 332
PLANNING & DEVELOPMENT
08 Confirm Appointment and Re-Appointments – Chautauqua County Planning Board 9
17 Accept Grant Funding from the Chautauqua Region Foundation to Update the Chautauqua County Agriculture and Farmland Protection Plan 17
18 Authorize Chautauqua County State Grant Application and Commitment of Matching Funds for County Complex Green Infrastructure Retrofit Project 18
19 Authorizing the Adoption of a Section 3 Participation Plan in Connection With Community Development Block Grant Funding 19
74 Authorize Grant Application for 2021 Community Development Block Grant Funding through the New York State Office of Community Renewal - Septic and Wells Program 74
75 Authorizing Public Hearing Regarding a Potential Application for 2021 Community Development Block Grant 75
88 Authorizing the Submittal of a New York State Community Development Block Grant Application for Microenterprise Assistance 96
89 Accept Grant Funds from the Community Foundation for Greater Buffalo to Purchase Mobile Trail Counters 97
136 Amend Resolution 315-17 Regarding Membership of Chautauqua Lake Protection and Rehabilitation Agency 144
137 Approve Updated By Laws for Southern Tier West Regional Planning & Development Board 144
138 Authorize Use of Lake Erie Management Commission Capital Project H.8020.37011 Funds to Co Fund Dunkirk Lighthouse and Veterans Park Museum Perimeter Fence 145
139 Accept Environmental Assessment (SEQRA) of Proposed Agricultural District Modifications 146
140 Determination of Chautauqua County Legislature on Proposed Agricultural District Modifications 147
164 Authorize Use of Lake Erie Management Commission Capital Project J.8020.37011 Funds to Co-Fund Barcelona Harbor Dredging 191
180 Authorize Use of Chautauqua County 2% Occupancy Tax Reserve Funds to Remove Debris from Goose Creek 211

ALPHABETICAL INDEX

182 Amend 2021 Budget - Kayaks Along Chautauqua 214
200 Amend 2021 Budget - Village of Lakewood Loan 233
202 American Rescue Plan Act (ARPA) Spending Plan 235
207 Confirm Appointment - Chautauqua County Planning Board 259
228 Amend 2021 Budget to Implement the Chautauqua County Agricultural Improvement Plan Project within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan 276
229 Amend 2021 Budget for New York State Housing Trust Fund Corporation Community Development Block Grant Award 277
230 Amend 2021 Budget to Implement the Workforce Development Initiative Project within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan 278
232 Amend 2021 Budget to Implement the Support for the Jefferson Project at Chautauqua Lake Project within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan 280
233 Amend 2021 Budget to Implement the Chautauqua County Partnership for Economic Growth (CCPEG) Project within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan 281
234 Amend 2022 Tentative Budget to Develop a Chautauqua Lake District Work Plan Project Within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan 282
235 Amend 2021 Budget to Implement the Marketing Assistance to Businesses and Not-for-Profits Project within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan 283
236 Amend 2021 Budget to Implement the Chautauqua County Site Acquisition for Shovel Ready Sites Project within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan 284
25 Confirm Re-Appointments - Southern Tier West Regional Planning & Development Board 28
255 Co-Fund Lake Erie Weed Harvester 301
258 Amend 2021 Budget to Implement the Upgrades to County Trails Project within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan 304
263 Environmental Review for Occupancy Tax for Lakes & Waterways Grant Within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan 309
281 Amend Landfill and Transfer Station User Fees 333
311 Amend 2021 Budget - Clean Energy Community Grant 361
312 Authorize Agreement with Small Business Development Center at Jamestown Community College 362
313 Authorize Agreement with the County of Chautauqua Industrial Development Agency for Business Development, Promotion, ad Assistance 363
314 Authorize Agreement with County of Chautauqua Industrial Development Agency for Attraction and Development of Tourism Related Businesses 363
315 Authorize Extension of Lease Agreement for Department of Planning & Development at the BWB Center 364

POLICY

288 Financial Management Policy for the County of Chautauqua 339
289 Amend Chautauqua County Purchasing Policy 345

PROBATION

247 Probation DCJS Employment Focused Services Grant 297

PUBLIC DEFENDER

14 Authorize Acceptance of Indigent Legal Services Grant for the Period January 1, 2020 to December 31, 2022 14
20 Confirming 2021 Salary of Public Defender 20
129 Authorize Acceptance of Aid to Defense Grant 2021-2022 138

PUBLIC FACILITIES

18 Authorize Chautauqua County State Grant Application and Commitment of Matching Funds for County Complex Green Infrastructure Retrofit Project 18
30 Amend 2020 Budget for Year End Reconciliations - Public Facilities Road Machinery and Debt Service 31
31 Amend 2020 Budget for Year End Reconciliations - Public Facilities Admin and Snow Removal Co Roads (D Fund) 31
32 Amend 2020 Budget for Year End Reconciliations - Public Facilities (A Fund) 32
52 Amend 2021 Capital Project Account (DPF Large Equipment) 47
68 Authorize Supplemental Agreement No. 1 with NY State DOT for Performance of Federal Aid Project PIN 5761.82 66
97 Amend 2021 Capital Project Account (DPF Large Equipment) 110
122 Reallocating Salary Grade for Bus Driver II 132
123 Adjust D5112 - Capital Improvement Accounts 133
124 Adjust D.5112 Capital Improvement Account Funded Roads 134
125 Request Funding for Repairs to Heating and Cooling Systems at MMB and GOB 135
126 Request Funding for DPF Sheridan Shop Fuel System 136
127 Request Funding for DPF Sherman Shop Fuel System 137
128 Authorize Pre-Order of Leased Vehicles for 2022 138
152 Authorize Agreements with NY State DOT for Performance of Federal Aid Project PIN 5762.56 180
168 Amend 2021 Budget for DPF Parks Division 201

187 Authorization for Agreements with New York State to Maintain Overland Trails 224
188 Amend 2021 Budget for Public Facilities Maintenance of Roads 225
208 Reestablish County Sewer Agency for Proposed Phase 2 Extension of South & Center Chautauqua Lake Sewer Districts 259
209 Amend 2021 Budget for DPF Parks Division 260
210 Amend 2021 Budget to Implement the Purchase of Heavy Equipment Project within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan 261
211 Increase Capital Account for the Replacement of Hangar 3 at the Chautauqua County Dunkirk Airport 262
212 Amend 2021 Budget to Implement the Air Service Development Study Project within Chautauqua County American Rescue Plan Act (ARPA) Spending Plan 263
237 Amend 2021 Budget to Implement the Ag Building Upgrades within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan 285
238 Amend 2021 Budget to Implement the Conewango Dams Project within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan 286
245 Amend 2021 Budget to Implement the LED Lighting Retrofit for Various County Owned Buildings 295
259 Amend 2021 Budget to Implement the HVAC/Indoor Quality Improvements for County Owned Buildings within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan 305
260 Authorize Acceptance of American Rescue Plan Act of 2021 (ARPA) Grant to Provide Economic Relief for Chautauqua County Dunkirk Airport 306
261 Authorize Acceptance of American Rescue Plan Act of 2021 (ARPA) Grant to Provide Economic Relief for Chautauqua County Jamestown Airport 307
280 Reestablish County Sewer Agency for Proposed Extension of North Chautauqua Lake Sewer District 332
282 Amend 2021 Budget for MEP Grant Award 334
283 Amend Resolution 151-21 Authorization Agreement for the Purchase and Removal of County Owned Timber from the Thomas Erlandson Park in the Town of Carroll 335
284 Amend Resolution 152-21 Authorizing Agreement with NY State DOT for Performance of Federal - Aid Project PIN 5726.56 336
285 Authorize Extension of Lease Agreement with G.H. Graf Building, LLC for Office Space in Dunkirk, New York 337

PUBLIC HEARINGS

61 Authorizing Public Hearing regarding the implementation of Chautauqua County's 2019 Community Development Block Grant Program, "Chautauqua Septics and Wells", funded by the New York State Homes and Community Renewal Housing Trust Fund Corporation's Office of Community Renewal 53
62 Authorizing Public Hearing Regarding a Potential Application for 2021 Community Development Block Grant Funding through the New York State Homes and Community Renewal Housing Trust Fund Corporation's Office of Community Renewal and the Uses of Said Funding 54
112 Authorizing Public Hearing Regarding Proposed Modifications to Chautauqua County Agricultural Districts 120
178 Authorizing Public Hearing Regarding a Potential Application for 2021 Community Development Block Grant Funding through the New York State Homes and Community Renewal Housing Trust Fund Corporation's Office of Community Renewal and the Uses of Said Funding 210

Q

QUIT CLAIM DEEDS

92 Quit Claim Deeds 100
142 Quit Claim Deeds 149
166 Quit Claim Deeds 193
185 Quit Claim Deeds 216
203 Quit Claim Deeds 238
241 Amend Resolution 185-21 Regarding Quit Claim Deeds 288

R

REAL PROPERTY

04 Delegate Authority to Chairman of Legislature to Correct Errors on Tax Rolls and to Provide Refunds and Credits of Taxes Pursuant to Section 554 and 556 of the Real Property Tax Law 4
12 Authorizing Sale and Option Agreements for Redevelopment of Roberts Road Properties in the City of Dunkirk 12
13 Denial of Level 3 Applications for Refunds/Credits of Real Property Taxes Form RP 556 for the 2018 Property Tax 13
64 Application for Credit of Real Property Taxes for 2021 55
78 Extend 2020 Tax Foreclosure Redemption Date 77
79 Application for Credit of Real Property Taxes for 2021 77
91 Cleanup and Sale of Tax Foreclosure Property 99
92 Quit Claim Deeds 100

93 Authorize Sale of Tax Foreclosure Property in Village of Silver Creek 100
115 Extend 2020 Tax Foreclosure Redemption Date 122
204 Rescind 2020 Tax Foreclosure Redemption Date and Consolidate 2020, 2021, and 2022 Tax Foreclosure 239
240 Canceling Outstanding Tax Balances on County-Owned Properties and a Property Conveyed to the City of Jamestown 288
276 Fixing Equalization Rates for 2022 323
277 Transfer of Foreclosed Properties to Chautauqua County Land Bank Corporation 324
287 Adjust Accounts for the Real Property Tax Office 339

S

SEQR
10 NCLSD SEQR Determination for Chautauqua Shores and Orchard Terrace I&I Repair 11
111 Designate Chautauqua County Legislature as the Lead Agency Responsible for Environmental Quality Review (SEQR) of Proposed Agricultural District Modifications 119
SEWER & WATER
10 NCLSD SEQR Determination for Chautauqua Shores and Orchard Terrace I&I Repair 11
11 Continuation of Interim Funding for North Chautauqua County Water District 11
27 Amend 2020 Budget for Year End Reconciliations - South & Center Chautauqua Lake Sewer Districts 29
28 Amend 2020 Budget for Year End Reconciliations - Portland, Pomfret, Dunkirk Sewer District 29
29 Amend 2020 Budget for Year End Reconciliations - North Chautauqua Lake Sewer District 30
58 Authorize Acceptance of WIIA Grant with EFC Financing for North Chautauqua County Water District 51
74 Authorize Grant Application for 2021 Community Development Block Grant Funding through the New York State Office of Community Renewal - Septic and Wells Program 74
81 Authorize Grant Agreement with New York State Department of Environmental Conservation for the South Chautauqua Lake West Side Sewer Extension 79
83 Amend 2021 Budget Appropriations to Accommodate New Customer Billing Software for Chautauqua County Sewer Districts 93
135 Designating the North Chautauqua County Water District as the Administrative Head of the North County Industrial Water District No.1 143
147 Authorize South Chautauqua Lake Sewer District Funding Applications for West Side Extension Phase II, from Stow to Prendergast Creek 175
148 Modification of Membership of North Chautauqua Lake Sewer District Board and Portland-Pomfret-Dunkirk Sewer District Board 176
149 Authorize County to Apply for Grants on Behalf of the North Chautauqua Lake Sewer District for an Inflow and Infiltration Study 177
150 Authorize County to Apply for Grants on Behalf of the Portland Pomfret Dunkirk Sewer District for Inflow and Infiltration (I&I) Studies 178
194 Authorize Grant Application for 2021 Community Development Block Grant Funding through the New York State Homes and Community Renewal Housing Trust Fund Corporation's Office of Community Renewal - Septic and Wells Program 228
208 Reestablish County Sewer Agency for Proposed Phase 2 Extension of South & Center Chautauqua Lake Sewer Districts 259
244 Confirm Re-Appointments - North Chautauqua Lake Sewer District Board 295
273 Authorize Tax Levy - North Chautauqua Lake Sewer District 322
274 Authorize Tax Levy - Portland-Pomfret-Dunkirk Sewer Districts 322
275 Authorize Levy of Unpaid Sewer User Charges & Civil Penalties - North, South & Center Chautauqua Lake & Portland-Pomfret-Dunkirk Sewer Districts 323
278 Confirm Appointment & Re-Appointments - North Chautauqua County Water District Administrative Board 331
280 Reestablish County Sewer Agency for Proposed Extension of North Chautauqua Lake Sewer District 332
307 Amend Chautauqua County Health & Human Services 2021 Budget For Rollover of Community Development Block Grant - Septic and Wells Program 359
308 To Accept National Association of County & City Health Officials (NACCHO) Wastewater Surveillance Mentorship Pilot Program Funding 360
SHERIFF
44 Amend 2020 Budget for Year End Reconciliations - Office of the Sheriff 41
51 Amend 2020 & 2021 Budgets for Grant Equipment Revenue - Office of the Sheriff 47
70 Adoption and Certification of New York State Police Reform and Reinvention Collaborative Plan 68
71 Amend 2021 Budget for Grant Expenses - Office of the Sheriff 68
72 Amend 2021 Budget for Capital Project Jail Upgrades 69
86 Authorize Agreement with Monroe County for Security of Inmates at the Rochester Psychiatric Center 2021-2026 95

102 Authorize Execution of New York State Office of Homeland Security and Emergency Services Grant for Explosive Detection Canine Team FY19 114
103 Authorize Execution of New York State Office of Homeland Security and Emergency Services Grant for Bomb Squad Initiative Program FY19 114
104 Amend 2021 Budget for Office of the Sheriff 115
105 Authorize Agreement with Chautauqua-Cattaraugus Erie II BOCES for Culinary Arts Instruction 116
106 Authorize Agreement with Silver Creek Central School District for School Resource Officer 116
107 Authorize Agreement with Town of Hanover for Enhanced Police Protection Services FY21 117
131 Authorize MOU with Homeland Security Investigations for Joinr Operation Participation 140
132 Authorize Agreement with Chautauqua-Cattaraugus Erie II BOCES for Two (2) School Resource Officers 140
132 Authorize Agreement with Chautauqua-Cattaraugus Erie II BOCES for Two(2) School Resource Officers 140
133 Authorize Agreement with Brocton Central School for School Resource Officer 141
159-21 Authorize Acceptance of the Gun Involved Violence Elimination ("GIVE") Grant Funds for 2021-2022 187
160 Authorize Execution of New York State Office of Homeland Security Grant for Public Safety Answering Point (PSAP) FY20 187
184 Approving Labor Contract with Deputy Sheriffs' Association of Chautauqua County (DSACC) 215
190 Amend 2021 Budget for Office of the Sheriff 226
192 Authorize Execution of New York State Governor's Traffic Safety Committee Grant for the Police Traffic Services Program 227
~~218 Amend 2021 Budget to Implement the New Handguns Project within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan~~ 269
219 Amend 2021 Budget to Implement the Body & Mail Scanners Project within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan 270
221 Authorize Lease Agreement with Erie 2-Chautauqua Cattaraugus BOCES at Phillip J. LoGuidice Educational Center 271
222 Authorize Agreement with Forestville Central School for School Resources Officer 272
223 Authorize Execution of State Interoperability Communications Grant Program FY20 272
242 Approving Labor Contract with Chautauqua County Sheriff's Supervisors' Association (CCSSA) 289
250 Authorize Execution of NYS Office of Homeland Security Funding Grant - Operation Stonegarden FY21 298
251 Authorize Execution of NYS Office of Homeland Security FY21 State Law Enforcement Terrorism Prevention Program Grant 299
252 Amend 2021 Budget for Office of the Sheriff 299
262 Amend 2021 Budget to Implement the New Handguns Project within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan 308
299 Authorize Agreements with Various Entities for Enhanced Police Protection Services FY22 353
301 Authorize Agreements with Various Towns for Court Security Services FY22 354
302 Authorize MOU with E2CCA and Chautauqua Lake Central School for Incarcerated Youth Program at the Chautauqua County Jail 355

T

TAXES

04 Delegate Authority to Chairman of Legislature to Correct Errors on Tax Rolls and to Provide Refunds and Credits of Taxes Pursuant to Section 554 and 556 of the Real Property Tax Law 4
64 Application for Credit of Real Property Taxes for 2021 55
65 Application for Credit of Real Property Taxes for 2021 ..... 55, 64
78 Extend 2020 Tax Foreclosure Redemption Date 77
79 Application for Credit of Real Property Taxes for 2021 77
100 Distribution of Mortgage Taxes 112
115 Extend 2020 Tax Foreclosure Redemption Date 122
183 Prospective Cancellation of Uncollectible Tax Liens 214
240 Canceling Outstanding Tax Balances on County-Owned Properties and a Property Conveyed to the City of Jamestown 288
265 Distribution of Mortgage Taxes 312
269 Authorize Tax Levy 320
270 Authorize Levy of Town Taxes 321
271 Authorize Levy of Unpaid Town Charges 322
272 Authorize Levy of Omitted Taxes 322
273 Authorize Tax Levy - North Chautauqua Lake Sewer District 322
274 Authorize Tax Levy - Portland-Pomfret-Dunkirk Sewer Districts 322
275 Authorize Levy of Unpaid Sewer User Charges & Civil Penalties - North, South & Center Chautauqua Lake & Portland-Pomfret-Dunkirk Sewer Districts 323
276 Fixing Equalization Rates for 2022 323

287 Adjust Accounts for the Real Property Tax Office 339
TOURISM
181 Authorize Chautauqua County Visitors Bureau as the Local Tourist Promotion Agency for Matching Funds Program Sponsored by the New York State Division of Tourism 212
314 Authorize Agreement with County of Chautauqua Industrial Development Agency for Attraction and Development of Tourism Related Businesses 363

V

VETERANS
47 Amend 2020 Budget for Year End Reconciliations - Veterans Service Agency 44

ALPHABETICAL INDEX