

Agenda

Audit & Control Committee

**May 21, 2026, 8:35 a.m., Legislative Chambers**

**Livestreamed on YouTube**

Gerace Office Building, Mayville, NY

- A. Call to Order
  - B. Approval of Minutes (04/16/26)
  - C. Privilege of the Floor
1. Renew and Amend Resolution 60-26 – Amend Capital Project Accounts—Jamestown Community College
  2. Local Law Intro 4-26 – A Local Law Amending Local Laws 6-13 and 3-19 of the County of Chautauqua Imposing a Tax on the Occupancy of Hotel and Short Term Rental Rooms and Establishing a Short-Term Rental Registry
  3. Local Law Intro 6-26 – A Local Law Amending Local Law 4-86 as Amended Regarding the Liability and Casualty Reserve Fund and Small Claim Settlements
  4. Local Law Intro 7-26 – A Local Law Amending the Chautauqua County Charter to Eliminate Annual Cost of Living Adjustments for County Legislators
  5. Local Law Intro 8-26 – A Local Law Reducing the Salary for the County Clerk
  6. Proposed Resolution – Authorizing Extension of Lease Agreement for Department of Planning & Development at the BWB Center in Jamestown
  7. Proposed Resolution – Amend 2026 Capital Budget South & Center Chautauqua Lake Sewer Districts
  8. Proposed Resolution – Authorize Agreement Between Chautauqua County and Schultz Airshows, LLC for Air Boss Services for the 2027 Chautauqua County Airshow at Chautauqua County Jamestown Airport
  9. Proposed Resolution – Authorize Ground and Taxiway Lease with Baron North G58 LLC, a Subsidiary of Accent Stripe at Chautauqua County Dunkirk Airport
  10. Proposed Resolution – Amend 2026 Capital Budget for the Replacement of Fire-Destroyed Equipment DPF – Road Machinery
  11. Proposed Resolution – Distribution of Mortgage Taxes
  12. Proposed Resolution – Reallocating Salary Grade for Motor Vehicles Administrator

13. Proposed Resolution – Amend Capital Project Accounts & Establish Capital Contingency Fund - Jamestown Community College
14. Proposed Resolution – Amend 2026 Budget for ARPA Capital Projects
15. Proposed Resolution – Authorize Acceptance of Criminal Justice Discovery and Bail Reform Funding FY 2025-2026
16. Proposed Resolution – Authorize Acceptance of the Statewide Targeted Reductions to Intimate Partner Violence (“STRIVE”) Grant funds for 2026-2027
17. Proposed Resolution – Amend 2026 Budget for the Navigation/Snowmobile Department – Office of the Sheriff
18. Proposed Resolution – Authorize Execution of New York State Office of Homeland Security Funding Grant Explosive Detection Canine Team FY 2023
19. Proposed Resolution – Authorize Execution of New York State Office of Homeland Security Funding Grant Bomb Squad Initiative Grant Program FY2023
20. Proposed Resolution – Authorize Execution of New York State Office of Homeland Security Funding Grant Bomb Squad Initiative Grant Program FY2024
21. Proposed Resolution – Amend 2025 Budget for Year End Reconciliation – Department of Mental Hygiene and Social Services
22. Other –

**\*RENEW & AMEND\***  
**CHAUTAUQUA COUNTY**  
**RESOLUTION NO. 60-26**

**TITLE:** Amend Capital Project Accounts—Jamestown Community College

**BY:** Administrative Services and Audit & Control Committees:

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

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

WHEREAS, the funding needs for an approved project exceed original estimates and an increase of funding is needed before a bid can be awarded; and

WHEREAS, the funding needs for another approved project are less than original estimates; now, therefore, be it

RESOLVED, that the Director of Finance is authorized and directed to make the following amendments to the 2026 Capital Budget:

INCREASE CAPITAL APPROPRIATION ACCOUNT:

HH.992490.00011.4 Contractual-Community College Tuition- Infrastructure Repairs (2021)	<del>-\$115,000</del> <b>\$28,750</b>
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INCREASE CAPITAL REVENUE ACCOUNT:

HH.992490.00011.R503.1000 Interfund Transfer-Interfund Transfer	<del>\$115,000</del> <b>\$28,750</b>
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DECREASE CAPITAL APPROPRIATION ACCOUNT:

HH.992490.00002.4 Contractual-Community College Tuition-Roofs (2020)	<del>\$115,000</del> <b>\$28,750</b>
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DECREASE CAPITAL REVENUE ACCOUNT:

HH.992490.00002.R503.1000 Interfund Transfer-Interfund Transfer	<del>\$115,000</del> <b>\$28,750</b>
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**APPROVED**

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**VETOES (VETO MESSAGE ATTACHED)**

\_\_\_\_\_  
**County Executive**

\_\_\_\_\_  
**Date**

*(Resolution No. 60-26 Originally Adopted – February 25, 2026 – Unanimously Adopted)  
(Potential changes to be amended at the May 27, 2026 Legislature meeting by  
strikethrough and bolded text)*

LOCAL LAW  
INTRODUCTORY NO. 4-26  
CHAUTAUQUA COUNTY

A LOCAL LAW AMENDING LOCAL LAWS 6-13 AND 3-19 OF THE COUNTY OF  
CHAUTAUQUA IMPOSING A TAX ON THE OCCUPANCY OF HOTEL AND SHORT-  
TERM RENTAL ROOMS AND ESTABLISHING A SHORT-TERM RENTAL REGISTRY

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

1. Purpose. On August 7, 2025, Governor Hochul signed into law Chapter 308 of the Laws of 2025, authorizing the County of Chautauqua to continue a 5% tax on the occupancy of hotel rooms until November 30, 2027. Earlier, on February 28, 2025, Governor Hochul signed into law Chapter 99 of the Laws of 2025, which amended Article 12-D of New York’s Real Property Law to establish requirements respecting the creation of short-term rental unit registries by certain covered County governments. That State Law defined as a “covered jurisdiction” every county except for, among other exceptions, “any county . . . that has a registration system for non-covered short-term rental units or short-term rentals of dwelling units or other living or sleeping spaces, with the coverage and requirements of such registration system as established pursuant to local law, where such registry exists as of the effective date of this article.” Real Property Law Section 447-a(1)(e). Chautauqua County has maintained such a registry at least since the promulgation of Local Law 3-19, and therefore is not a “covered jurisdiction” subject to the requirements of New York’s Short-Term Rental Registration scheme.

As a non-covered jurisdiction, Chautauqua County “may continue such registry or registration system and all short-term rental units or non-covered short-term rental units in such county . . . shall only register with such county . . . as provided” by the relevant Local Laws. Real Property Law Section 447-b(6). The County “shall maintain the authority to manage, amend, repeal, and establish requirements and regulations for such existing registries and to impose and collect fines or otherwise enforce violations related to such registries.” Real Property Law Section 447-b(6). The State’s law further permits a non-covered county with its own registration system to establish, amend, and maintain “its own booking service reporting obligations” (Real Property Law Section 447-b(3)(c)) and to maintain, establish, amend, and effectuate “its own penalty system related to such registration system.” Real Property Law Section 447-e(6).

This Local Law serves as a public record of Chautauqua County’s status as a non-covered jurisdiction under Article 12-D of the Real Property Law; establishes a single consolidated Local Law governing occupancy tax and registration requirements in Chautauqua County; and utilizes Chautauqua County’s authority as reaffirmed in Article 12-D of the Real Property Law to effectuate various amendments, including without limitation changes to the definitions of certain terms, changes to the registration process, and the establishment of a re-registration requirement.

2. Amendment of Local Law 6-13 as Amended by Local Law 3-19.

Local Laws 6-13 and 3-19 of the County of Chautauqua are hereby amended by substitution to read as follows:

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SECTION 1. SHORT TITLE

This local law shall be known as the Chautauqua County Occupancy Tax Law.

SECTION 2. INTENT

The intent of this local law shall be to promote Chautauqua County in order to increase tourism and convention business in the County.

SECTION 3. TEXT

1. Definitions
2. Imposition of Tax
3. Transitional Provisions
4. Exempt Organizations
5. Territorial Limitations
6. Registration

7. Administration and Collection
8. Records to be Kept
9. Returns
10. Payment of Tax
11. Determination of Tax
12. Disposition of Revenues
13. Refunds
14. Reserves
15. Remedies Exclusive
16. Proceedings to Recover Tax
17. General Powers of the Director of Finance
18. Administration of Oaths
19. Reference to Tax
20. Penalties and Interest
21. Returns to be Secret
22. Notice of Limitations of Time
23. Separability

1. Definitions.

When used in this local law, the following terms shall mean:

(a) Person. An individual, partnership, society, association, joint stock company, corporation, estate, receiver, trustee, assignee, referee, and any other person acting in a fiduciary or representative capacity, whether appointed by a court or otherwise, and any combination of the foregoing.

(b) Operator. Any person operating a hotel or short term rental unit ~~or motel~~ in the County of Chautauqua. Such term shall include a room remarketer and such room remarketer shall be deemed to operate a hotel or short term rental unit, or portion thereof, with respect to which such person has the rights of a room remarketer, including but not limited to, the owner or proprietor of such premises, lessee, sublessee, mortgagee in possession, licensee, management company, booking service company, or any other person otherwise operating such hotel or short term rental unit. or motel.

(c) Hotel/Motel. A building or portion of it which is regularly used and kept open as such for the lodging of guests. The term "hotel" includes without limitation an apartment hotel, a motel, boarding house or club, whether or not meals are served, which is used for the lodging of guests on an overnight basis for greater than fourteen (14) days per calendar year, and which is advertised in any manner for such use. The term "hotel" or "motel" shall include, but not be limited to, apartment hotels, motor courts or inns, boarding houses, cottages, apartments, condominiums and those facilities designated and commonly known as "bed and breakfast" and "tourist" facilities.

(d) Booking Service. A person or entity who, directly or indirectly:

(1) Provides one or more online, computer or application-based platforms that individually or collectively can be used to:

(i) List or Advertise offers for short-term rentals of short-term rental units, and

(j) Either accept such offers, or reserve or pay for such rentals, and

(2) Charges, collects or receives a fee for the use of such a platform or for the provision of any service in connection with a short-term rental of a short-term rental unit.

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(e) Short Term Rental Unit. An entire dwelling unit, or a room, group of rooms, other living or sleeping space, or any other space within a dwelling, made available for rent by guests for less than thirty (30) consecutive days, where the unit is offered for tourist or transient use by the short-term rental host of the residential unit.

(f) Short Term Rental Host. A person or entity in lawful possession of a short-term rental unit who rents such unit to guests in accordance with this article.

(g) Occupancy. The use or possession, or the right to use or possession of any room in a hotel ~~or motel.~~ or short term rental unit.

(h) Occupant. A person who, for a consideration, uses, possesses, or has the right to use or possess, any room in a hotel or short term rental unit ~~motel~~ under any lease, concession, permit, right of access, license to use or other agreement, or otherwise.

(i) Permanent Resident. Any Occupant of any room or rooms in a hotel or short term rental unit ~~motel~~ for at least ninety (90) thirty (30) consecutive days shall be considered a

permanent resident with regard to the period of such occupancy.

(j) Rent. The consideration received for occupancy, including any service or other charge or amount required to be paid as a condition for occupancy, valued in money, whether received in money or otherwise and whether received or collected by the booking service, operator, or a room remarketer or another person on behalf of any of them, valued in money, whether received in money or otherwise.

(k) Room. Any room or rooms of any kind in any part or portion of a hotel or short term rental unit ~~motel~~, which is available for or let out for any purpose other than a place of assembly.

(l) Return. Any return filed or required to be filed as herein provided.

(m) Director of Finance. The Director of Finance of Chautauqua County.  
~~Booking Company. A person collecting rent for a room or rooms in a hotel/motel via an on-line platform or otherwise, including, but not limited to entities such as Airbnb, FlipKey, Homeaway, VRBO, and realtors.~~

## 2. Imposition of Tax.

~~On and after~~ Effective January 1, 2008 until November 30, ~~2015~~ 2027, there is hereby imposed and there shall be paid a tax of five percent (5%) upon the rent for every occupancy of a room or rooms in a hotel or ~~motel~~ short term rental unit in the County except that the tax shall not be imposed upon (1) a permanent resident, or (2) exempt organizations as hereinafter set forth. Thereafter, the occupancy tax imposed shall continue at to be the maximum percentage amount authorized by the New York State Legislature.

## 3. Transitional Provisions.

The tax imposed by this local law shall be paid upon any occupancy on and after the first day of January, two thousand eight, although such occupancy is pursuant to a prior contract, lease or other arrangement. Where rent is paid on a weekly, monthly, or other term basis, the rent shall be subject to the tax imposed by this local law to the extent that it covers any period on and after the first day of January, two thousand eight.

## 4. Exempt Organizations.

(a) Except as otherwise provided in this section, any use or occupancy by any of the following shall not be subject to the tax imposed by this local law.

(1) The State of New York, or any public corporation (including a public corporation created pursuant to agreement or compact with another state or the Dominion of Canada), improvement district or other political subdivision of the State;

(2) The United States of America, insofar as it is immune from taxation;

(3) Any corporation, or association, or trust, or community chest, fund or foundation, organized and operated exclusively for religious, charitable, or educational purposes, or for the prevention of cruelty to children or animals, and no part of the net earnings of which inures to the benefit of any private shareholder or individual and no substantial part of the activities of which is carrying on propaganda, or otherwise attempting to influence legislation; provided, however, that nothing in this paragraph shall include an organization operated for the primary purpose of carrying on a trade or business for profit, whether or not all of its profits are payable to one or more organizations described in this paragraph.

(b) Where any organization described in paragraph (3) of subdivision (a) of this subsection carries on its activities in furtherance of the purposes for which it was organized, in premises in which, as part of said activities, it operates a hotel or ~~motel~~ short term rental unit,<sup>3</sup> occupancy of rooms in the premises and rents therefrom received by such corporation or association shall not be subject to tax hereunder.

## 5. Territorial Limitations.

The tax imposed by this local law shall apply only within the territorial limits of the County of Chautauqua.

## 6. Registration.

~~(a) Within ten (10) days after the effective date of this local law, or in the case of Operators commencing business after such effective date, within three (3) days after such commencement or opening~~ Prior to commencing business, every Operator shall obtain from file with the Director of Finance a certificate of registration in a form prescribed by the Director of Finance. The Director of Finance shall within five (5) days after such registration issue without charge to each Operator a certificate of authority empowering such Operator to collect the tax

from the Occupant. For Operators other than booking ~~services, companies,~~ a duplicate certificate will be issued for each ~~additional~~ hotel or ~~motel~~ short term rental unit of such Operator. ~~Except in the case of certificates issued to companies, e~~Each certificate or duplicate shall state the hotel or ~~motel~~ short term rental unit to which it is applicable. Such certificate of authority shall be prominently displayed by the Operator in such manner that it may be seen and come to the notice of all Occupants and persons seeking occupancy. Such certificate shall be non-assignable and non-transferable and shall be surrendered immediately to the Director of Finance upon the cessation of business at the hotel(s) or ~~motel~~ short term rental unit(s) for which it is being issued or upon the sale or transfer of a named hotel or ~~motel~~ short term rental unit. As of the effective date of this Local Law, all pre-existing and newly-issued Certificates of Authority shall remain valid until December 31, 2028. Thereafter, all newly-issued Certificates of Authority shall remain valid until the next December 31 of an even-numbered year. As such, after December 31, 2028, Certificates of Authority issued in an even-numbered year will remain valid until December 31 of that same even-numbered year. Operators who wish to retain a valid Certificate of Authority must reapply by obtaining a new certificate of registration consistent with this section. Operators must maintain a valid Certificate of Authority at all times.

(b) When applying for a Certificate of Authority consistent with the foregoing subsection, Short Term Rental Operators shall affirm, to the best of their knowledge, that each of their short term rental units:

1. Is registered pursuant to this Local Law or is the subject of the instant certificate of registration or another submitted or pending certificate of registration;
2. Includes a conspicuously posted evacuation diagram identifying all means of egress from the unit and the building in which is it located;
3. Includes a conspicuously posted list of emergency phone numbers for police, fire, and poison control;
4. Has a working fire-extinguisher;
5. Is in compliance with any other applicable health and safety requirements or any other regulatory requirements;
6. Is not otherwise prohibited from operating as a short-term rental unit by federal, state, or local law, rules, or regulations.

#### 7. Administration and Collection.

(a) The tax imposed by this local law shall be administered and collected by the Director of Finance, or such other fiscal officers of the County as he or she may designate, by such means and in such manner as other taxes which are now collected and administered by such officers or as otherwise provided by this local law.

(b) The tax to be collected shall be stated and charged separately from the rent and shown separately on any record thereof, at the time when the occupancy is arranged or contracted for and charged for, and upon every evidence of occupancy or any bill or statement or charge made for said occupancy issued or delivered by the Operator. The tax shall be paid by the Occupant to the Operator as trustee for and on account of the County, and the Operator shall be personally liable for the tax collected or required to be collected under this local law. The Operator shall have the same right in respect to collecting the tax from the Occupant, or in respect to nonpayment of the tax by the Occupant as if the tax were a part of the rent for the occupancy payable at the time such tax shall become due and owing, including all rights of eviction, dispossession, repossession, and enforcement of any innkeeper's lien that s/he may have in the event of non-payment of rent by the Occupant; provided, however, that the Director of Finance or other fiscal officer or officers, employees or agents duly designated by him or her shall be joined as a party in any action or proceeding brought by the Operator to collect or enforce collection of the tax.

~~(c) Where the Occupant has failed to pay and the Operator has failed to collect a tax as imposed by this local law, then in addition to all other rights, obligations and remedies provided, such tax shall be payable by the Occupant directly to the Director of Finance, and it shall be the duty of the Occupant to file a return thereof with the Director of Finance and to pay the tax imposed thereon to the County Director of Finance within fifteen (15) days after such tax was due.~~

~~(d) The Director of Finance may, whenever he or she deems it necessary for the proper enforcement of this local law, provide by regulation that the Occupant shall file returns and pay directly to the Director of Finance the tax herein imposed, at such times as returns are required to be filed and payment made over by the Operator.~~

~~(e) The tax imposed by this local law shall be paid upon any occupancy on and after January 1, 2008, although such occupancy is had pursuant to a contract, lease or other~~

arrangement made prior to such date. Where rent is paid or charged or billed, or falls due on either a weekly, monthly or other term basis, the rent so paid, charged, billed or falling due shall be subject to the tax herein imposed to the extent that it covers any portion of the period on and after January 1, 2008. Where any tax has been paid hereunder upon any rent which has been ascertained to be worthless, the Director of Finance may by regulation provide for credit and/or refund of the amount of such tax upon application therefor as provided in subsection thirteen of Section 3 this local law.

(df) For the purpose of the proper administration of this local law and to prevent evasion of the tax hereby imposed, it shall be presumed that all rents are subject to tax until the contrary is established, and the burden of proving that a rent for occupancy is not taxable hereunder shall be upon the Operator, except that, where by regulation pursuant to subdivision seven (d) of this section, an Occupant is required to file returns and pay directly to the Director of Finance the tax herein imposed, the burden of proving that a rent for occupancy is not taxable shall be upon the Occupant. Where an Occupant claims exemption from the tax under the provisions of subdivision four of this section, the rent shall be deemed taxable hereunder unless the Operator shall receive from the Occupant claiming such exemption a certificate duly executed by an exempt corporation or association certifying that the Occupant is its agent, representative, or employee, together with a certificate executed by the Occupant that ~~his~~ their occupancy is paid or to be paid by such exempt corporation or association, and is necessary or required in the course of or in connection with the Occupant's duties as a representative of such corporation or association. Where deemed necessary by the Operator, he may further require that any Occupant claiming exemption from the tax furnish a copy of a certificate issued by the Director of Finance of the Occupant, certifying that the corporation or association herein named is exempt from the tax under subdivision four of this section.

(eg) When a person rents room(s) through a booking ~~company~~ service, the person and the booking ~~company~~ service are deemed to be co-Operators, but it shall be permissible for a booking ~~company~~ service to file tax returns and make payment of tax on behalf of the person as to rental transactions handled by the booking ~~company~~ service. With the approval of the County Executive, a booking ~~company~~ service may make payment of tax on behalf of a person without filing a tax return, and without specifically identifying the person(s) upon whose behalf the tax was paid, but in such case, the person(s) for whom the booking ~~company~~ service paid the tax shall remain responsible for filing a tax return indicating the amount of tax expected to be paid by the booking ~~company~~ service.

#### 8. Records to be Kept.

Every Operator shall keep records of every occupancy and of all rent paid, charged or due thereon and of the tax payable thereon, in such form as the Director of Finance may by regulation require. Such records shall be available for inspection and examination at any time upon demand by the Director of Finance or ~~his or her~~ their duly authorized agent or employee and shall be preserved for a period of three (3) years, except that the Director of Finance may consent to their destruction within that period or may require that they be kept longer.

#### 9. Returns.

(a) Every Operator shall file with the Director of Finance a return of occupancy and of rents, ~~and of the taxes payable thereon~~ for the periods ending the last day of March, June, September and December of each year, on and after April 1, 2008. ~~first, two thousand eight.~~ Such returns shall be filed within ~~twenty (20)~~ thirty (30) days from the expiration of the period covered thereby. The Director of Finance may permit or require returns to be made by other <sup>5</sup> periods and upon such dates as he or she may specify. Taxes payable upon such returns shall be paid on a quarterly basis. If the Director of Finance deems it necessary in order to ensure the payment of the tax imposed by this local law, he or she may require returns and/or tax payments for a particular registrant to be made for shorter periods than those prescribed pursuant to the foregoing provisions of this section and upon such dates as he or she may specify.

(b) The forms of returns shall be prescribed by the Director of Finance and shall contain such information as he or she may deem necessary for the proper administration of this local law. The Director of Finance may require amended returns to be filed within ~~twenty (20)~~ thirty (30) days after issuance of a notice of error or deficiency in a return.

(c) If a return required by this local law is not filed, or a return when filed is incorrect or insufficient on its face, the Director of Finance shall take the necessary steps to enforce the filing of such a return or of a corrected return.

#### 10. Payment of Tax.

At the time of filing a return of occupancy and of rents each Operator shall pay to the

Director of Finance the taxes imposed by this local law upon the rents required to be included in such return, as well as all other moneys collected by the Operator acting or purporting to act under the provisions of this local law even though it be judicially determined that the tax collected is invalidly required to be billed. All taxes shall be due from the Operator and payable to the Director of Finance by the date specified for the filing of the return for such period, without regard for whether a return is filed or whether the return which is filed correctly shows the amount of rents and the taxes due thereon. Where the Director or Finance in ~~his or her~~ their discretion deems it necessary to protect revenues to be obtained under this local law he or she may require any Operator which is required to collect the tax imposed by this local law to file with the County a bond, issued by a surety company authorized to transact business in this state and approved by the superintendent of insurance of this state as to solvency and responsibility, in such amount as the Director of Finance may fix to secure the payment of any tax and/or penalties and interest due or which may become due from such Operator. In the event that the Director or Finance determines that an Operator is to file such bond, he or she shall give notice to such Operator to that effect specifying the amount of the bond required. The Operator shall file such bond within fifteen (15) days after the giving of such notice, unless within such fifteen (15) days the Operator shall request in writing a hearing before the Director of Finance at which the necessity, propriety and amount of the bond shall be determined by the Director of Finance. Such determination shall be final and shall be complied with within fifteen (15) days after the giving of notice of the determination. In lieu of such bond, securities approved by the Director of Finance or cash in such amount as he or she may prescribe, may be deposited with and kept in the custody of the Director of Finance who may at any time without notice to the depositor apply them to any tax and/or interest or penalties due, and for that purpose the securities may be sold by him or her at public or private sale without notice to the depositor thereof.

11. Determination of Tax.

If a return required by this local law is not filed, or if a return when filed is incorrect or insufficient, the amount of tax due shall be determined by the Director of Finance from such information as may be obtainable and, if necessary, the tax may be estimated on the basis of external indices, such as number of rooms, location, scale of rents, comparable rents, type of accommodations and service, number of employees and/or other factors. Notice of such determination shall be given to the person liable for the collection and/or payment of the tax.

Such determination shall finally and irrevocably fix the tax unless, within thirty (30) days of the date of issuance of notice of such determination, the person against whom it is assessed applies to the Director of Finance for a hearing, or unless the Director of Finance of ~~his or her~~ their own motion re-determines the same. After such hearing or re-determination, the Director of Finance shall give notice of ~~his or her~~ their final determination to the person against whom the tax is assessed.

The final determination of the Director of Finance shall be reviewable for errors, illegality or unconstitutionality or any other reason whatsoever, by proceeding under article seventy-eight of the Civil Practice Law and Rules. Such application shall be made to the Supreme Court no later than thirty (30) days after the giving of the notice of such final determination. A proceeding under article seventy-eight of the Civil Practice Law and Practice Law and Rules of the State of New York shall not be instituted unless:

(a) the amount of any tax sought to be reviewed, with penalties and interest, if any, shall be first deposited with the Director of Finance and there shall be filed with the Director of Finance an undertaking, issued by a surety company authorized to transact business in this state and approved by the superintendent of insurance of this state as to solvency and responsibility, in such amount as a justice of the Supreme Court shall approve to the effect that if such proceeding<sup>6</sup> be dismissed or the tax confirmed, the petitioner will pay all costs and charges which may accrue in the prosecution of the proceeding; or

(b) at the option of the applicant, such undertaking filed with the Director of Finance may be in a sum sufficient to cover the taxes, penalties and interest stated in the final determination plus the costs and charges which may accrue against it in the prosecution of the proceeding in such amount as a justice of the Supreme Court shall approve, in which event the applicant shall not be required to deposit such taxes, penalties and interest as a condition precedent to the application.

12. Disposition of Revenues.

All revenues resulting from the imposition of the occupancy tax of five percent (5%) shall be allocated for any of the purposes and uses authorized by Section 1202-j of the New York State Tax Law, as it may be amended from time to time, and such resolutions as may be adopted by the County Legislature consistent therewith, ~~including, but not limited to, the retention of up-~~

to a maximum of ten (10) percent of such revenue to defer the necessary expenses of the County in administering such tax and such programs.

13. Refunds.

(a) In the manner provided in this section the Director of Finance shall refund or credit, without interest, any tax, penalty or interest erroneously, illegally or unconstitutionally collected or paid if written application to the Director of Finance for such refund shall be made within one (1) year from the payment thereof. Whenever a refund is made by the Director of Finance, he or she shall state ~~his or her~~ their reason therefore in writing. Such application may be made by the Occupant, Operator or other person who has actually paid the tax. Such application may also be made by an Operator who has collected and paid over such tax to the Director of Finance provided the application is made within one (1) year of the payment by the Occupant to the Operator, but no actual refund of moneys shall be made to such Operator until he or she shall first establish to the satisfaction of the Director of Finance, under such regulations as the Director of Finance may prescribe, that he or she has repaid to the Occupant the amount for which the application for refund is made. The Director of Finance may, in lieu of any refund required to be made, establish the refund as a credit in applicant's name.

(b) An application for a refund or credit made as herein provided shall be deemed an application for a revision of any tax, penalty or interest complained of and the Director of Finance may receive evidence with respect thereto. After making ~~his or her~~ their determination, the Director of Finance shall give notice thereof to the applicant. The applicant shall be entitled to a review of such determination by a proceeding pursuant to article seventy-eight of the Civil Practice Law and Rules, provided such proceeding is instituted within thirty (30) days after the giving of notice of such determination, and provided that a final determination of tax due was not previously made. Such a proceeding shall not be instituted unless an undertaking is filed with the Director of Finance in such amount and with such sureties as a justice of the Supreme Court shall approve to the effect that if such proceeding be dismissed or the tax confirmed, the petitioner will pay all costs and charges which may accrue in the prosecution of such proceeding.

(c) A person shall not be entitled to a revision, refund or credit under this subsection of a tax, interest or penalty which had been determined to be due pursuant to the provisions of subsection eleven of Section 3 of this local law where he or she has had a hearing or an opportunity for a hearing, as provided in said section or has failed to avail ~~himself or herself~~ themselves of the remedies therein provided. No refund or credit shall be made of a tax, interest or penalty paid after a determination by the Director of Finance made pursuant to subsection eleven of Section 3 of this local law unless it be found that such determination by the Director of Finance was erroneous, illegal or unconstitutional or otherwise improper after a hearing or of ~~his or her~~ their own motion or in a proceeding under article seventy-eight of the Civil Practice Law and Rules, pursuant to the provisions of said subsection, in which event refund or credit without interest shall be made of the tax, credit or penalty found to have been overpaid.

14. Reserves.

In cases where the Occupant or Operator has applied for a refund and has instituted a proceeding under article seventy-eight of the Civil Practice Law and Rules to review a determination adverse to ~~him or on his or her~~ the Occupant or Operator or their application for refund, the Director of Finance shall set up appropriate reserves to meet any decision adverse to the County.

15. Remedies Exclusive.

The remedies provided by subsections eleven and thirteen of Section 3 of this local law<sup>7</sup> shall be the exclusive remedies available to any person for the review of tax liability imposed by this local law, and no determination or proposed determination of tax or determination on any application for refund shall be enjoined or reviewed by an action for declaratory judgment, an action for money had and received or by any action or proceeding other than a proceeding in a nature of a certiorari proceeding under article seventy-eight of the Civil Practice Law and Rules, provided, however, that a taxpayer may proceed by declaratory judgment if he or she institutes suit within thirty (30) days after notice of a deficiency assessment is made and pays the amount of the deficiency assessment to the Director of Finance prior to the institution of such suit and posts a bond for costs as provided in subsection eleven of Section 3 of this local law.

16. Proceedings to Recover Tax.

(a) Whenever there is a failure to collect and pay over any tax and/or pay any tax, penalty or interest imposed by this local law as herein provided, the County Attorney shall, upon the request of the Director of Finance bring or cause to be brought an action against the entity

named in the Certificate of Registration, and/or any Operator, officer, Occupant or other responsible person, to enforce the payment of the same on behalf of the County of Chautauqua in any court of the State of New York, or of any other state or of the United States.

(b) As an additional or alternative remedy, the Director of Finance may issue a warrant against the entity named in the Certificate of Registration, and/or any Operator, officer, Occupant or other responsible person, following the procedure set forth in Paragraph (c) of this subsection, directed to the Sheriff and commanding ~~him~~ them to levy upon and sell the real and personal property of the entity named in the Certificate of Registration, and/or any Operator, officer, Occupant or other responsible person liable for the tax.

(c) A warrant issued as provided for in Paragraph (b) of this subsection shall be directed to the Sheriff and shall command the Sheriff to levy upon and sell the real estate, bank accounts and other assets which may be found in this County and which belong to the individual(s) and entity named in the warrant, for payment of the amount of the warrant including any penalties and interest, and the cost of executing the warrant, and to return such warrant to the Director of Finance and to pay him or her the money collected by virtue thereof within sixty (60) days after the receipt of such warrant.

The Sheriff shall within five (5) days after the receipt of the warrant file with the County Clerk a copy thereof, and thereupon such Clerk shall enter in the judgment docket the name of the person or entity named in the warrant and the amount of the tax, penalties and interest for which the warrant is issued and the date when such copy is filed. Thereupon the amount of such warrant so docketed shall become a lien upon the interest in real and personal property of the person against whom the warrant is issued. The Sheriff shall then proceed upon the warrant, in the same manner, and with like effect, as that provided by law in respect to executions issued against property judgments of a court of record and for services in executing the warrant he shall be entitled to the same fees, which he may collect in the same manner.

A copy of the warrant entered in the County Clerk's office shall be mailed to the subject of the warrant by the Director of Finance, using First-Class mail with a Certificate of Mailing, within ten (10) days of the entry of the warrant by the Clerk.

In the discretion of the Director of Finance, a warrant of like terms, force and effect may be issued and directed to any officer or employee of the Director of Finance and in the execution thereof such officer or employee shall have all the powers conferred by law upon the Sheriff, but shall be entitled to no fee or compensation in excess of the actual expenses paid in the performance of such duty. If a warrant is returned not satisfied in full, the Director of Finance may from time to time issue new warrants and shall also have the same remedies to enforce the amount due thereunder as if the County has recovered judgment therefore and execution thereon has been returned unsatisfied.

(d) Whenever an Operator shall make a sale, transfer, or assignment of any part or the whole of ~~his~~ their hotel or ~~motel~~ short term rental unit or ~~his~~ their lease, license or other agreement or right to possess or operate such hotel or ~~motel~~ short term rental unit or of the equipment, furnishings, fixtures, supplies or stock of merchandise, or the said premises or lease, license or other agreement or right to possess or operate such hotel or ~~motel~~ short term rental unit and the equipment, furnishings, fixtures, supplies and stock of merchandise pertaining to the conduct or operation of said hotel or ~~motel~~ short term rental unit, otherwise than in the ordinary and regular prosecution of business, the purchaser, transferee or assignee shall at least ten (10) days before taking possession of the subject of the sale, transfer or assignment, or paying therefore, notify the Director of Finance by registered mail of the proposed sale and of the price, terms and conditions thereof whether or not the seller, transferor or assignor, has represented to or informed the purchaser, transferee or assignee that it owes any tax pursuant to this local law,<sup>g</sup> and whether or not the purchaser, transferee or assignee has knowledge that such taxes are owing, and whether any such taxes are in fact owing.

Whenever the purchaser, transferee or assignee shall fail to give notice to the Director of Finance as required by the preceding paragraph or whenever the Director of Finance shall inform the purchaser, transferee or assignee that a possible claim for such tax or taxes exists, any sums of money, property or choses in action, or other consideration, which the purchaser, transferee or assignee is required to transfer over to the seller, transferor or assignor shall be subject to a first priority right and lien for any such taxes theretofore or thereafter determined to be due from the seller, transferor or assignor to the County, and the purchaser, transferee or assignee is forbidden to transfer to the seller, transferor or assignor any such sums of money, property or choses in action to the extent of the amount of the County's claim. For failure to comply with the provisions of this subdivision, the purchaser, transferee or assignee, in addition to being subject to the liabilities and remedies imposed under the provisions of article six of the Uniform Commercial Code, shall be personally liable for the payment to the County of any such taxes theretofore or thereafter determined to be due to the County from the seller, transferor, or

assignor, and such liability may be assessed and enforced in the same manner as the liability for tax under this local law.

17. General Powers of the Director of Finance.

(a) In addition to the powers granted to the Director of Finance in this local law, he or she is hereby authorized and empowered:

1. To make, adopt and amend rules and regulations appropriate to the carrying out of this local law and the purposes thereof;
2. To extend for good cause shown, the time of filing any return for a period not exceeding thirty (30) days; and if in the best interest of the County, to remit penalties and interest; and to compromise disputed claims in connection with the taxes hereby imposed;
3. To request information from the Tax Commissioner of the State of New York or the Treasury Department of the United States relative to any person; and to afford information to such tax commission or such treasury department relative to any person, any other provision of this local law to the contrary notwithstanding;
4. To delegate ~~his or her~~ their functions hereunder to a deputy Director of Finance or any employee or employees of the Department of Finance;
5. To prescribe methods for determining the rents for occupancy and to determine the taxable and non-taxable rents;
6. To require any Operator within the County, whether or not any occupancy is claimed to be subject to the tax imposed by this local law, to keep detailed records of the nature and type of hotel or short term rental unit maintained, nature and type of service rendered, the rooms available and rooms occupied daily, leases or occupancy contracts or arrangements, rents received, charged and accrued, the names and addresses of the Occupants, and to furnish such information upon request to the Director of Finance;
7. To assess, determine, revise and readjust the taxes imposed under this local law.

18. Administration of Oaths and Compelling Testimony.

(a) The Director of Finance or ~~his or her~~ their employees or agents duly designated and authorized by him or her shall have power to administer oaths and take affidavits in relation to any matter or proceeding in the exercise of their powers and duties under this local law. The Director of Finance shall have power to subpoena and require the attendance of witnesses and the production of books, papers, and documents to secure information pertinent to the performance of ~~his or her~~ their duties hereunder and to the enforcement of this local law and to examine them in relation thereto, and to issue commissions for the examination of witnesses who are out of the state or unable to attend before him or her, or excused from attendance.

(b) A justice of the Supreme Court either in court or at chambers shall have power summarily to enforce by proper proceedings the attendance and testimony of witnesses and the production and examination of books, papers and documents called for by the subpoena of the Director of Finance under this local law.

(c) Any person who shall refuse to testify or to produce books or records or who shall testify falsely in any material matter pending before the Director of Finance under this local law shall be guilty of a misdemeanor, punishment for which shall be a fine of one thousand dollars (\$1,000.00) or imprisonment for not more than one (1) year, or both such fine and imprisonment.

(d) The officers who serve the summons or subpoena of the Director of Finance, and witnesses attending in response thereto, shall be entitled to the same fees as are allowed to officers and witnesses in civil cases in courts of record, except as otherwise provided herein. <sup>9</sup> Such officers shall be the County Sheriff and ~~his or her~~ their duly appointed deputies or any officers or employees of the Department of Finance, designated to serve such process.

19. Reference to Tax.

Whenever reference is made in placards or advertisements or in any other publications to this tax, such reference shall be substantially in the following form: "Tax on occupancy of hotel ~~or motel~~ short term rental unit rooms", except that in any bill, receipt, statement or other evidence or memorandum of occupancy or rent charge issued or employed by the Operator, the words "occupancy tax" will suffice.

20. Penalties and Interest.

(a) Any person failing to file a return or to pay over any tax to the Director of Finance within the time required by this local law shall be subject to a penalty of ten percent (10%) of the amount of tax due; plus interest at the rate of one percent (1%) of such tax for each month of

delay excepting the first month after such return was required to be filed or such tax became due; but the Director of Finance, if satisfied that the delay was excusable, may remit all or any part of such penalty or interest. Such penalties and interest shall be paid and disposed of in the same manner as other revenues from this local law. Unpaid penalties and interest may be enforced in the same manner as the tax imposed by this local law.

(b) Any Operator or Occupant and any officer of a corporate Operator or Occupant failing to file a return required by this local law, or filing or causing to be filed, or making or causing to be made or giving or causing to be given any return, certificate, affidavit, representation, information, testimony, or statement required or authorized by this local law, which is willfully false, and any Operator and any officer of a corporate Operator willfully failing to file a bond required to be filed pursuant to subsection eleven of Section 3 of this local law, or failing to file a registration certificate and such data in connection therewith as the Director or Finance may by regulation or otherwise require or to display or surrender the certificate of authority as required by this local law or assigning or transferring such certificate of authority and any Operator and any officer of a corporate Operator willfully failing to charge separately from the rent the tax herein imposed, or willfully failing to state such tax separately on any evidence or occupancy and on any bill or statement or receipt or rent issued or employed by the Operator, or willfully failing or refusing to collect such tax from the Occupant, and any Operator and any officer of a corporate Operator who shall refer or cause reference to be made to this tax in a form or manner other than that required by this local law, and any Operator failing to keep the records required by subsection eight of Section 3 of this local law, shall, in addition to the penalties herein or elsewhere prescribed, be guilty of a misdemeanor, punishment for which shall be a fine of not more than one thousand dollars (\$1,000.00) or imprisonment for not more than one (1) year, or both such fine and imprisonment. Officers of a corporate Operator shall be personally liable for the tax collected or required to be collected by such corporation under this local law, and subject to the penalties herein above imposed.

(c) The certificate of the Director of Finance to the effect that a tax has not been paid, that a return, bond or registration certificate has not been filed, or that information has not been supplied pursuant to the provisions of this local law, shall be presumptive evidence thereof.

## 21. Returns to be Secret.

(a) Except in accordance with proper judicial order, or as otherwise provided by law, it shall be unlawful for the Director of Finance or any officer or employee of the Department of Finance to divulge or make known in any manner the rents or other information relating to the business of a taxpayer contained in any return required under this local law. The officers charged with the custody of such returns shall not be required to produce any of them or evidence of anything contained in them in any action or proceeding in any court, except on behalf of the Director of Finance in an action or proceeding under the provisions of this local law, or on behalf of any party to any action or proceeding under the provisions of this local law when the returns or facts shown thereby are directly involved in such action or proceeding, in either of which events the court may require the production of, and may admit in evidence, so much of said returns or of the facts shown thereby, as are pertinent to the action or proceeding and no more. Nothing herein shall be construed to prohibit the delivery to a taxpayer or ~~his or her~~ their duly authorized representative of a certified copy of any return filed in connection with ~~his~~ their tax nor to prohibit the publication of statistics so classified as to prevent the identification of particular returns and the items thereof, or the inspection by the County Attorney or other legal representatives of the County or the District Attorney of the return of any taxpayer who shall bring action to set aside or review the tax based thereon, or against whom an action or proceeding has been instituted for the collection of a tax or penalty, or whom is the <sup>10</sup> subject of a pending criminal investigation. Returns shall be preserved for three (3) years and thereafter until the Director of Finance permits them to be destroyed.

(b) Any violation of subdivision (a) of this subsection shall be punishable by a fine not exceeding one thousand dollars (\$1,000.00) or by imprisonment not exceeding one (1) year or both, in the discretion of the court.

## 22. Notices and Limitations of Time.

(a) Any notice authorized or required under the provisions of this local law may be given by mailing the same to the person for whom it is intended in a postpaid envelope addressed to such person at the address given in the last return filed by him or her pursuant to the provisions of this local law, or in any application made by him or her, or if no return has been filed or application made, then to such address as may be obtainable. Mailing shall be made by First-Class mail with a Certificate of Mailing. The mailing of such notice shall be presumptive evidence of the receipt of the same by the person to whom addressed. Any period of time which

is determined according to the provisions of this local law by the giving of notice shall commence to run from the date of mailing of such notice.

(b) The provisions of the Civil Practice Law and Rules or any other law relative to limitations of time for the enforcement of a civil remedy shall not apply to any proceeding or action taken by the County to levy, appraise, assess, determine or enforce the collection of any tax or penalty provided by this local law. However, except in the case of a willfully false or fraudulent return with intent to evade the tax, no assessment of additional tax shall be made after the expiration of more than three (3) years from the date of the filing of a return; provided, however, that where no return has been filed as provided by law the tax may be assessed at any time.

(b) Where, before the expiration of the period prescribed herein for the assessment of an additional tax, a taxpayer has consented in writing that such period be extended, the amount of such additional tax due may be determined at any time within such extended period. The period so extended may be further extended by subsequent consents in writing made before the expiration of the extended period.

23. Separability.

If any provisions of this local law, or the application thereof to any person or circumstances, is held invalid, the remainder of this local law, and the application of such provisions to other persons or circumstances, shall not be affected thereby.

Section 3. Effective Date. This Local Law shall take effect upon filing with the Secretary of State.

Sponsor: Legislator Scudder

LOCAL LAW  
INTRODUCTORY NO. 6-26  
CHAUTAUQUA COUNTY

A LOCAL LAW AMENDING LOCAL LAW 4-86 AS AMENDED REGARDING THE  
LIABILITY AND CASUALTY RESERVE FUND AND SMALL CLAIM SETTLEMENTS

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

1. Amendment of Local Law 4-86 as Amended by Local Laws 5-88 and 1-02.

Local Law 4-86 of the County of Chautauqua, as amended by Local Laws 5-88 and 1-02, is hereby amended by substitution to read as follows:

Section 1. Purpose. The purpose of this Local Law is to establish a liability and casualty reserve fund in accordance with Section 6-n of the New York State General Municipal Law.

Section 2. Reserve Fund. The Chautauqua County Legislature hereby establishes a reserve fund to be known as the Liability and Casualty Reserve Fund. There may be paid into such fund such amounts as may be provided by budgetary appropriations, amounts from other funds authorized by the General Municipal Law by resolution subject to permissive referendum, and such other funds as may be legally appropriated, The cash balance of such fund as the end of any fiscal year shall not exceed the greater of \$100,000 or 5% of the total budget for such fiscal year and the amount paid into such fund during any fiscal year, or such other amounts as may from time-to-time be authorized by the General Municipal Law. The monies ~~in~~ is such fund shall be deposited in one or more banks or trust companies designated in the manner provided by law as depositories of the funds of the County of Chautauqua.

Section 3. Administration. The Liability and Casualty Reserve Fund shall be administered by the County Executive or his duly authorized subordinate subject to the terms and conditions hereof.

Section 4. Payment of Claims. An expenditure can be made from the fund for the payment of all or a part of the cost, including interest, of judgements; actions and uninsured portion of any loss to property owned by the County of Chautauqua to the extend authorized by law; expert and professional services rendered in connection with the investigation, adjustment or settlement of claims, actions or judgements; and such other expenditures as may be authorize by law. For the purpose of this Local Law, the terms "judgement", "action", and "claims" shall mean those judgements, actions and claims against the County of Chautauqua or any of its administrative entitles, including the Sheriff's Department and other County sewer districts, that are founded upon tort or that arise out of any acts or omissions of officers or employees of Chautauqua County that result in person injury or property damage if such officers or employees, at the time of damages were sustained, were executing or performing, or in good faith purporting to exercise or perform, their powers and duties.

Section 5. Settlements. An action or a claim can be settled or compromised for up to five thousand dollars (\$5,000.00) ~~under two thousand five hundred dollars (\$2,500.00)~~ by the County Executive upon the recommendation of the Insurance Administrator and the County Attorney, ~~and for over five thousand dollars (\$5,000.00) and up to two thousand five hundred dollars (\$2,500.00) but under twenty-five thousand dollars (\$25,000.00)~~ upon approval of the County Executive and a committee of three (3) Legislators appointed by the Chairman of the Legislature, ~~and for over twenty-five thousand dollars (\$25,000.00) and up to fifty-thousand dollars (\$50,000.00) upon approval of the County Executive and a committee of five (5) Legislators appointed by the Chairman of the Legislature.~~ Any other action or claim can be settled or compromised upon the approval of the County Executive and the County Legislature. The County Legislature must also approve the settlement or compromise of any action or claim against a County officer or employee where such approval is required pursuant to New York State Public Officers Law. Judicial approval of any settlement or compromise must be obtained when required by the General Municipal Law or otherwise. The order of the court or the justice approving such settlement or compromise may be granted upon motion of the County Attorney or his duly authorized subordinate supported by an affidavit setting forth the cause of action or

claim against the County of Chautauqua and also such other information which, in his opinion, will enable the court or justice to arrive at a determination that such a compromise or settlement is just, reasonable and in the interests of the municipal corporation.

Section 6. Investment of Funds. The County Finance Director may invest the money in such fund in obligations specified in Section 6-f of the General Municipal Law, or such other obligations as may from time-to-time be authorized by law. Any interest earned or capital gain realized on the money so invested shall accrue to and become part of such fund.

Section 7. Accounting. The County Finance Director shall account for this fund separate and apart from all other funds of the County of Chautauqua, and shall separately account for each type of risk funded by the reserve fund. The accounting shall show the source, date and amount of each sum paid into the fund; the interest earned by the fund; source thereof, date and amount of each payment from this fund; and the assets of the fund, indicating the cash balance and a schedule of investments. The Finance Director, within sixty days of the end of each fiscal year, shall furnish a detailed report of the operation and condition of the fund to the County Executive and the County Legislature, said report to contain his recommendations for maintaining adequate reserve levels.

2. Effective Date. This Local Law shall become effective sixty (60) days after adoption, or upon approval by a majority of the qualified electors in the event a permissive referendum is held in accordance with the Municipal Home Rule Law.

Sponsor: Legislator Chagnon

LOCAL LAW  
INTRODUCTORY NO. 7-26  
CHAUTAUQUA COUNTY

A LOCAL LAW AMENDING THE CHAUTAUQUA COUNTY CHARTER TO ELIMINATE  
ANNUAL COST OF LIVING ADJUSTMENTS FOR COUNTY LEGISLATORS

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

1. Purpose and Intent. The purpose of this Local Law is to eliminate Annual Cost of Living Adjustments (COLAs) for County Legislators. Since the beginning of the Chautauqua County Legislature in 1972, County Legislators have never received automatic Annual Cost of Living Adjustments. By Local Law 13-24 County Legislators would receive their first COLA on January 1, 2027.

2. Amending Section 4.06 of the Chautauqua County Charter. Section 4.06 of the Chautauqua County Charter is hereby amended by deleting all references to “County Legislators” as follows:

**Section 4.06 Annual Cost of Living Adjustment to the Salaries of the County Executive, ~~County Legislators~~, County Sheriff, and County Clerk**

In the absence of a local law or charter law in effect on or before July 1 that specifically designates the salary of the County Executive, ~~County Legislators~~, County Sheriff, or County Clerk, the existing annual salary of the County Executive, ~~County Legislators~~, County Sheriff, or County Clerk (as the case may be) shall be increased in the following calendar year by a percentage equal to any percentage increase in the United States Department of Labor CPI-U for the prior calendar year.

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

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

Sponsor: Legislator Nelson

LOCAL LAW  
INTRODUCTORY NO. 8-26  
CHAUTAUQUA COUNTY

A LOCAL LAW REDUCING THE SALARY FOR THE COUNTY CLERK

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

1. Purpose and Background. The purpose of this Local Law is to reduce the salary of the County Clerk of Chautauqua County and to help preserve the Unappropriated Fund Balance in the years ahead. Chautauqua County is among the least wealthy of New York State's 57 counties. As of January 1, 2018, Local Law 6-16 set the County Clerk's salary at \$55,500. Local Law 6-16 also amended Section 4.07 (now Section 4.06) of the County Charter to provide annual cost of living adjustments for the County Clerk. Additionally, Local Law 10-24 provided that "the annual salary of the County Clerk shall be increased by \$17,880.00." The County Clerk's salary as of January 1, 2026, was \$89,300, representing a 61% increase from 2018. However, the \$55,500 salary in 2018, adjusted for inflation, would be worth approximately \$74,000 as of March 2026, the last month for which data is available.
2. County Clerk Salary. Effective January 1, 2030, the salary for the Chautauqua County Clerk shall be \$79,300. Nothing in this local law shall be construed to amend or alter the provisions contained in Section 4.06 of the Chautauqua County Charter relating to annual cost of living increases for the County Clerk.
3. Effective Date. This local law shall become effective on January 1, 2030.

Sponsor: Legislator Bankoski

**CHAUTAUQUA COUNTY**  
**RESOLUTION NO. \_\_\_\_\_**

**TITLE:** Authorizing Extension of Lease Agreement for Department of Planning & Development at the BWB Center in Jamestown

**BY:** Public Facilities, Planning and 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 has leased space from the CCIDA for such office space at the BWB Center in Jamestown, NY for more than 10 years; and

WHEREAS, the County desires to extend the lease agreement for an additional 24 months upon the terms and conditions provided below; and

WHEREAS, the expenses associated with this contract are included in the 2026 Adopted Budget so no amendment is needed; now therefore be it

RESOLVED, that the County Executive is hereby authorized and empowered to execute an extension of a lease agreement with the County of Chautauqua Industrial Development Agency for office space in the BWB Center on 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 per month beginning in April 2026.
3. Utilities: Landlord to pay utilities.
4. Term: Twenty-four (24) months commencing April 1, 2026 and terminating on March 31, 2028, subject to termination by prior notice.
5. Other: As negotiated by County Executive.

**CHAUTAUQUA COUNTY**  
**RESOLUTION NO. \_\_\_\_\_**

**TITLE:** Amend 2026 Capital Budget South & Center Chautauqua Lake 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 Districts (the “District”) is making needed improvements to the District; and

WHEREAS, the District wishes to purchase two automated bar screens for the Lakewood pump station; and

WHEREAS, the bid cost of these screens totals \$192,000; and

WHEREAS, the District has sufficient Fund Balance to cover the costs of the screens; now therefore be it

RESOLVED, that fund balance is appropriated as follows:

INCREASE THE USE OF FUND BALANCE:

ESS.-----924.0000	Net Assets - Unrestricted (Deficit)	\$192,000
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; and be it further

RESOLVED, that the Director of Finance is hereby authorized and directed to make the following changes to the 2026 Capital Budget:

ESTABLISH AND INCREASE APPROPRIATION ACCOUNT:

ESS.8130.27009.4	Contractual - Lkwd Pump Station Bar Scrn(2026)	\$192,000
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ESTABLISH AND INCREASE REVENUE ACCOUNT:

ESS.8130.27009.R503.1000	Interfund Transfer – Interfund Transfer	\$192,000
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**APPROVED**

**VETOES (VETO MESSAGE ATTACHED)**

\_\_\_\_\_  
County Executive

\_\_\_\_\_  
Date

**CHAUTAUQUA COUNTY**  
**RESOLUTION NO. \_\_\_\_\_**

**TITLE:** Authorize Agreement Between Chautauqua County and Schultz Airshows, LLC for Air Boss Services for the 2027 Chautauqua County Airshow at 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 in the Town of Ellicott in a manner that provides services and facilities on a non-exclusive basis for the general use of the public and to enhance current and future economic development in the County; and

WHEREAS, Schultz Airshows, LLC has submitted a Proposal in response to the County's RFP (Request for Proposals) process and the County has selected this vendor for Air Boss services for the 2027 Chautauqua County Airshow at Chautauqua County Jamestown Airport; and

WHEREAS, the Airport Commission has considered and recommends entering into an agreement with Schultz Airshows, LLC; and

WHEREAS, funds associated with this agreement have previously been added to the 2026 Budget so an amendment is not needed at this time; now, therefore, be it

RESOLVED, that the County Executive is authorized to execute an agreement with Schultz Airshows, LLC for Air Boss services for the 2027 Chautauqua County Airshow at Chautauqua County Jamestown Airport upon substantially the following proposed terms and conditions:

1. Term. Commencing June 1, 2026 and terminating December 31, 2027.
2. Payment. County Shall pay Schultz Airshows, LLC a total of no more than \$18,000 for services rendered.
3. Other. As negotiated by the County Executive.

\_\_\_\_\_  
**APPROVED**  
**VETOES (VETO MESSAGE ATTACHED)**

\_\_\_\_\_  
**County Executive**

\_\_\_\_\_  
**Date**

**CHAUTAUQUA COUNTY**  
**RESOLUTION NO. \_\_\_\_\_**

**TITLE:** Authorize Ground and Taxiway Lease with Baron North G58 LLC, a Subsidiary of Accent Stripe at 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 in the Town of Sheridan in a manner that provides services and facilities on a non-exclusive basis for the general use of the public and to enhance current and future economic development in the County; and

WHEREAS, Accent Stripe has leased ground space and a taxiway at Dunkirk Airport from Chautauqua County since 1996 and has indicated their desire to continue with the lease through their subsidiary Baron North G58 LLC; and

WHEREAS, the annual lease payments are due no later than the 15<sup>th</sup> of January each year per contract 96-45-07; and

WHEREAS, the payment for the year 2026 has been duly received so an amendment is not needed; and

WHEREAS, the Airport Commission has considered and recommends leasing the ground space and taxiway at Dunkirk Airport to Baron North G58 LLC, a subsidiary of Accent Stripe; now, therefore, be it

RESOLVED, that the County Executive is authorized to execute a Ground and Taxiway Lease with Baron North G58 LLC, a subsidiary of Accent Stripe at Chautauqua County Dunkirk Airport upon substantially the following proposed terms and conditions:

1. Term. Five (5) years commencing on June 1, 2026, and terminating on May 31, 3031. Tenant may renew this lease for two (2) additional five (5) year periods.
2. Premises. Approximately one (1) acre of real property at the Dunkirk Airport in the Town of Sheridan, County of Chautauqua, New York, as specified in the lease.
3. Payment. Tenant shall pay County Two-Thousand (\$2,000) annually with a 3% increase each year.
4. Other. As negotiated by the County Executive.

\_\_\_\_\_  
**APPROVED**  
**VETOES (VETO MESSAGE ATTACHED)**

\_\_\_\_\_  
**County Executive**

\_\_\_\_\_  
**Date**

**CHAUTAUQUA COUNTY**  
**RESOLUTION NO. \_\_\_\_\_**

**TITLE:** Amend 2026 Capital Budget for the Replacement of Fire-Destroyed Equipment  
DPF – Road Machinery

**BY:** Public Facilities and Audit & Control Committees:

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

WHEREAS, the DPF – Road Machinery department had an instance where a plow truck was destroyed by fire; and

WHEREAS, DPF - Road Machinery received an insurance claim payment due to this loss totaling \$207,340.00 in March 2026; and

WHEREAS, the full balance of \$207,340 from this insurance recovery may be applied toward the replacement of the plow truck destroyed by fire; now, therefore, be it

RESOLVED, that the Director of Finance is hereby authorized and directed to make the following changes to the 2026 Capital Budget:

INCREASE APPROPRIATION ACCOUNT:

HH.255130.626.4	Contractual - DPF Large Equipment (Annual)	\$207,340
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INCREASE REVENUE ACCOUNT:

HH.255130.626.R268.0000	Sale of Property/Compensa-Insurance Recoveries	\$207,340
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**APPROVED**

**VETOES (VETO MESSAGE ATTACHED)**

\_\_\_\_\_  
**County Executive**

\_\_\_\_\_  
**Date**

**CHAUTAUQUA COUNTY  
RESOLUTION NO. \_\_\_\_\_**

**TITLE:** Distribution of Mortgage Taxes

**BY:** Administrative Services and Audit & Control Committees:

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

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

<u>Town</u>		<u>Village</u>	<b>Total: \$860,447.08</b>
Arkwright	\$7,659.75	Bemus Point	\$5,044.26
Busti	\$35,898.44	Brocton	\$1,098.34
Carroll	\$15,626.40	Cassadaga	\$1,643.07
Charlotte	\$5,656.77	Celoron	\$2,760.98
Chautauqua	\$88,065.16	Falconer	\$4,508.67
Cherry Creek	\$7,292.09	Fredonia	\$25,901.27
Clymer	\$10,523.78	Lakewood	\$10,325.02
Dunkirk	\$21,301.83	Mayville	\$6,975.43
Ellery	\$75,903.03	Panama	\$616.98
Ellicott	\$61,246.83	Sherman	\$1,611.09
Ellington	\$5,927.54	Silver Creek	\$5,953.93
French Creek	\$15,174.29	Sinclairville	\$859.89
Gerry	\$8,243.03	Westfield	<u>\$6,179.04</u>
Hanover	\$51,039.59		\$73,477.97
Harmony	\$5,265.58		
Kiantone	\$8,885.44	<b><u>City</u></b>	
Mina	\$7,769.75	Dunkirk	\$48,564.79
North Harmony	\$29,546.76	Jamestown	<u>\$125,936.15</u>
Poland	\$7,358.61		\$174,500.94
Pomfret	\$53,069.23		
Portland	\$12,123.04		
Ripley	\$17,802.68		
Sheridan	\$15,481.11		
Sherman	\$8,661.88		
Stockton	\$10,338.15		
Villanova	\$9,409.76		
Westfield	<u>\$17,197.65</u>		
	\$612,468.17		

**APPROVED**

**VETOES (VETO MESSAGE ATTACHED)**

\_\_\_\_\_  
County Executive

\_\_\_\_\_  
Date

**CHAUTAUQUA COUNTY  
RESOLUTION NO. \_\_\_\_\_**

**TITLE:**        Reallocating Salary Grade for Motor Vehicles Administrator

**BY:**            Administrative Services and Audit & Control Committees:

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

WHEREAS, the County Clerk, requested a review of the Motor Vehicles Administrator salary grade; and

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

WHEREAS, the position of Motor Vehicles Administrator is covered by the terms of the CSEA 6300 Agreement and is allocated to Grade 14 of the CSEA 6300 salary schedule; and

WHEREAS, the Human Resources staff has recommended that the position of Motor Vehicles Administrator be increased three (3) grades on the CSEA 6300 salary schedule; and

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

RESOLVED, that the title of Motor Vehicles Administrator currently allocated to salary grade 14 shall be reallocated to salary grade 17.

**2026 CSEA 6300 SALARY SCHEDULE**

<b>Grade</b>	<b>Step 1</b>	<b>Step 2</b>	<b>Step 3</b>	<b>Step 4</b>	<b>Step 5</b>	<b>Step 6</b>	<b>Step 7</b>	<b>Step 8</b>	<b>Step 9</b>	<b>Step 10</b>	<b>Step 11</b>
<b>14</b>			<b>25.91</b>	<b>27.01</b>	<b>27.95</b>	<b>28.82</b>	<b>29.79</b>	<b>30.85</b>	<b>31.77</b>	<b>32.73</b>	<b>33.71</b>
<b>17</b>			<b>28.58</b>	<b>29.79</b>	<b>30.85</b>	<b>31.97</b>	<b>33.03</b>	<b>34.23</b>	<b>35.25</b>	<b>36.31</b>	<b>37.39</b>

**APPROVED**

**VETOES (VETO MESSAGE ATTACHED)**

\_\_\_\_\_  
**County Executive**

\_\_\_\_\_  
**Date**

**CHAUTAUQUA COUNTY**  
**RESOLUTION NO. \_\_\_\_\_**

**TITLE:** Amend Capital Project Accounts & Establish Capital Contingency Fund  
—Jamestown Community College

**BY:** Administrative Services and Audit & Control Committees:

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

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

WHEREAS, the funding needs for approved capital projects may exceed original estimates so it would be advantageous to have a capital contingency fund that could finance unanticipated funding needs; and

WHEREAS, the funding needs for a previously approved project are less than original estimates so it is possible to use the surplus funds to establish a capital contingency fund; now, therefore, be it

RESOLVED, that the Director of Finance is authorized and directed to make the following amendments to the 2026 Capital Budget:

DECREASE CAPITAL APPROPRIATION ACCOUNT:

HH.992490.00002.4 Contractual-Community College Tuition-Roofs (2020) \$20,648

DECREASE CAPITAL REVENUE ACCOUNT:

HH.992490.00002.R503.1000 Interfund Transfer-Interfund Transfer \$20,648

ESTABLISH AND INCREASE CAPITAL APPROPRIATION ACCOUNT:

HH.992490.00021.4 Contractual-Community College Tuition-  
Capital Contingency (2026) \$20,648

ESTABLISH AND INCREASE CAPITAL REVENUE ACCOUNT:

HH.992490.00021.R503.1000 Interfund Transfer-Interfund Transfer \$20,648

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**APPROVED**

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**VETOES (VETO MESSAGE ATTACHED)**

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**County Executive**

\_\_\_\_\_  
**Date**

**CHAUTAUQUA COUNTY  
RESOLUTION NO. \_\_\_\_\_**

**TITLE:** Amend 2026 Budget for ARPA Capital Projects

**BY:** Administrative Services and Audit & Control Committees:

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

WHEREAS, some ARPA Capital projects have remaining balances that need to be rolled into the 2026 Budget for completion; now, therefore, be it

RESOLVED, that the Director of Finance is hereby authorized and directed to make the following changes to the 2026 Adopted Budget:

INCREASE APPROPRIATION ACCOUNT:

A.9950.----.9	Interfund Transfers – Transfer to Capital	\$600,558
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INCREASE REVENUE ACCOUNT:

A.9950.----.R408.9ARP	Federal Aid – Oth Fed Aid ARPA Funds	\$600,558
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**APPROVED**

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**VETOES (VETO MESSAGE ATTACHED)**

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**County Executive**

\_\_\_\_\_  
**Date**

**CHAUTAUQUA COUNTY  
RESOLUTION NO. \_\_\_\_\_**

**TITLE:** Authorize Acceptance of Criminal Justice Discovery and Bail Reform Funding FY 2025-2026

**BY:** Public Safety and Audit & Control Committees:

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

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

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

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

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

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

WHEREAS, Chautauqua County has been awarded a total of \$1,068,942 to be shared between the District Attorney's office, Probation Department, Sheriff's Office and local police agencies in the County to assist with Discovery and Bail Reform, with priority given to the District Attorney and police agencies; and

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

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

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

WHEREAS, the funding for such contracts and agreements will be derived from the sum of the total award, all of which total of \$297,000; and

WHEREAS, the expense and revenue for these police contracts and equipment was not included in the 2026 Adopted Budget for the District Attorney; and

WHEREAS, the revenue was not included in the 2026 Adopted Budget for the Probation Department and Sheriff's Office; and

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APPROVED

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VETOES (VETO MESSAGE ATTACHED)

\_\_\_\_\_  
County Executive

\_\_\_\_\_  
Date

WHEREAS, the revenue will be included in the 2027, 2028, and 2029 Budgets for the District Attorney; now therefore be it

RESOLVED, the Chautauqua County Legislature accepts the total award and authorizes the County Executive to execute the Criminal Justice Discovery Reform Funding contract and associated documents for the grant from the New York State Division of Criminal Justice Services for a total of \$1,068,942; and be it further

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

RESOLVED, that the Director of Finance is hereby authorized and directed to make the following changes to the 2026 Adopted Budget:

**District Attorney:**

INCREASE APPROPRIATION ACCOUNTS:

A.1165.----.3	Equipment - District Attorney	\$10,039
A.1165.----.4	Contractual - District Attorney	<u>\$223,000</u>
	Total	\$233,039

INCREASE REVENUE ACCOUNT:

A.1165.----.R308.9000	New York State Aid-OTH STATE AID	\$233,039
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**Probation:**

INCREASE APPROPRIATION ACCOUNT:

A.3140.----.4	Contractual - Probation	\$34,000
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INCREASE REVENUE ACCOUNT:

A.3140.----.R158.9000	New York State Aid-OTH PUBLIC SAFETY SUPERVISION FEES	\$34,000
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**Sheriff's Office:**

INCREASE APPROPRIATION ACCOUNT:

A.3110.GRNT.2	Equipment - Sheriff - Grants	\$40,000
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INCREASE REVENUE ACCOUNT:

A.3110.GRNT.R338.9000	New York State Aid-OTHER PUBLIC SAFETY	\$40,000
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APPROVED

VETOES (VETO MESSAGE ATTACHED)

\_\_\_\_\_  
County Executive

\_\_\_\_\_  
Date

**CHAUTAUQUA COUNTY  
RESOLUTION NO. \_\_\_\_\_**

**TITLE:** Authorize Acceptance of the Statewide Targeted Reductions to Intimate Partner Violence (“STRIVE”) Grant funds for 2026-2027

**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 \$970,907 to Chautauqua County through multiple agencies for the Statewide Targeted Response to Intimate Partner Violence (“STRIVE”) initiative; and

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

WHEREAS, the funded STRIVE partnership consists of the City of Jamestown Police Department, the City of Dunkirk Police Department, the Salvation Army of Jamestown 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 \$290,478, the City of Dunkirk Police Department has been awarded \$5,000, and the Salvation Army of Jamestown has been awarded \$156,061 of the total STRIVE funding and will sign and administer a separate contract with New York State DCJS for its portion of said funding; and

WHEREAS, Chautauqua County’s portion of the funds is \$600,368, the agencies will share the remaining funds as follows: \$366,482 to the District Attorney’s Office; \$85,000 to the Chautauqua County Office of the Sheriff; and \$148,886 to the Probation Department; and

WHEREAS, the awards for offices of the District Attorney, Sheriff and Probation have exceeded the amount of funds included in the 2026 Adopted Budget; and

WHEREAS, the offices of the District Attorney, Sheriff and Probation will include the balance to be spent in 2027 in their proposed 2027 Budget; and

WHEREAS, this program will run from April 1, 2026 through March 31, 2027; now, therefore, it be

RESOLVED, that the County of Chautauqua accepts the grant funds and authorizes the County Executive to execute the STRIVE Grant contracts with the New York State DCJS in the total amount of \$600,368 for the term of April 1, 2026 through March 31, 2027; be it further

RESOLVED, that the County Executive be authorized to enter into agreements with various government and municipal entities, including but not limited to universities, local school districts, towns, cities and villages, as well as contracted agencies and vendors in furtherance of the purpose of the grant; and be it further

RESOLVED, that the Director of Finance is hereby authorized and directed to make the following changes to the 2026 Adopted Budget:

**District Attorney:**

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**APPROVED**

\_\_\_\_\_  
**VETOES (VETO MESSAGE ATTACHED)**

\_\_\_\_\_  
**County Executive**

\_\_\_\_\_  
**Date**

INCREASE APPROPRIATION ACCOUNTS:

A.1165.----.4 Contractual - District Attorney \$71,582

INCREASE REVENUE ACCOUNT:

A.1165.----.R308.9000 New York State Aid-OTHER STATE AID \$71,585

**Probation:**

INCREASE APPROPRIATION ACCOUNTS:

A.3140.----.1 Personnel Services - Probation \$92,254

A.3140.----.4 Contractual - Probation \$13,500

A.3140.----.8 Employee Benefits - Probation \$43,132

Total \$148,886

INCREASE REVENUE ACCOUNT:

A.3140.----.R308.9000 New York State Aid-OTH STATE AID \$148,886

**Sheriff's Office:**

INCREASE APPROPRIATION ACCOUNTS:

A.3110.GRNT.1 Personal Services - Sheriff - Grants \$24,660

A.3110.GRNT.4 Contractual - Sheriff - Grants \$6,000

Total \$30,660

INCREASE REVENUE ACCOUNT:

A.3110.GRNT.R338.9000 New York State Aid-OTHER PUBLIC SAFETY \$30,660

                      
**APPROVED**

                      
**VETOES (VETO MESSAGE ATTACHED)**

\_\_\_\_\_  
**County Executive**

\_\_\_\_\_  
**Date**

**CHAUTAUQUA COUNTY  
RESOLUTION NO. \_\_\_\_\_**

**TITLE:** Amend 2026 Budget for the Navigation/Snowmobile Department – 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 departmental appropriations will exceed initial budgetary estimates but will be covered partially by the Snowmobile Law Enforcement State Aid Program; and

WHEREAS, the Office of the Sheriff is requesting to amend the 2026 Adopted Budget to accommodate the appropriations and revenue that will exceed 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 2026 Adopted Budget:

INCREASE APPROPRIATION ACCOUNT:

A.3189.3111.2	Equipment – Navigation/Snowmobile	\$11,121
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DECREASE APPROPRIATION ACCOUNT:

A.3189.3111.4	Contractual – Navigation/Snowmobile	\$131
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INCREASE REVENUE ACCOUNT:

A.3189.R331.7000	New York State Aid – Snowmobile Law Enforcement	\$10,990
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**APPROVED**

**VETOES (VETO MESSAGE ATTACHED)**

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County Executive

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Date

**CHAUTAUQUA COUNTY**  
**RESOLUTION NO. \_\_\_\_\_**

**TITLE:** Authorize Execution of New York State Office of Homeland Security Funding Grant Explosive Detection Canine Team FY 2023

**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 has received notification that New York State 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 Explosive Detection Canine Team; and

WHEREAS, the State of New York will provide funding for a FY 2023 grant in the amount of \$15,000, with no local funds, for a contract period of April 1, 2026 through August 31, 2027; and

WHEREAS, this grant is included in the 2026 Adopted Budget so no amendment is needed; now therefore be it

RESOLVED, that the County Executive is hereby authorized and empowered to execute an agreement to secure the grant funding with the New York State Office of Homeland Security.

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**APPROVED**

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**VETOES (VETO MESSAGE ATTACHED)**

\_\_\_\_\_  
**County Executive**

\_\_\_\_\_  
**Date**

**CHAUTAUQUA COUNTY  
RESOLUTION NO. \_\_\_\_\_**

**TITLE:** Authorize Execution of New York State Office of Homeland Security Funding Grant Bomb Squad Initiative Grant Program FY2023

**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 has 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 of the Bomb Squad Initiative; and

WHEREAS, the State of New York will provide funding for a FY 2023 grant in the amount of \$77,500, with no local funds, for a contract period of April 1, 2026 through August 31, 2027; and

WHEREAS, this grant is included in the 2026 Adopted budget so an amendment is not needed; now therefore be it

RESOLVED, that the County Executive is hereby authorized and empowered to execute an agreement to secure grant funding with the New York State Office of Homeland Security.

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**APPROVED**

\_\_\_\_\_  
**VETOES (VETO MESSAGE ATTACHED)**

\_\_\_\_\_  
**County Executive**

\_\_\_\_\_  
**Date**

**CHAUTAUQUA COUNTY  
RESOLUTION NO. \_\_\_\_\_**

**TITLE:** Authorize Execution of New York State Office of Homeland Security Funding Grant Bomb Squad Initiative Grant Program FY2024

**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 has 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 of the Bomb Squad Initiative; and

WHEREAS, the State of New York will provide funding for a FY 2024 grant in the amount of \$44,014, with no local funds, for a contract period of April 1, 2026 through August 31, 2027; and

WHEREAS, this grant is included in the 2026 Adopted budget so an amendment is not needed; now therefore be it

RESOLVED, that the County Executive is hereby authorized and empowered to execute an agreement to secure grant funding with the New York State Office of Homeland Security.

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**APPROVED**

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**VETOES (VETO MESSAGE ATTACHED)**

\_\_\_\_\_  
**County Executive**

\_\_\_\_\_  
**Date**

**CHAUTAUQUA COUNTY**  
**RESOLUTION NO. \_\_\_\_\_**

**TITLE:** Amend 2025 Budget for Year End Reconciliation – Department of Mental Hygiene and Social Services

**BY:** Human Services and Audit & Control Committees:

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

WHEREAS, some Department of Mental Hygiene and Social Services departmental expenditures have exceeded initial budgetary estimates; now, therefore, be it

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

INCREASE USE OF FUND BALANCE:

A.----.----.917.0000 Unassigned Fund Balance--Unassigned Fund Balance \$6,160

;and be it further

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

INCREASE APPROPRIATION ACCOUNT:

A.6010.----.4 Contractual – Social Services Admin \$6,160

**APPROVED**

**VETOES (VETO MESSAGE ATTACHED)**

\_\_\_\_\_  
**County Executive**

\_\_\_\_\_  
**Date**