

Agenda

Public Facilities Committee

May 18, 2026, 4:00 p.m., Legislative Chambers

Livestreamed on YouTube

Gerace Office Building, Mayville, NY

- A. Call to Order
- B. Approval of Minutes (04/13/26)
- C. Privilege of the Floor
- 1. Local Law Intro 5-26 – A Local Law Amending Local Law 4-09 Providing for Written Notice of Defects and Obstructions on County of Chautauqua Property as a Condition Precedent to Maintenance of a Civil Action
- 2. Proposed Resolution – Confirm Appointment – Chautauqua County Landfill Commission
- 3. Proposed Resolution – Standardization of Cummins 20kW Standby, Natural Gas/Propane Genset Generators for the Portland-Pomfret-Dunkirk Sewer District
- 4. Proposed Resolution – Authorizing Extension of Lease Agreement for Department of Planning & Development at the BWB Center in Jamestown
- 5. Proposed Resolution – Amend 2026 Capital Budget South & Center Chautauqua Lake Sewer Districts
- 6. Proposed Resolution – Authorize Supplemental Agreement with the Federal Aviation Administration to Construct, Operate, and Maintain Navigational Aids at the Chautauqua County Jamestown Airport
- 7. 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
- 8. Proposed Resolution – Authorize Ground and Taxiway Lease with Baron North G58 LLC, a Subsidiary of Accent Stripe at Chautauqua County Dunkirk Airport
- 9. Proposed Resolution – Amend 2026 Capital Budget for the Replacement of Fire-Destroyed Equipment DPF – Road Machinery
- 10. Other –
 - Late Proposed Resolution – Authorizing a Utility Work Agreement with NYS DOT

LOCAL LAW
INTRODUCTORY NO. 5-26
CHAUTAUQUA COUNTY

A LOCAL LAW AMENDING LOCAL LAW 4-09 PROVIDING FOR WRITTEN NOTICE OF
DEFECTS AND OBSTRUCTIONS ON COUNTY OF CHAUTAUQUA PROPERTY AS A
CONDITION PRECEDENT TO MAINTENANCE OF A CIVIL ACTION

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

1. Amendment of Local Law 4-09.

Local Law 4-09 of the County of Chautauqua is hereby amended by substitution to read as follows:

Section 1. The purpose of this local law is to update Local Law 9-1979 to clarify that the requirement of prior written notice as a condition for bringing civil actions against the County of Chautauqua also applies to sidewalks, crosswalks, parking lots, walkways, ramps, manholes, driveways, sewer infrastructure, curbs, and gutters. This local law also updates Local Law 9-1979 to reflect the renaming of the Department of Public Works to the Department of Public Facilities, and replaces references to the "Board of Legislators" with "County Legislature."

Section 2. No civil action shall be maintained against the County of Chautauqua for damages or injuries to person or property sustained by reason of any highway, sidewalk, crosswalk, parking lot, stairway, walkway, ramp, manhole, driveway, bridge, culvert, sewer infrastructure, curb, or gutter being defective, out of repair, unsafe, dangerous or obstructed, unless written notice of such defective, unsafe, dangerous or obstructed condition was actually given to the Clerk of the County Legislature or the Director of Public Facilities; and that there was a failure or neglect within a reasonable time after the giving of such notice to repair or remove the defect, danger or obstruction complained of or in the absence of such notice, unless such defective, unsafe, dangerous or obstructed condition existed for so long a period that the same should have been discovered and remedied in the exercise of reasonable care and diligence; but no such action shall be maintained for damages or injuries to person or property sustained solely in consequence of the existence of snow and ice upon any highway, sidewalk, crosswalk, parking lot, stairway, walkway, ramp, manhole, driveway, bridge, culvert, sewer infrastructure, curb, or gutter unless written notice thereof, specifying the particular place, was actually given to the Clerk of the County Legislature or the Director of Public Facilities and there was a failure or neglect to cause such snow or ice to be removed, or to make the place otherwise reasonably safe within a reasonable time after the receipt of such notice.

Section 3. The Director of Public Facilities shall transmit to the Clerk of the County Legislature within ten (10) days after the receipt thereof such written notice.

Section 4. The Clerk of the County Legislature shall keep an indexed record, in a separate book, of all written notices which are received of the existence of such defective,

unsafe, dangerous or obstructed condition, in or upon; or of an accumulation of ice and snow upon any County highway, sidewalk, crosswalk, parking lot, stairway, walkway, ramp, manhole, driveway, bridge, culvert, sewer infrastructure, curb, or gutter, nature and location of the condition stated to exist, and the name and address of the person from whom the notice is received. All such written notices shall be indexed according to the location of the alleged defective, unsafe, dangerous or obstructed condition, or the location of accumulated snow or ice. The record of each notice shall be preserved for a period of five years after the date it is received.

Section 5. Nothing herein contained shall be construed to relieve a claimant of the obligation to serve a notice of claim as provided in Section 50-e of the General Municipal Law. Further, nothing contained in this law shall be held to repeal or modify or waive any existing requirement or statute of limitations which is applicable to these classes of actions, but, on the contrary, shall be held to be additional requirements of the right to maintain such action.

If any clause, sentence, phrase, paragraph or any part of this law for any reason be adjudged finally by a court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this law but shall be confined in its operation and effect to the clause, sentence, phrase, paragraph; or part thereof directly involved in the controversy or action in which such judgment shall have been rendered. It is hereby declared to be the legislative intent that the remainder of this law would have been adopted had any such provision not been included.

Section 6. Local Law 9-79 of the County of Chautauqua, as amended, is hereby superseded by this local law as of the effective date of this local law, except as it relates to notices filed prior to the effective date of this local law, and except to the extent that any portion of this local law is for any reason adjudged by a court of competent jurisdiction to be invalid.

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

Sponsor: Legislator Chagnon

CHAUTAUQUA COUNTY
RESOLUTION NO. _____

TITLE: Confirm Appointment – Chautauqua County Landfill Commission

BY: Public Facilities Committee:

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

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

RESOLVED, that the Chautauqua County Legislature hereby confirms the following appointment to the Chautauqua County Landfill Commission.

Gregory Gormley
143 E. Main St.
Sherman, N.Y. 14781
Term Expires 12/31/28
New Appointment
(Replacing James Van Volkenburg – Community Hosting a Transfer Station)

APPROVED
VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

CHAUTAUQUA COUNTY
RESOLUTION NO. _____

TITLE: Standardization of Cummins 20kW Standby, Natural Gas/Propane Genset Generators for the Portland-Pomfret-Dunkirk Sewer District

BY: Public Facilities Committee:

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

WHEREAS, pursuant to New York State General Municipal Law Section 103(5) the County Legislature may determine, for reasons of efficiency or economy, that there is a need for standardization for purchase of a particular type of kind of equipment, materials, supplies or services, enabling the County to draw its specifications so that only a particular specified kind or make of equipment or apparatus will be purchased; and

WHEREAS, a standardization resolution must be adopted by an affirmative vote of at least three-fifths of all members of the Legislature; and

WHEREAS, the Portland-Pomfret-Dunkirk Sewer District currently has five Cummins Genset Generators located in their pump stations within the District; and

WHEREAS, the District is budgeting to replace each generator as the current equipment is forty years old; and

WHEREAS, the District Board recommends that the District standardize to Cummins 20kW Genset Generators because standardization will result in efficiencies and economies in terms of ease of equipment use, ability to use current generator parts as spare parts for the new generators, and the ability to maintain a single contract for preventative maintenance and repair; now, therefore, be it

RESOLVED, that the Legislature of the County of Chautauqua finds that, for reasons of efficiency and economy, standardization of Cummins 20kW Genset Generators, as described herein, for the Portland-Pomfret-Dunkirk Sewer District, is in the best interest of the District and Chautauqua County; and be it further

RESOLVED, that Cummins 20 kW Genset Standby, Natural Gas/Propane Genset Generators are hereby the standardized generators for the District.

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

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
-------------------	-------------------------------------	-----------

; 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
------------------	--	-----------

ESTABLISH AND INCREASE REVENUE ACCOUNT:

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

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

CHAUTAUQUA COUNTY
RESOLUTION NO. _____

TITLE: Authorize Supplemental Agreement with the Federal Aviation Administration to Construct, Operate, and Maintain Navigational Aids at the Chautauqua County Jamestown Airport

BY: Public Facilities Committee:

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 the current and future economic development of the County; and

WHEREAS, the Federal Aviation Administration has a current agreement with the County for the Navigational Aids that expires September 30, 2026; and

WHEREAS, the Federal Aviation Administration would like to renew said agreement for an additional 20 years through Supplemental Agreement No. 1 to FAA Contract No. DTFAEA-07-L-00065; and

WHEREAS, this agreement has no monetary value so a budgetary amendment is not needed; and

WHEREAS, the Airport Commission has considered and recommends Authorizing a Supplemental Agreement between Chautauqua County and the Federal Aviation Administration commencing on October 1, 2026, and continuing through September 30, 2046; now therefore be it

RESOLVED, that the County Executive is authorized to execute a supplemental agreement with the Federal Aviation Administration to construct, operate, and maintain Navigational Aids at the Chautauqua County Jamestown Airport upon substantially the following proposed terms and conditions:

1. Term. Twenty years commencing on October 1, 2026 and terminating on September 30, 2046 with the option to negotiate renewal at the end of the term.
2. Premises. The Airport will allow the FAA to construct, operate, and maintain FAA owned navigation, communication, and weather aid facilities in areas on the Airport that have been mutually determined and agreed upon.
3. Payment. This agreement between the County and the Federal Aviation Administration has no monetary value.
4. Other. As negotiated by the County Executive.

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 15th 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
-----------------	--	-----------

INCREASE REVENUE ACCOUNT:

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

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

TITLE: Authorizing a Utility Work Agreement with NYS DOT

BY: Public Facilities Committee:

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

WHEREAS, the New York State Department of Transportation (NYSDOT) is rehabilitating a portion of New York State Route 394, Fairmount Avenue in the County of Chautauqua, extending from Elmcrest Avenue to the Jamestown western corporate limit, PIN 5064.39, D265798 (the Project); and

WHEREAS, pursuant to Section 10, Subdivision 24 of the State Highway Law, NYSDOT includes as part of their capital projects, adjustments to municipally owned facilities as shown on contract plans and satisfying the requirements of the municipality, at the expense of NYSDOT; and

WHEREAS, the South Chautauqua Lake Sewer District (District) owns manholes situated within the highway right-of-way where the Project will be constructed; and

WHEREAS, the Project will involve a change to the height of the pavement, necessitating a change to the height of the District's manholes; and

WHEREAS, at its meeting on May 7, 2026, the District Board, which serves as the administrative head of the District, approved NYSDOT's Project proposal with respect to the District's manholes; and

WHEREAS, NYSDOT's adjustment of the manholes will not alter the service life of the manholes; now therefore be it

RESOLVED, that the County Legislature approves of the adjustment to the District's manholes by NYSDOT, at NYSDOT expense; and be it further

RESOLVED, that the County will operate, and maintain or cause to be maintained at County expense, the manholes as modified by NYSDOT; and be it further

RESOLVED, that the County Executive is authorized to enter into an agreement with NYSDOT for the adjustment of the District's facilities by NYSDOT at NYSDOT's expense, and to sign all documentation that may be necessary as a result of this project as it relates to the District's manholes; and be it further

RESOLVED, that the Clerk of the Legislature is hereby directed to transmit two (2) certified copies of this Resolution to NYSDOT through its Regional Utility Unit, NYSDOT – Region 5, 100 Seneca Street, Buffalo, New York 14203.

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date