

Agenda

Public Facilities Committee

July 13, 2026, 4:00 p.m., Legislative Chambers

Livestreamed on YouTube

Gerace Office Building, Mayville, NY

- A. Call to Order
- B. Approval of Minutes (06/15/26)
- C. Privilege of the Floor

- 1. Proposed Resolution – Authorize Master Hangar License Agreement for General Aviation Aircraft Storage at Chautauqua County Jamestown Airport
- 2. Proposed Resolution – SCCLSD Sewer Rates
- 3. Proposed Resolution – Amend 2026 Budget for North Chautauqua Lake Sewer District
- 4. Proposed Resolution – Amend Petty Cash Fund Amount at the South County Transfer Station
- 5. Proposed Resolution – Authorize Agreement with the Village of Westfield for Landfill Leachate
- 6. Proposed Resolution – Amend D.5112 Capital Improvement Accounts
- 7. Proposed Resolution – Authorize Lease Agreement with 310-322 East Third Ventures, LLC
- 8. Discussion – 310-322 East Third Ventures, LLC Regarding Potential Lease Property
- 9. Other –

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

TITLE: Authorize Master Hangar License Agreement for General Aviation Aircraft Storage at 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 current and future economic development in the County; and

WHEREAS, the County seeks to implement a standardized, uniform agreement to govern all individual aircraft storage assignments within the shared, unheated, and self-service general aviation hangar facility identified as Hangar A; and

WHEREAS, the Master Hangar License Agreement establishes consistent terms and conditions relate to use of the facility, aircraft movement, insurance requirements, airport rules, non-exclusive access, fees, safety procedures, and the administrative assignment of space, as more fully set forth in Exhibits A (Aircraft Storage Assignment), B (Fee Schedule), and C (Rules & Safety Requirements); and

WHEREAS, the Airport Commission has considered and recommends adoption of the Master Hangar License Agreement in order to streamline administration, enhance safety, ensure regulatory compliance, and offer additional aircraft storage options on the airfield to general aviation users; now, therefore, be it

RESOLVED, that the County Executive is hereby authorized to execute a standardized, uniform agreement to govern all individual aircraft storage assignments within the shared, unheated, and self-service general aviation hangar facility identified as Hangar A:

1. Term. Three (3) years commencing August 1, 2026 and terminating July 31, 2029
2. Payment. As determined by Schedule B
3. Other. As negotiated by the County Executive.

APPROVED
VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

TITLE: SCCLSD Sewer Rates

BY: Public Facilities and Audit & Control Committees:

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

WHEREAS, in 2022 the Administrative Board of the South and Center Chautauqua Lake Sewer Districts (“the Districts”) determined a schedule of user charges for the collection, conveyance, treatment and disposal of sewage that was confirmed pursuant to Resolution 252-22 of the Chautauqua County Legislature; and

WHEREAS, construction of Phase 2 of the South Chautauqua Lake Sewer District extension is nearing completion; and

WHEREAS, the South and Center Chautauqua Lake Sewer District Board, which serves as the Administrative Head of the Districts, having held a public hearing on proposed user charges in accordance with Resolution 222-97, has requested that the County Legislature confirm the Board-determined user charges for SCCLSD customers; now therefore be it

RESOLVED, that the Legislature of the County of Chautauqua approves the Board-determined schedule of user charges for Phase I & Phase 2 extension area customers, and Resolution 266-19 is hereby amended by substitution to add such charges as follows:

**CHARGES BY THE
SOUTH AND CENTER CHAUTAUQUA LAKE SEWER DISTRICTS
SECTION I**

Pursuant to Section 266 of the County Law, there is hereby established and imposed a scale of charges for the collection, conveyance, treatment, and disposal of sewage upon real property served by public sewers.

**SECTION II
DEFINITIONS**

As used herein, the following terms shall mean and include:

A. District: The South and Center Chautauqua Lake Sewer Districts, county sewer Districts of the County of Chautauqua organized and existing pursuant to Article 5-A of the County Law of the State of New York.

B. Administrative Head: The Administrative Head or body of the Districts as established by the Chautauqua County Legislature under Article 5-A of the County Law of the State of New York.

C. User: A parcel of property within the District connected or required by applicable law to be connected to a sewer owned by the District.

**SECTION III
UNITS PER PARCEL**

The number of units attributable to each parcel of property served by public sewers within the District shall be determined as follows:

A. A single-family dwelling which contains facilities which generate or are capable of generating wastewater associated with activities of a household, and defined as a structure that contains a separate kitchen sink, a bathroom and sleeping quarters, shall consist of one unit.

B. Each separate dwelling unit within or attached to one building with provisions for a private or separate entrance and containing facilities to generate wastewater associated with activities of a household, and containing a kitchen sink, bathroom and sleeping quarters, shall consist of one unit.

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C. Each site used or improved by means of a concrete pad or otherwise for the location of a mobile home or similar movable structure and having a sewer line extended to said site shall consist of one unit regardless of the presence of a mobile home or similar movable structure upon said prepared site. Charges with respect to such site shall not commence until the initial occupancy of the site by a facility which generates sewage as long as the sewer line extended to the site is sealed to prevent the entry of any water.

C-1. Notwithstanding Subparagraph C above, a site meeting the following requirements shall consist of one-half unit:

1. the site is served by on-premises public laundry facilities and public restrooms which are connected to a District sewer line, such on-premises facilities and restrooms being located either on the same parcel of property, or on an immediately adjacent parcel of property and available for use by the site;
2. the site is improved by means of a concrete pad or other type of foundation, and/or is fitted for utility service;
3. waste from the site is, or is required to be, deposited into a District sewer line; and
4. the site is available exclusively for the long-term or transient location of a recreational vehicle, regardless of whether the site is occupied.

For purposes of this Section, recreational vehicles include camping trailers, fifth wheel trailers, motor homes, travel trailers, slide-in/truck campers, park model recreational vehicles, and house coaches which:

1. consist of 400 square feet or less in setup mode;
2. are designed and marketed as temporary living quarters for recreational, camping, travel, or seasonal use, whether having their own motor power or mounted on or towed by another vehicle;
3. are built on a single chassis and mounted on wheels; and
4. are not subject to regulation under the U.S. Department of Housing and Urban Development's Manufactured Home Construction and Safety Standards.

D. The unit designation of all other uses shall, at minimum (being subject to increase in accordance with Subparagraph E of this section) be based on volume and consist of a number rounded to the nearest tenth of a unit, determined by dividing the actual or estimated quarterly water use in gallons by 17,500 gallons provided, however, that each such use shall consist of a minimum of one unit. If quarterly water use is estimated, such estimate shall be based upon the actual quarterly water meter reading of the municipality or water District providing water service to the parcel ending sometime within the three months immediately preceding the billing date as stated in Section V herein, if such reading is available from the municipality at the time of the billing date. The District shall cause water meters to be read periodically as needed for the administration of the scale of charges established herein for all uses embraced by this paragraph. Water used in a manner so that it will not enter the sanitary sewer in conformity with the regulations of the District need not be included in determining actual water use provided it is separately metered. If water use is not metered at the time of the enactment of this resolution and is not part of a public water distribution system, a water meter shall be installed and maintained by the property owner. At the request of the property owner, the actual wastewater flow from the property may be measured and substituted for metered water use, for the purpose of determining the number of units under this paragraph, by a wastewater flow meter installed at the point of discharge into the District's sewer line which is suitable for the measurement of sewage flows; said sewage flow meter shall be installed and maintained by the property owner. Prior to the installation for a water meter or a waste water flow meter, the property owner shall make application to the District for a permit for such installation with all aspects of the installation being subject to the approval for the District. Work on the installation shall not commence until the permit is received. The following violations of the requirements of this paragraph shall be subject to the enforcement provisions of the Sewer Use Law applicable to the District, Chautauqua County Local Law 2-25 as subsequently or as may be subsequently amended or replaced (hereinafter referred to as Sewer Use Law): (1) failure to apply for a permit to install a water meter within one month of the notice by the District to do so, (2) failure to install the water meter within one month of the issuance of the permit for such installation, (3) installation of the water meter or waste water flow meter contrary to the terms of the permit, and

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(4) failure to maintain the water meter or waste water flow meter so that it provides accurate readings.

E. In the event any user's discharge to the sewer owned by District is of such a strength, such a volume, at such a delivery flow rate or toxic to increase the cost of operation and maintenance of the facilities of the District, the unit allocation for that user shall be increased (beyond that determined strictly by wastewater volume) to insure a proportional distribution of operation and maintenance cost to each user or user class. At minimum, the District can utilize criteria identified in the Sewer Use Law including Chautauqua County Local Law 6-94, Article 9, to justify increasing a unit allocation, or parallel provisions in subsequent amendments or replacements of such Local Law.

SECTION IV SCALE OF CHARGES

Pursuant to Section 266 of the County Law, the annual per Unit charge for collection, conveyance, treatment and disposal of sewage is:

- A. For properties that are not within the South Chautauqua Lake Sewer District extension area - \$424;
- B. For properties in the South Chautauqua Lake Sewer District extension area that were previously served by the Town of North Harmony sewer district - \$434;
- C. For properties in the South Chautauqua Lake Sewer District Phase 1 extension area and Phase 2 extension area extending from the previously existing South Chautauqua Lake Sewer District bounds to Prendergast Creek, other than those in Paragraph B - \$856; and
- D. For properties in Paragraphs B and C that are buildable vacant lots, defined as separate parcels consisting of at least 0.25 acres and having sufficient road frontage for new house construction - \$100.

SECTION V BILLING

A. The Administrative Head shall quarterly fix the amount to be charged to each parcel connected or required to be connected to public sewers within the District under Section 266 of the County Law by multiplying the number of units attributable to each parcel of property under Section III hereof by the charge per unit set forth in Section IV hereof divided by four (4) and shall mail a bill for such charge to the assessed owner of each parcel of real property so charged on or about the first day of November, February, May or August for the amount fixed hereunder for the quarter ending the last day of the preceding month which bill shall be due within thirty (30) days of the date invoiced; a penalty of ten percent (10%) of the amount of the bill shall be added to any bill which remains unpaid thirty (30) days after the date on which it was mailed.

B. The finance director of the County of Chautauqua shall collect all charges and penalties established hereunder in accordance with Section 266 of the County Law.

C. In the event that the Administrative Head discovers that it omitted a charge which should have been made under Section V A of this law, in whole or in part, a bill for such charge shall be mailed promptly thereafter; provided, however, that no such delayed billing shall be made for any quarterly billing period where the last day of such period is more than one year before the date of the mailing of the delayed bill.

D. In the event a property owner submits to the District Director a written request for a bill reduction due to a verifiable water leak which resulted in the introduction of clean water to the collection system, the District Director may, in accordance with a written policy established by the Administrative Head of the District, make a sewer bill reduction. A property owner's request for a bill adjustment shall not suspend the obligation to pay such bill or penalties for late payment or non-payment. The District shall cause to be refunded, within thirty (30) days of its determination on the bill adjustment, any amount of overpayment and penalty, without interest.

SECTION VI APPEALS

In accordance with Section 266 of the County Law and Resolution 222-97 of the Chautauqua County Legislature, the following procedure is established for taking appeals from the rate fixing determinations of the Administrative Head of the District:

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A. All such appeals shall be in writing and mailed within sixty (60) days of the date of mailing of the bill from which the appeal is taken signed by the property owner appealing from the rate fixing determination, shall be addressed to South & Center Chautauqua Lake Sewer Districts, Box 458, Celoron, New York 14720 by Certified Mail, Return Receipt Requested showing the party to whom delivery was made, shall state concisely the reason why the property owner believes said determination is inequitable and not in accordance with Section 266 of the County Law, and shall state the address to which notices to the property owner shall be sent. Where the appeal arises from (1) a clerical error because of a mistake in transcription, (2) a mathematical error in the computation of the charge, or (3) an error in essential fact in unit designation where there is no factual basis at all for the unit designation made, the time period for making such appeal shall be extended to within three (3) years of the date of mailing of the bill.

B. Within sixty (60) days of the receipt of the appeal, the Administrative Head shall respond by either notifying the property owner of its agreement with the result requested or by notifying the property owner in writing of its reasons for denying the appeal. In the latter case, the Administrative Head shall transmit a copy of the appeal and the response to it to the Chairman of the Chautauqua County Legislature by Certified Mail, Return Receipt Requested showing the party to whom delivery was made addressed to "Chairman, Chautauqua County Legislature, County Office Building, Mayville, New York 14757".

C. The Chairman of the Chautauqua County Legislature shall appoint, within thirty (30) days of receipt of transmittal of the appeal papers, a three member committee to review the appeal and to respond and to make a written recommendation to the County Legislature. The Chairman of the Legislature, in his discretion, may appoint either a standing committee to hear such appeals or may appoint ad hoc committees for particular appeals. The Chairman of the Legislature shall transmit copies of the appeal and response to members of the committee.

D. Within forty-five (45) days of receipt of the appeal papers, the committee shall submit a proposed resolution to the Chautauqua County Legislature for resolution and decision of the appeal. If the committee shall desire to take testimony or gather additional information concerning the appeal, it shall notify the property owner and the Administrative Head by mailing, at least seven (7) days before the date fixed for these purposes, specifying the area and means of the intended inquiry.

E. The Clerk of the Chautauqua County Legislature shall notify the property owner and the Administrative Head of the decision of the appeal within ten (10) days of the adoption of a resolution deciding the appeal. If the resolution deciding the appeal fails to be adopted because of the veto of the Chautauqua County Executive and the failure of the Chautauqua County Legislature to override the veto, the appeal shall be referred back to the committee for reconsideration and resubmittal to the Chautauqua County Legislature of a proposed decision under Paragraph D hereof; if the second resolution of the Chautauqua County Legislature deciding the appeal fails to be adopted because of the veto of the Chautauqua County Executive and the failure of the Chautauqua County Legislature to override the veto, the appeal shall be deemed to have been denied in all respects.

F. An appeal by a property owner shall not suspend the obligation to pay charges under Section 266 or penalties for late payment or non-payment. The District shall cause to be refunded, within thirty (30) days of its receipt of the decision of the Legislature, any amount of overpayment and penalty, without interest, as determined by the decision of the appeal by the Chautauqua County Legislature.

G. All notices, except the billing of the District made under this appeal procedure shall be by Certified Mail, Return Receipt Requested showing the party to whom delivery was made and shall be complete upon mailing to either the South and Center Chautauqua Lake Sewer Districts, Box 458, Celoron, New York 14720 or the property owner at the address stated in his appeal.

SECTION VII SEVERABILITY

If any clause, sentence, paragraph, subdivision, section or other part of this resolution shall be adjusted by any court of competent jurisdiction to be invalid, such judgement, decree or order shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or other part thereof, directly

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involved in the controversy in which such judgement or order shall have been rendered, and to this end the provisions of each section of this resolution are hereby declared to be severable.

**SECTION VIII
EFFECTIVE DATE AND REPEALER**

This law shall be effective with respect to periods beginning after July 31, 2026. Prior laws enacted with respect to the Districts under Section 266 of the County Law are repealed prospectively with respect to charges for periods beginning after July 31, 2026.

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VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

TITLE: Amend 2026 Budget for North Chautauqua Lake Sewer District

BY: Public Facilities and Audit & Control Committees:

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

WHEREAS, in a review of the North Chautauqua Lake Sewer District (NCLSD) revenue accounts, it was discovered that revenues from sewer charges were budgeted to an incorrect revenue account; and

WHEREAS, these revenues need to be re-allocated to the correct account in the 2026 Budget for proper accounting; now, therefore, be it

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

DECREASE REVENUE ACCOUNT:

ESN.8130.9999.R212.2000	Departmental Income-CHRGs: SEWER	\$1,130,000
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INCREASE REVENUE ACCOUNT:

ESN.8130.----.R212.2000	Departmental Income-CHRGs: SEWER	\$1,130,000
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County Executive

Date

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

TITLE: Amend Petty Cash Fund Amount at the South County Transfer Station

BY: Public Facilities and Audit & Control Committees:

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

WHEREAS, the petty cash fund at the South County Transfer Station is currently \$200.00; and

WHEREAS, during the course of most business days there is insufficient change available to effectively process cash customers; and

WHEREAS, additional funds are required to avoid making change with the prior day's receivables, which is discouraged by the Division's Management and Finance Departments; now, therefore, be it

RESOLVED, that the Finance Department be directed to increase the petty cash fund at the South County Transfer Station to \$400.00.

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VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

TITLE: Authorize Agreement with the Village of Westfield for Landfill Leachate

BY: Public Facilities Committee:

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

WHEREAS, the County of Chautauqua is required by the New York State Department of Environmental Conservation (DEC) to remove and treat accumulated leachate from the Chautauqua County Landfill in Ellery, and from closed landfills that are under County purview; and

WHEREAS, the DEC requires the County to maintain contracts with at least two (2) wastewater treatment facilities for the treatment of its Landfill leachate; and

WHEREAS, County Resolution 16-05 authorized contracts with the Jamestown Board of Public Utilities and the Village of Fredonia for leachate treatment; and

WHEREAS, neither the Jamestown Board of Public Facilities nor the Village of Fredonia are presently able to accept the Landfill's leachate; and

WHEREAS, the Village of Westfield has a wastewater treatment facility and has capacity to accept Landfill leachate; and

WHEREAS, the cost of treating leachate was included in the 2026 Budget so an amendment is not needed at this time; now, therefore, be it

RESOLVED, that the County Executive is hereby authorized and empowered to enter into an agreement with the Village of Westfield for the acceptance of County Landfill leachate.

APPROVED
VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

TITLE: Amend D.5112 Capital Improvement Accounts

BY: Public Facilities and Audit & Control Committees:

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

WHEREAS, Chautauqua County’s transportation system, which includes roads and bridges, is essential to everyone and contributes to economic development, job creation, and the quality of life; and

WHEREAS, proper maintenance and funding are essential to keeping our roads and bridges in good repair; and

WHEREAS, the Chautauqua County capital budget includes \$5,504,249 in CHIPS Funding for capital improvements; and

WHEREAS, New York State has adjusted the 2026-2027 CHIPS appropriations for Chautauqua County to \$6,892,511.09, which includes a \$969,282.84 cumulative rollover balance; and

WHEREAS, the Chautauqua County capital budget includes \$1,279,190 in PAVE-NY funding for capital improvements; and

WHEREAS New York State has amended the 2026-2027 PAVE-NY appropriations for Chautauqua County to \$1,278,498.64; and

WHEREAS, the Chautauqua County capital budget includes \$852,793 in Pave our Potholes (POP) funding for capital improvements; and

WHEREAS, New York State has adjusted the 2026-2027 POP appropriations for Chautauqua County to \$852,332.43; and

WHEREAS, New York State has recognized the need for additional funds due to extreme winter weather and has appropriated funds under the Extreme Weather Recovery (EWR) Program in the amount of \$841,994.40; and

WHEREAS the County’s budget should be amended to conform to these amendments in funding; now, therefore, be it

RESOLVED, that the County Executive be and hereby is authorized to execute all necessary documents on behalf of Chautauqua County with New York State, in connection with the funding; and be it further

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

INCREASE REVENUE ACCOUNTS:

D.5112.391.R350.1000	New York State Aid-NYS Aid CHIPS	\$ 1,388,262
D.5112.391.R350.EWR	New York State Aid-NYS Aid – Extreme Weather Recovery	<u>\$ 841,994</u>
	Total	\$ 2,230,256

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DECREASE REVENUE ACCOUNTS:

D.5112.391.R350.PAVE	New York State Aid-NYS Aid PAVE NY	\$	692
D.5112.391.R350.POP	New York State Aid-NYS AID POP	\$	<u>461</u>
	Total	\$	1,153

INCREASE APPROPRIATION ACCOUNT:

D.5112.391.4	Contractual-Capital Improvements, Highway Improvements	\$	2,229,103
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VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

TITLE: Authorize Lease Agreement with 310-322 East Third Ventures, LLC

BY: Public Facilities, Administrative Services, Public Safety, Human Services and Audit & Control Committees:

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

WHEREAS, Chautauqua County's lease of 57,665 square feet of office space in the South County Office Building (SCOB) in Jamestown, New York for the County's Departments of Mental Hygiene and Social Services, and Probation; 3,085 square feet of office space at 512 West Third Street in Jamestown, New York for the County's Department of Motor Vehicles; and 4,080 square feet of office space at 333 East Fifth Street in Jamestown, New York for the County's Department of Mental Hygiene and Social Services, will all end in 2027; and

WHEREAS, the County needs to plan ahead to ensure continuity of services; and

WHEREAS, it has been determined that centrally locating Chautauqua County Department of Mental Hygiene and Social Services, Department of Motor Vehicles, and Office of Probation staff into one building would provide more efficient and effective delivery of services; and

WHEREAS, 310-322 East Third Ventures, LLC (Lessor) is in the process of acquiring property in Jamestown, New York; and

WHEREAS, upon acquisition, Lessor will immediately have 54,000 square feet of office space available for rent, with additional square footage to become available in the future; and

WHEREAS, the aforementioned expenses will not be incurred during calendar year 2026, therefore, no budget amendment is necessary; now therefore be it

RESOLVED, that the County Executive is hereby authorized and empowered to execute a lease agreement with 310-322 East Third Ventures, LLC upon the following terms and conditions:

- 1) Premises. The office building situated at 310-322 East 3rd Street in Jamestown, New York, initially including rental of approximately 54,000 square feet, with the potential for future expansion;
- 2) Term. Ten (10) years commencing in 2027 on or about the time the SCOB building lease comes to an end;
- 3) Rent. \$23.50 per square foot per year, equaling approximately \$105,750 per month for the first year, with annual three percent increases, and with the same rate available in the event of County exercise of an option to rent additional square footage;
- 4) Utilities. Owner shall be responsible for all utilities, including heat and electric, and County is responsible for the cost of phone and internet service, including installation fees; and
- 5) Other. As negotiated by the County Executive;

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VETOES (VETO MESSAGE ATTACHED)

County Executive

Date