

Agenda

Audit & Control Committee

July 16, 2026, 8:35 a.m., Legislative Chambers

Livestreamed on YouTube

Gerace Office Building, Mayville, NY

- A. Call to Order
- B. Approval of Minutes (06/18/26)
- C. Privilege of the Floor
- 1. Local Law Intro. 9-26 – A Local Law Opting Out of RPTL Section 487 Tax Exemptions for Certain Equipment and Energy Systems
- 2. Local Law Intro 10-26 – A Local Law Amending Local Law 7-1990, As Amended, Relating to the Management Salary Plan by Providing for an Annual Adjustment of Management Salary Ranges Based Upon the Consumer Price
- 3. Local Law Intro 11-26 – A Local Law Amending Local Law 6-01 Regarding Budget Procedures After Issuance of Annual Tentative Budget
- 4. Resolution 166-26 – Amend Chautauqua County Department of Mental Hygiene and Social Services 2026 Budget for Increased Safety Net Costs (*Referred back to Human Services and Audit & Control Committees during the June 2026 Legislature meeting*)
- 5. Proposed Resolution – SCCLSD Sewer Rates
- 6. Proposed Resolution – Amend 2026 Budget for North Chautauqua Lake Sewer District
- 7. Proposed Resolution – Amend Petty Cash Fund Amount at the South County Transfer Station
- 8. Proposed Resolution – Amend D.5112 Capital Improvement Accounts
- 9. Proposed Resolution – Authorize Extension of the 2025 Vote by Mail Grant Award from the New York State Board of Elections
- 10. Proposed Resolution – Authorize Acceptance of FY2023 HazMat Targeted Grant Program Funds
- 11. Proposed Resolution – Authorize Acceptance of FY2024 HazMat Targeted Grant Program Funds
- 12. Proposed Resolution – Authorize Acceptance of FY2025 Emergency Management Performance Grant (EMPG25)

13. Proposed Resolution – Amend Office of Emergency Services 2026 Budget
14. Proposed Resolution – Government Reduction Initiative Assistance for Town of Pomfret for North Chautauqua County Re-Organization Plan
15. Proposed Resolution – Approve Dunkirk Lighthouse and Veterans Park Museum Non Pointsource Grant Application
16. Proposed Resolution – Approve Bemus Creek Local Waterfront Revitalization Program Implementation Grant Application
17. Proposed Resolution – Authorize Lease Agreement with 310-322 East Third Ventures, LLC
18. Discussions –
 - 310-322 East Third Ventures, LLC – Regarding Potential Lease Property
 - 2025 Audit Presentation – *Presented by Drescher and Malecki*
 - Investment Portfolio Update – *Presented by Kitty Lyons, Finance Director*
19. Other –

LOCAL LAW
INTRODUCTORY NO. 9-26
CHAUTAUQUA COUNTY

A LOCAL LAW OPTING OUT OF RPTL SECTION 487 TAX EXEMPTIONS FOR
CERTAIN EQUIPMENT AND ENERGY SYSTEMS

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

1. Purpose and Intent. New York State Real Property Tax Law (“RPTL”) Section 487 provides that real property which includes certain equipment or energy systems “shall be exempt from taxation to the extent of any increase in the value thereof by reason of the inclusion of such” equipment or energy system. In 2007, the Chautauqua County Legislature enacted Local Law 8-07, opting out of the solar, wind, and farm waste energy system tax exemptions provided under RPTL Section 487. Since that time, RPTL Section 487 has been amended to include exemptions for additional categories of equipment and energy systems, including “electric energy storage equipment and electric energy storage system[s],” which the statute defines as including battery-based energy storage equipment and systems. The statute also permits counties to enact a local law opting out of the new tax exemptions. This Local Law is being enacted pursuant to RPTL Section 487(8)(a)(ii) in order to opt out of and remove such exemptions.

2. Certain Tax Exemptions Not Applicable in Chautauqua County. No tax exemption under RPTL Section 487 shall be applicable to Chautauqua County taxes with respect to any micro-hydroelectric energy system, fuel cell electric generating system, micro-combined heat and power generating equipment system, electric energy storage equipment or electric energy storage system, or fuel-flexible linear generator electric generating system constructed subsequent to the effective date of this Local Law.

3. Severability. If any provision, word, 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. Additional Filing Requirements. In addition to filing with the Secretary of State, copies of this Local Law shall be filed with the Commissioner of the New York State Department of Taxation and Finance and with the President of the New York State Energy Research and Development Authority, in accordance with RPTL Section 487(8)(a).

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

Sponsor: Legislators Scudder, Proctor

LOCAL LAW
INTRODUCTORY NO. 10-26
CHAUTAUQUA COUNTY

A LOCAL LAW AMENDING LOCAL LAW 7-1990, AS AMENDED, RELATING TO THE
MANAGEMENT SALARY PLAN BY PROVIDING FOR AN ANNUAL ADJUSTMENT OF
MANAGEMENT SALARY RANGES BASED UPON THE CONSUMER PRICE INDEX

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

Section 1. Legislative Intent. The County Legislature finds that maintaining current and competitive salary ranges within the Chautauqua County Management Salary Plan is necessary to support the recruitment and retention of qualified management personnel. The purpose of this Local Law is to establish an objective method for periodically adjusting the minimum and maximum salary levels assigned to management salary ranges based upon changes in economic conditions as measured by the Consumer Price Index for All Urban Consumers (CPI-U).

The adjustments authorized by this Local Law are intended solely to modify the salary ranges assigned to management titles and shall not be construed as granting compensation increases to individual officers or employees.

Section 2. Annual Adjustment of Salary Ranges. Effective January 1, 2027, and on January 1 of each year thereafter, the minimum and maximum salary levels assigned to each salary range within the Chautauqua County Management Salary Plan shall be adjusted by the percentage increase, if any, in the Consumer Price Index for All Urban Consumers (CPI-U), Northeast Region, as published by the United States Department of Labor, Bureau of Labor Statistics, for the twelve-month period ending December 31 of the preceding year.

- A. The percentage increase in the CPI-U shall be applied uniformly to the minimum and maximum salary levels of each salary range contained within the Chautauqua County Management Salary Plan.
- B. In the event the CPI-U reflects no increase or a decrease during the applicable measurement period, no adjustment shall be made to the salary ranges for the succeeding year.
- C. The Director of Human Resources shall annually calculate the revised salary ranges and prepare an updated Management Salary Plan schedule reflecting such adjustments.
- D. The updated Management Salary Plan schedule shall be submitted to the County Executive and County Legislature no later than October 1 preceding the effective date of the adjustment.

Section 3. Effect on Individual Compensation. Nothing contained in this Local Law shall be interpreted as requiring a change in the compensation of any individual officer or employee. This Local Law authorizes adjustments only to the minimum and maximum salary

levels assigned to salary ranges within the Management Salary Plan. Compensation decisions for individual employees shall continue to be made in accordance with the Management Salary Plan, applicable County policies, budgetary appropriations, and the discretion otherwise vested in appointing authorities.

Section 4. Applicability. This Local Law shall apply to all salary ranges established within the Chautauqua County Management Salary Plan pursuant to Local Law 7-1990, as amended, unless otherwise specifically provided by local law.

Section 5. Severability. If any clause, sentence, paragraph, subdivision, section, or part of this Local Law shall be adjudged by a court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof.

Section 6. Effective Date. This Local Law shall take effect on January 1, 2027, following filing with the Secretary of State pursuant to the Municipal Home Rule Law.

Sponsors: Legislator Dan Pavlock, Legislator Thomas Nelson, Legislator Dalton Anthony, Legislator Fred Johnson

LOCAL LAW
INTRODUCTORY NUMBER 11-26
CHAUTAUQUA COUNTY

A LOCAL LAW AMENDING LOCAL LAW 6-01 REGARDING BUDGET PROCEDURES
AFTER ISSUANCE OF ANNUAL TENTATIVE BUDGET

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

Article I. Amendments.

Local Law 6-01 of the County of Chautauqua, as amended by Local Laws 3-03, 2-04, 3-04 and 12-18 of the County of Chautauqua, is hereby further amended by substitution to read as follows:

Section 1. Intent

The Chautauqua County Administrative Code promulgated by the Chautauqua County Executive pursuant to Section 3.02(b) of the Chautauqua County Charter sets forth procedures for the preparation of the annual tentative budget of the County. The intent of this Local Law is to provide procedures for the Chautauqua County Legislature's review, adoption, and modification of the tentative budget after its issuance on or before September 25th of each year. While Section 4 of this Local Law provides that the County Legislature's consideration of the tentative budget may not last past November 10th of each year, it is the intent of the County Legislature whenever possible to take action on the tentative budget no later than the first Monday of November.

Section 2. Legislative Review

(a) After receipt of the tentative budget on or before September 25th of each year, the Clerk of the County Legislature shall cause to be printed or otherwise reproduced for distribution, a sufficient number of copies of the tentative budget as determined by the Budget Director or as otherwise directed by the County Legislature.

(b) Between September 25th and the second Wednesday of October, the standing committees of the County Legislature (other than the Audit and Control Committee) shall review the portions of the tentative budget relating to programs that are their responsibility, and render a report and any recommendations for changes to the Audit and Control Committee. In its discretion, the Audit and Control may participate in the budget review meetings of the other standing committees. Between the second Wednesday and third ~~Wednesday~~ Thursday in October, the Audit and Control Committee shall review the entire tentative budget, and consider the report and recommendations of the other standing

committees. Each respective ~~program administrator~~ department head may be required to appear before the Audit and Control Committee and the other standing committees to furnish data and information and to answer inquiries pertinent to such review. For purposes of this Local Law, the term "department head" shall include all heads of County departments, districts, and any other County entities that are included in the tentative budget. Notwithstanding the above, ~~those outside parties and/or agencies~~ requesting county funds may submit a written explanation in support of the request for funds to the appropriate standing committee and the Audit and Control Committee, with a copy of the statement to the County Executive. The Audit and Control Committee will ~~pre-file a resolution report~~ outlining proposed budget changes with the Clerk of the Legislature on or before the ~~third Wednesday in~~ pre-file deadline for the regular October meeting of the full County Legislature. ~~Said report shall immediately be delivered to all County Legislators, the County Executive, elected officials, and program administrators.~~

Section 3. Public Hearing

The date and time of the public hearing on the tentative budget shall be 6:30 p.m. on the fourth Wednesday of October, at which time any person may be heard for or against recommendations made by the County Executive or any other comments relevant to the tentative budget.

Section 4. Adoption of Budget

After the conclusion of the public hearing, the County Legislature will meet to consider the tentative budget. The County Legislature may add, strike, increase or decrease the tentative budget, ~~excepting~~ recognizing appropriations required by law or for debt service. Revenues based on reimbursement for expenditures must be adjusted in proportion to any changes in the appropriations budget for those expenditures. Any changes made by the County Legislature must be stated separately and distinctly. The meeting to consider the tentative budget may be adjourned, but may not last past November 10th to take legislative action.

If the tentative budget, as submitted by the County Executive, is passed by resolution of the Legislature with no changes, such budget shall be deemed conditionally adopted without any further action by the County Executive. If, however, the tentative budget, as passed by the Legislature, contains any changes, the same shall be presented by the Clerk of the County Legislature to the County Executive within three (3) days after passage for ~~his or her~~ the County Executive's consideration. If the County Executive approves all the changes, then ~~he or she~~ the County Executive shall affix ~~his or her~~ their signature to a statement thereof and return the budget, together with such statement to the Clerk of the County Legislature and the budget, including any changes as part thereof, shall be deemed conditionally adopted. If a budget with changes is not returned by the

County Executive to the Clerk of the Legislature within ten (10) calendar days of receipt, the budget with changes shall be deemed conditionally adopted.

If the County Executive objects to any one or more of such changed items, the County Executive shall append to the budget a statement of the change items to which ~~he or she~~ the County Executive objects setting forth the reasons therefore and shall not later than the 10th calendar day following receipt, return the budget with ~~his or her~~ their objections to the Clerk of the County Legislature who shall present the same to the County Legislature at a meeting to be held not later than one (1) week thereafter or November 28th, whichever is sooner. The County Legislature shall thereupon enter the objections upon its journal and proceed to reconsider the changes to which objection is made by the County Executive. The changes objected to by the County Executive shall be reconsidered and voted upon. If upon such reconsideration, two-thirds (2/3) of all members of the County Legislature vote to approve such objected to changes, or any of them, the budget with the objected to changes so approved, together with any changes not so objected to by the County Executive, shall be deemed conditionally adopted. If on or before November 28th the County Legislature fails to act on or override such objections by a two-thirds (2/3) vote of all members of the County Legislature, the budget shall be deemed conditionally adopted without the changes objected to by the County Executive.

On the day of conditional adoption of the budget, it shall be submitted to the Budget Director who shall make any corrections as may be required due to any typographical, mathematical or technical errors. The Budget Director shall thereafter return the corrected budget to the County Legislature, which shall consider any correction made on or before December 1st. If said corrections cause a change of less than \$25,000.00 in the Real Property Tax Levy after application of County and Town shares of the County Sales Tax, the budget, as corrected pursuant to this paragraph, shall be the adopted budget for the ensuing fiscal year.

If the alterations of the Budget Director cause a change of \$25,000.00 or more in the Real Property Tax Levy after application of County and Town share of the County Sales Tax, the Budget as corrected, pursuant to this paragraph shall be resubmitted to the County Legislature not later than November 30th. On or before December 1st, the County Legislature may vote to adjust the Real Property Tax Levy or to adjust the Contingency Fund to compensate for said alteration deemed necessary by the Budget Director. The budget as amended by said vote shall be the adopted budget for the ensuing year, or if no action is taken by the County Legislature, the budget, as corrected pursuant to his paragraph, shall be the adopted budget for the ensuing fiscal year.

Upon adoption of the Budget, the Legislature shall adopt resolutions appropriating the money therefore and authorizing the levy of taxes, ~~and shall adopt a resolution establishing a six (6) year capital plan for the County. Six (6) copies of~~ The budget, as adopted, shall be certified by the County Executive and

by the Clerk of the County Legislature. ~~and one (1) each of such copies shall be filed in the office of the County Executive, the offices of the Comptroller, the Director of Finance and the Clerk of the County Legislature and two (2) of such copies shall be filed in the office of the Budget Director.~~ The budget as so certified shall be printed or otherwise reproduced on request from any member of the Legislature or the County Executive. ~~and copies~~ An electronic copy shall be made available and posted on the County's internet site.

Section 5. Levy of Taxes

The net county tax requirement, determined by subtracting the total estimated revenues from the total proposed expenditures as set forth in the adopted budget, shall be levied in advance on or before December 31st immediately following, by the County Legislature on the taxable real property of the several tax districts of the County. Further, the County Legislature shall levy as a tax on all taxpayers estimated amounts for uncollected taxes and deferred tax revenue sufficient to produce in cash from the collection of taxes and other revenues during the year moneys required to meet the estimated expenditures for the year. Further, the County Legislature shall as required by law, relevy certain taxes on the delinquent taxpayer.

The amount of all taxes, special ad valorem levies and special assessments levied upon any parcel of real property by the County Legislature shall, except as otherwise expressly provided by law, be and become a lien thereon as of the first day of January of the fiscal year for which levied and shall remain a lien until paid.

Section 6. Appropriations and Transfers after Budget Adoption

———~~(a)~~ If at any time during the fiscal year it appears that the revenues available will be insufficient to meet the amounts appropriated, the County Executive and/or other elected officials shall report to the County Legislature without delay the estimated amount of the deficit, remedial action taken by them, and recommendations as to further action. The County Legislature may take such action as it deems necessary to prevent or minimize any deficit. For that purpose it may by resolution reduce one (1) or more appropriations; but no appropriation for debt service may be reduced and no program appropriation may be reduced by more than the unencumbered balance thereof or below any amount required by law to be appropriated. The County Legislature may also, if it desires, borrow temporarily pursuant to the local finance law in an amount not greater than such deficit for such purpose.

———~~(b)~~ ~~The County Executive and other elected officials shall have the power to determine the portions of program appropriations expended for personnel, equipment, or contractual purposes, but the County Executive and other elected officials may not transfer funds between program appropriation budgets.~~

~~———(c) The County Executive and other elected officials shall have the power to transfer within program appropriation budgets, including staffing, internal organization and reorganization, as necessary to carry out, achieve and accomplish the goals set by the County Legislature.~~

Section 7. Budget Controls

No county officer, employee, or department ~~head or program administrator~~ shall during a fiscal year, expend or contract to expend any money or incur any liability, or enter into any contract, which by its terms, involves the expenditure of money for any of the purposes for which provision is made in the budget in excess of the amounts appropriated for such fiscal year or for any other purpose except as otherwise provided in this Local Law, the Charter, or the local finance law. The unexpended balance of each appropriation, less the commitments outstanding at the close of such fiscal year for which it was made, shall lapse at the close of such fiscal year, ~~and shall be deemed as revenue for the purpose of preparing, during the following fiscal year, the tentative budget for the ensuing fiscal year.~~ No assignment of a requisition number or a request by letter or other means to the Director of Finance or any other county officer from any administrative unit for the purpose of holding over after the close of such fiscal year any unencumbered balance, or part thereof, of any appropriation shall be construed to be a commitment or the encumbering of any such appropriation. Nothing herein contained shall be construed to require the lapsing of appropriations which may or are required to be made for an indefinite period or which include state refunds, allocations or grants applicable to said appropriations pursuant to any other provision of law; and provided further that nothing herein shall be construed to prevent the making of appropriations or contracts for the construction of permanent public improvements or works not to be completed during the fiscal year, or the acquisition of property therefore, or the establishment of bond or capital accounts, sinking funds or reserve funds, and each such appropriation, account or fund shall continue in force until the purpose for which it was made shall have been accomplished or shall have been abandoned by majority vote of the Legislature. Any contract, verbal or written, made in violation of this section shall be null and void.

Article II. Effective Date

This Local Law shall take effect sixty (60) days after final enactment, or upon approval by a majority of the qualified electors in the event a permissive referendum is held in accordance with Municipal Home Rule Law.

Sponsor: Chairman Chagnon

**CHAUTAUQUA COUNTY
RESOLUTION NO. 166-26**

TITLE: Amend Chautauqua County Department of Mental Hygiene and Social Services
2026 Budget for Increased Safety Net Costs

BY: Human Services and Audit & Control Committees:

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

WHEREAS, 2026 Expenditures for Safety Net costs are now projected to be in excess of the budgeted amount; and

WHEREAS, Safety Net costs are funded at twenty-eight (28) percent by the State of New York and at one (1) percent by the Federal Government, with the remainder funded by local share; 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	\$2,840,000
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;and be it further

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

INCREASE APPROPRIATION ACCOUNT:

A.6140.----.4	Contractual - Safety Net	\$4,000,000
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INCREASE REVENUE ACCOUNTS:

A.6140.----.R364.0000	New York State Aid-Safety Net	\$1,120,000
A.6140.----.R464.0000	Federal Aid-Safety Net	<u>\$ 40,000</u>
	Total	\$1,160,000

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.

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date _____

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

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

(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:

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

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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VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

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.

APPROVED

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:

<u>DECREASE REVENUE ACCOUNT:</u>		
ESN.8130.9999.R212.2000	Departmental Income-CHRGs: SEWER	\$1,130,000
<u>INCREASE REVENUE ACCOUNT:</u>		
ESN.8130.-----R212.2000	Departmental Income-CHRGs: SEWER	\$1,130,000

_____	APPROVED
_____	VETOES (VETO MESSAGE ATTACHED)

_____	_____
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.

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	\$	841,994
	Total	\$	2,230,256

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VETOES (VETO MESSAGE ATTACHED)

County Executive

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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>\$</u>	<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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APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive **Date**

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

TITLE: Authorize Extension of the 2025 Vote by Mail Grant Award from the New York State Board of Elections

BY: Administrative Services and Audit & Control Committees:

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

WHEREAS, pursuant to Resolution 262-25, Chautauqua County contracted with the State of New York consistent with notice that the New York State Board of Elections amended the 2025 Vote by Mail Grant; and

WHEREAS, pursuant to the County's contract with the State Board of Elections, the County received grant funding in the amount of \$32,040.39 to reimburse the Chautauqua County Board of Elections for local dollars spent to advance the implementation and administration of ballots by mail for the period of 4/1/2025 through 3/31/2026; and

WHEREAS, the County has not yet spent the entirety of the \$32,040.39, and the remaining funds cannot be spent by the County without an extension of the contractual period; and

WHEREAS, the New York State Board of Elections has offered an extension of contract #BOE01-C005345-1110000 for the performance period through 3/31/2027; and

WHEREAS, both the appropriation and revenue balances have been included in the 2026 Budget so an amendment is not necessary at this time; now therefore be it

RESOLVED, That the County Executive is hereby authorized to execute a contract with the New York State Board of Elections extending the term of the County's 2025 Vote By Mail Grant Program contract to 3/31/2027.

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

TITLE: Authorize Acceptance of FY2023 HazMat Targeted Grant Program Funds

BY: Public Safety and Audit & Control Committees:

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

WHEREAS, the Office of Emergency Services was awarded a Regional Partnership Grant in the amount of \$90,700 under the 2023 Hazmat Grant Program; and

WHEREAS, the term of the grant is April 1, 2026 thru August 31, 2027; and

WHEREAS, revenues and expenditures associated with this grant were not included in the 2026 Budget so an amendment will be necessary; now therefore be it

RESOLVED, that the County Executive is hereby authorized to execute all necessary agreements to accept the award and subsequent changes to work plans if necessary; and be it further

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

INCREASE APPROPRIATION ACCOUNT:

A.3640.----.2	Equipment – Hazardous Materials	\$90,700
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INCREASE REVENUE ACCOUNT:

A.3640.----.R430.5004	Federal Aid-Homeland Security	\$90,700
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APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

TITLE: Authorize Acceptance of FY2024 HazMat Targeted Grant Program Funds

BY: Public Safety and Audit & Control Committees:

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

WHEREAS, the Office of Emergency Services was awarded a Regional Partnership Grant in the amount of \$33,204 under the 2024 Hazmat Grant Program; and

WHEREAS, the term of the grant is April 1, 2026 thru August 31, 2027; and

WHEREAS, revenues and expenditures associated with this grant were not included in the 2026 Budget so an amendment is necessary; now, therefore, be it

RESOLVED, that the County Executive is hereby authorized to execute all necessary agreements to accept the award and subsequent changes to work plans if necessary; and be it further

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

<u>INCREASE APPROPRIATION ACCOUNT:</u>		
A.3640.----.2	Equipment – Hazardous Materials	\$33,204
<u>INCREASE REVENUE ACCOUNT:</u>		
A.3640.----.R430.5004	Federal Aid-Homeland Security	\$33,204

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

TITLE: Authorize Acceptance of FY2025 Emergency Management Performance Grant (EMPG25)

BY: Public Safety and Audit & Control Committees:

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

WHEREAS, the Chautauqua County Office of Emergency Services was awarded funds from the U.S. Department of Homeland Security (DHS), Federal Emergency Management Agency (FEMA), to be administered by the New York State Division of Homeland Security and Emergency Services, in the amount of \$44,904; and

WHEREAS, the grant will help manage daily Emergency Management functions and to enhance planning, training, exercises, public preparedness, emergency alert and notification systems; and

WHEREAS, the grant period runs from October 1, 2024 through September 30, 2027; and

WHEREAS, the grant budget is not yet finalized, so a budget amendment will be completed at a later date; now, therefore, be it

RESOLVED, that the County Executive is hereby authorized to execute all necessary agreements to accept the award and subsequent changes to work plans.

**APPROVED
VETOES (VETO MESSAGE ATTACHED)**

County Executive **Date**

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

TITLE: Amend Office of Emergency Services 2026 Budget

BY: Public Safety and Audit & Control Committees:

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

WHEREAS, the Chautauqua County Office of Emergency Services (CCOES) currently has a leased vehicle known as Fly Car M73; and

WHEREAS, on January 30, 2026 M73 was in a vehicle accident caused by the other vehicle's driver; and

WHEREAS, CCOES has received information that M73 has been deemed a total loss and a replacement vehicle is needed; and

WHEREAS, it has been determined that the new vehicle should be purchased outright rather than leased; and

WHEREAS, the estimated cost of the replacement vehicle is \$73,143; and

WHEREAS, insurance recoveries are expected to cover the cost to buyout the remainder of the lease; and

WHEREAS, the remaining budgeted lease payments totaling \$7,800 can be used toward funding the replacement vehicle; now therefore be it

RESOLVED, that the A fund balance is appropriated as follows:

INCREASE THE USE OF FUND BALANCE:

A.-----	917.0000	Unassigned Fund Balance-Unassigned Fund Balance	\$65,343
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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 Budget:

INCREASE APPROPRIATION ACCOUNT:

A.3989.EMS.----.2	Equipment - EMS-Fly Car & Ambulance Services	\$73,143
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DECREASE APPROPRIATION ACCOUNT:

<u>A.3989.EMS.----.4</u>	<u>Contractual - EMS-Fly Car & Ambulance Services</u>	\$ 7,800
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APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date _____

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

TITLE: Government Reduction Initiative Assistance for Town of Pomfret for North
Chautauqua County Re-Organization Plan

BY: Planning & Economic Development and Audit & Control Committees:

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

WHEREAS, pursuant to Local Law 4-17 of the County of Chautauqua, the County is authorized pursuant to a duly adopted resolution to “provide assistance to other municipalities in Chautauqua County to accomplish the consolidation and dissolution of local government entities”; and

WHEREAS, pursuant to Resolution 139-17 and Resolution 251-25, the County implemented a Government Reduction Initiative (GRI) Plan in furtherance of Town and Village government efficiencies; and

WHEREAS, the County wishes to continue its efforts to work alongside New York State by minimizing the layers of local government in order to reduce property taxes, improve the business climate, and spur economic development in Chautauqua County; and

WHEREAS, the County further wishes to encourage government efficiency initiatives among school districts, cities, and local government entities as defined by New York General Municipal Law § 750(13) (which includes, without limitation: towns, villages, sewer districts, water districts, and fire districts); and

WHEREAS, the Town of Pomfret submitted and was awarded \$50,000 of GRI funding pursuant to resolution 82-26 to support sharing and consolidating services in conjunction with the Village of Fredonia, Town of Dunkirk, City of Dunkirk (hereinafter called “partners”) and

WHEREAS, the focus has shifted to consider consolidations, dissolutions, and/or mergers of municipalities with shared services as a secondary option for the partners, and

WHEREAS, a request for proposal to develop a North Chautauqua County Re-Organization Plan was released by the Town of Pomfret to prepare a comprehensive study to examine the feasibility and impacts of local government re-organization for the partners, and

WHEREAS, two proposals were received and considered by the partners and a tentative consultant was selected with an estimated base cost of \$100,000 for the plan; and

WHEREAS, the Pomfret was awarded State funding in the amount of \$25,000 for this project, leaving a current funding gap of \$25,000, and

WHEREAS, the partners do not have the funding resources within their operating budgets to fund this project but understand an endeavor of this magnitude should not be undertaken without careful study and a well-developed implementation plan, and

WHEREAS, the final plan will provide the partners with five recommendations consolidations, dissolutions, mergers, and/or shared services, and

WHEREAS, an GRI review group consisting of the County Executive, Chair of Chautauqua County Legislature, Majority Leader, Minority Leader, and Deputy County

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date _____

Executive for Economic Development thoroughly reviewed Town of Pomfret’s request for consistency with State and Local Laws and County Resolutions 139-17 and 251-25; and

WHEREAS, budget amendments are necessary to authorize funding for Town of Pomfret’s request; now therefore be it

RESOLVED, That the County Executive is hereby authorized to enter into any and all agreements for the aforementioned project, and execute any additional documentation, amendments, or addenda necessary to effectuate the aforementioned project; and be it further

RESOLVED, That A Fund Balance is appropriated as follows:

INCREASE THE USE OF FUND BALANCE:
A.----.----.917.0000 Unassigned Fund Balance—Unassigned Fund Balance \$25,000

; 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 in order to fund the Town of Pomfret’s request:

INCREASE APPROPRIATION ACCOUNT:
A.8020.----.4 Contractual-Planning \$25,000

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive Date

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

TITLE: Approve Dunkirk Lighthouse and Veterans Park Museum Non Pointsource Grant Application

BY: Planning and Economic Development and Audit & Control Committees:

AT THE REQUEST OF: County Executive Paul M. Wendel, Jr. and
Legislative Chairman Pierre E. Chagnon:

WHEREAS, Lake Erie and the Dunkirk Waterfront are invaluable assets to Chautauqua County, but coastal erosion of the bluff on which the Dunkirk Lighthouse and Veteran's Park Museum (Lighthouse) is located threatens the structural stability of the structure; and

WHEREAS, the Lighthouse is an important tourism attraction, a functioning Navigational Aid on the Great Lakes Seaway and a historical site listed on the National Register of Historic Places; and

WHEREAS, The Chautauqua County Department of Planning and Development (CCDPD), the City of Dunkirk, The Lake Erie Management Commission, the Chautauqua County Soil & Water Conservation District and the Dunkirk Lighthouse and Veteran's Park are collaborating to submit a New York State Non-Agricultural Nonpoint Source Planning Grant (NPG) application; and

WHEREAS, if successful, the NPG will have a budget of \$55,000, with \$50,000 being reimbursable by New York State and \$5,000 local match being provided by on-going engineering feasibility studies funded by the Lake Erie Management Commission (LEMC) and Chautauqua County Partnership for Economic Growth (CCPEG); and

WHEREAS, if successful, the NPG will provide support for future grant funding, including the New York State Department of State Local Waterfront Revitalization Program (LWRP) and other Great Lakes funding programs; and

WHEREAS, CCDPD will be the applicant of record, and if successful, provide cash flow and manage the project reporting; now, therefore, be it

RESOLVED, that the Chautauqua County Legislature approves the Dunkirk Lighthouse collaborative DOS NPG Grant Application and the obligation of CCDPD resources to prepare and submit the application; and be it further

RESOLVED, that the County Executive is hereby authorized to enter into any and all contracts necessary to implement the terms of this resolution.

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

CHAUTAUQUA COUNTY

TITLE: Approve Bemus Creek Local Waterfront Revitalization Program Implementation Grant Application

BY: Planning & Economic Development and Audit & Control Committees:

AT THE REQUEST OF: County Executive Paul M. Wendel, Jr. and
Legislative Chairman Pierre E. Chagnon:

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

WHEREAS, Chautauqua County and the four villages and five towns that surround Chautauqua Lake collaborated to prepare and adopt a New York State Department of State (DOS) approved Local Waterfront Revitalization Program (LWRP) for Chautauqua Lake in 2011, which identified priority waterfront development projects in the Town of Ellery and Village of Bemus Point that included the dredging of sediment area at creek deltas, creek outlets and canal outlets; and

WHEREAS, Chautauqua County and the Town of Ellicott collaborated to prepare a DOS funded Dredging Feasibility Report for Chautauqua Lake tributaries in April 2013 that recommended the removal of 20,000 cubic yards of accumulated debris and sediment from the mouth of Bemus Creek, which has not been dredged since 1981; and

WHEREAS, numerous flooding events have occurred along Bemus Creek and are likely to continue to occur unless the hydraulic conductivity of Bemus Creek is restored; and

WHEREAS, Chautauqua County, after thorough consideration of tributary flooding associated with Bemus Creek watershed, has hereby determined that a flood mitigation project is desirable and is in the public interest (the Project); and

WHEREAS, the Chautauqua County Department of Planning and Development (CCDPD) partnered with the Chautauqua Lake and Watershed Management Alliance (Alliance) to submit a successful grant application to the New York State Department of Environmental Conservation's (NYSDEC) Nonpoint Source Planning Grant program to fund the development of a Sediment and Debris Management Plan for Bemus Creek at a total Project cost of \$55,000; and

WHEREAS, the Sediment and Debris Management Plan for Bemus Creek was completed in March 2026 and recommended the removal of approximately 20,000 cubic yards of accumulated sediment and debris from the mouth of Bemus Creek; and

WHEREAS, CCDPD, the Town of Ellery and the Alliance are collaborating to submit a DOS LWRP Implementation Grant to complete the final project design, permitting and dredging of approximately 20,000 cubic yards of sediment and debris from the outlet of Bemus Creek at an estimated cost of \$400,000; and

WHEREAS, the DOS LWRP Implementation Grant has 25% local match requirement of \$100,000 that if successful, will be funded by \$70,583.55 from Capital Project HH-378020-674 and by \$29,416.45 of in-kind services provided by the Town of Ellery that will consist of dewatering, trucking and stockpiling at the Town's Highway Department; now, therefore, be it

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

RESOLVED, that the Chautauqua County Legislature approves the collaborative DOS LWRP Implementation Grant Application and the obligation of \$70,583.55 from Capital Project HH-378020-674; and be it further it

RESOLVED, that the County Executive is hereby authorized to enter into any and all contracts necessary to implement the terms of this resolution.

APPROVED

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;

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date _____