

Agenda
Public Safety Committee
August 19, 2026, 4:00 p.m., Legislative Chambers
Livestreamed on YouTube
Gerace Office Building, Mayville, NY

- A. Call to Order
- B. Approval of Minutes (07/15/26)
- C. Privilege of the Floor
- 1. Local Law Intro 12-26 – A Local Law Requiring operators of Motor Vehicles to Maintain a Safe Distance of Three Feet When Overtaking Non-Motorists
- 2. Proposed Resolution – Amend Chautauqua County Department of Mental Hygiene 2026 Adopted Budget for Court Ordered Forensic Evaluations for Competency and Court Ordered Forensic Hospitalizations
- 3. Proposed Resolution – Authorize Agreement with Sheridan Fire District to Utilize Space for Fly Car M71 and Paramedic
- 4. Proposed Resolution – Authorize Fire Service Loan to Bemus Point Fire Department
- 5. Proposed Resolution – Amend 2026 Budget for Office of the Sheriff
- 6. Proposed Resolution – Authorize Execution of Lease Agreement with the Town of Chautauqua for Office Space for the Chautauqua County Department of Probation
- 7. Proposed Resolution – Authorize Execution of Lease Agreement with the Town of Chautauqua for Office Space for the Chautauqua County Public Defender Family Court Division
- 8. Proposed Resolution – Amend the 2026 Budget of the Public Defender’s Office
- 9. Proposed Resolution – Authorize Acceptance of the Gun Involved Violence Elimination (“GIVE”) Grant funds for 2026-2027
- 10. Discussion –

District Attorney’s Office: 2027 Budget – *Presented by Jason Schmidt, Chautauqua County District Attorney*
- 11. Other –

LOCAL LAW
INTRODUCTORY NO. 12-26
CHAUTAUQUA COUNTY

A LOCAL LAW REQUIRING OPERATORS OF MOTOR VEHICLES TO MAINTAIN A
SAFE DISTANCE OF THREE FEET WHEN OVERTAKING NON-MOTORISTS

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

1. Title. This Local Law shall be known and referred to as the “Chautauqua County Safe Passing Law.”

2. Purpose and Intent. The purpose of this Local Law is to require motor vehicle operators to maintain a safe distance of at least three feet when overtaking non-motorists on the side of the road. The Chautauqua County Legislature finds that it has a duty to protect the health, safety, and welfare of its residents. Many Chautauqua County residents ride bicycles for exercise, recreation, and as a primary mode of transportation. New York Vehicle and Traffic Law Section 1122-a requires motorists to pass bicyclists at a “safe distance,” but does not mandate a specific three-foot minimum. Many safety advocates and organizations like the New York Bicycling Coalition recommend a three-foot defined safe passing law.

Additionally, many other non-motorists utilize Chautauqua County roads or may be present on the side of the road, including but not limited to pedestrians, persons riding mounted animals, persons operating horse-drawn carriages or “horse and buggies,” emergency services personnel including firefighters, EMTs, and police, construction workers, and operators of tractors or other farm equipment. This Legislature finds that all such non-motorists are vulnerable to the actions of motor vehicle operators, and determines that motor vehicles passing such non-motorists from behind can pose a threat to the health and safety of such non-motorists if passing too closely. Therefore, this Legislature finds that a minimum passing distance should be established to protect all such non-motorists in Chautauqua County.

3. Definitions. “Non-Motorist” means any person traveling or present on the side of road who is not actively operating a motor vehicle, including but not limited to bicyclists, pedestrians, persons riding mounted animals, persons operating horse-drawn carriages or “horse and buggies,” first responders and emergency services personnel including firefighters, EMTs, and police, construction workers, and operators of tractors or other farm equipment.

4. Minimum Distance Requirements For Motor Vehicles Passing Non-Motorists. The operator of a motor vehicle that is approaching or overtaking from behind a non-motorist on the same side of the road as such motor vehicle shall pass to the left of the non-motorist at a distance of at least three (3) feet until safely clear thereof. The three-foot distance requirement shall not apply to the overtaking of bicyclists on roads with clearly marked bicycle lanes as defined by New York Vehicle and Traffic Law Section 102-a. If an operator of a motor vehicle does not have sufficient space to approach or pass a non-motorist at a distance of at least three feet, the operator must slow down and overtake the motorist in a safe manner.

5. Compliance With New York Vehicle and Traffic Laws. Nothing in this Local Law shall be deemed to authorize conduct in violation of any provision of the New York Vehicle and Traffic Law.

6. Penalties.

a. Any person failing to comply with this Local Law shall be guilty of a violation and subject to a fine not to exceed \$225 for a first offense, \$325 for a second offense, and \$425 for a third or any subsequent offense(s).

b. This section does not preclude a person from being charged with, convicted of, or punished for any other violation of law.

7. Applicability. This law shall apply to all actions occurring on or after the effective date.

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

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

Sponsor: Legislator Nelson

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

TITLE: Amend Chautauqua County Department of Mental Hygiene 2026 Adopted Budget for Court Ordered Forensic Evaluations for Competency and Court Ordered Forensic Hospitalizations

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

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

WHEREAS, the Chautauqua County Department of Mental Hygiene is mandated to provide court ordered forensic evaluations for competency under New York Criminal Procedure Law § 730, and to provide for court ordered hospitalizations pursuant to that section; and

WHEREAS, Chautauqua County Department of Mental Hygiene will pay New York State Office of Mental Health State Psychiatric Centers and/or Facilities for mandated hospitalizations and also contracts with multiple providers for the provision of forensic evaluations for competency during the period of July 23, 2026 through December 31, 2026; and

WHEREAS, the 2026 expenditures are now projected to be in excess of the budget and therefore the 2026 budget should be amended based upon current projections; now, therefore, be it

RESOLVED, that A Fund Balance is appropriated as follows:

INCREASE THE USE OF FUND BALANCE:

A.-----	.917.0000	Fund Balance, Unreserved Fund Balance – Fund Balance	\$400,000
---------	-----------	--	-----------

; and be it further

RESOLVED, that the Director of Finance is authorized and directed to amend the 2026 Budget as follows:

INCREASE APPROPRIATION ACCOUNT:

A.4322.----.4	Contractual – Mental Hygiene Law	\$600,000
---------------	----------------------------------	-----------

DECREASE APPROPRIATION ACCOUNT:

A.4320.----.4	Contractual - Mental Hygiene Programs	\$200,000
---------------	---------------------------------------	-----------

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

TITLE: Authorize Agreement with Sheridan Fire District to Utilize Space for Fly Car M71 and Paramedic

BY: Public Safety Committee:

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

WHEREAS, the Chautauqua County Office of Emergency Services (CCOES) currently has a Fly Car, known as M71; and

WHEREAS, CCOES utilizes space for M71 and a Paramedic at 2800 Route 20, Sheridan, NY, which is owned by Sheridan Fire District; and

WHEREAS, CCOES wishes to continue the use of that space; and

WHEREAS, Sheridan Fire District and CCOES wish to have a formal agreement for M71 and a Paramedic to utilize the current space at a rate of Three Thousand dollars (\$3,000.00) per year starting January 2026; and

WHEREAS, the amounts are included in the CCOES 2026 Adopted Budget so no budget amendment is needed; now therefore be it

RESOLVED, that the County Executive is hereby authorized to execute all necessary agreements with Sheridan Fire District to continue use of 2800 Route 20, Sheridan, NY for the purpose of housing M71 and a Paramedic.

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

TITLE: Authorize Fire Service Loan to Bemus Point Fire Department

BY: Public Safety and Audit & Control Committees:

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

WHEREAS, Chautauqua County adopted resolution 312-92 that established a revolving low interest loan program for the benefit of fire departments to purchase equipment or to refurbish critical apparatus; and

WHEREAS, Resolution 312-92 requires a majority vote of the County Legislature when loans to a particular fire department exceed \$50,000; and

WHEREAS, the Fire Advisory Board received a loan request from Bemus Point Village in the amount of \$111,000 to purchase a 2026 Custom Built 26’ Stanley Aluminum boat with motors and trailer, Boat serial # CA-QMJ73081A626, Yamaha F250XCB # 6KH 1010041, Yamaha LF250XCB # 6KJ 1001917 and Load Rite trailer serial # 5A4FSWZ2XT2016665; and

WHEREAS, the Fire Advisory Board approved the loan request at their meeting on July 16, 2026; and

WHEREAS, a budget amendment is not needed for this request; now, therefore, be it

RESOLVED, that the County Executive is hereby authorized and empowered to execute a loan agreement with the Bemus Point Fire Department not to exceed \$111,000.

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

TITLE: Amend 2026 Budget for Office of the Sheriff

BY: Public Safety and Audit & Control Committees:

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

WHEREAS, some Office of the Sheriff departmental expenditures have exceeded initial budgetary estimates, as well as some appropriations have a surplus; and

WHEREAS, the Office of the Sheriff has received revenues in excess of budget; now therefore be it

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

INCREASE APPROPRIATION ACCOUNTS:

A.3315.----.1	Personal Services - STOP DWI	\$69,166
A.3315.----.8	Employee Benefits - STOP DWI	\$44,346
A.3110.----.2	Equipment - Sheriff	\$181,332
A.3110.GRNT.2	Equipment - Sheriff - Grants	<u>\$67,563</u>
Total		\$362,407

DECREASE APPROPRIATION ACCOUNTS:

A.3110.----.1	Personal Services - Sheriff	\$69,166
A.3110.----.8	Employee Benefits - Sheriff	<u>\$44,346</u>
Total		\$113,512

INCREASE REVENUE ACCOUNTS:

A.3110.----.R277.0000	Miscellaneous-OTHER UNCLASSIFIED REV	\$181,332
A.3110.GRNT.R438.9BMB	Federal Aid-BOMB DETECTION	<u>\$67,563</u>
Total		\$248,895

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

TITLE: Authorize Execution of Lease Agreement with the Town of Chautauqua for Office Space for the Chautauqua County Department of Probation

BY: Public Safety, Public Facilities, and Audit & Control Committees:

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

WHEREAS, the County of Chautauqua desires to lease approximately 1028 square feet of office space in the “C” Wing of the Chautauqua Municipal Building, located at 2 Academy Street, Mayville, New York (“Premises”) for use by the Chautauqua County Probation Department; and

WHEREAS, negotiations have been undertaken mutually beneficial to the County of Chautauqua and the Town of Chautauqua to execute a ten (10) year lease agreement for 1028 square feet, more or less, of office space in the “C” Wing of the Chautauqua County Municipal Building; and

WHEREAS, as part of the negotiations the County of Chautauqua agreed to pay up to \$600,000 towards the expense of the leasehold improvements incurred by the Town of Chautauqua to bring the Premises into compliance with code and to customize the leased Premises to the needs of the County; and

WHEREAS, the 2026 Adopted Budget does include appropriations for rent and other occupancy costs associated with the Premises so an amendment is not needed at this time; and

WHEREAS, the 2026 Amended Budget does include appropriations for the Chautauqua County Probation Departments pro-rata share of the leasehold improvements, based upon square footage, chargeable to the Chautauqua County Probation budget, in the amount of \$150,000, as well as a revenue budget for reimbursement of those costs from the New York State Division of Criminal Justice Services Pre-Trial Award; now therefore, be it

RESOLVED, that the County Executive is hereby authorized and empowered to execute a lease agreement with the Town of Chautauqua upon the following terms and conditions:

1. Premises: Approximately 1028 square feet of office space in the “C” Wing of the Chautauqua Municipal Building, 2 Academy Street, Mayville, New York.
2. Term: The term of the lease shall commence on or about September 1, 2026 and run from the effective date for ten (10) years through August 31, 2036.
3. Rent: The rent shall be as follows:
\$10,280 per annum payable at \$856.67 per month commencing on the effective date of the lease through August 31, 2036.
4. Leasehold Improvements: County shall disburse grant funds payable to the County of Chautauqua to the Town of Chautauqua upon receipt of satisfactory substantiation for the leasehold improvements to the Premises from the Town of Chautauqua in the amount of \$150,000.
5. Utilities: Landlord shall be responsible for all utilities, including heat and electric. County shall be responsible for the cost of phones and internet service.

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

6. Other: As negotiated by the County Executive.

**APPROVED
VETOES (VETO MESSAGE ATTACHED)**

County Executive **Date**

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

TITLE: Authorize Execution of Lease Agreement with the Town of Chautauqua for Office Space for the Chautauqua County Public Defender Family Court Division

BY: Public Facilities, Public Safety, and Audit & Control Committees:

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

WHEREAS, the County of Chautauqua desires to lease approximately 2484 square feet of office space in the “C” Wing of the Chautauqua Municipal Building, located at 2 Academy Street, Mayville, New York (“Premises”) for use by the Chautauqua County Public Defender Family Court Division; and

WHEREAS, negotiations have been undertaken mutually beneficial to the County of Chautauqua and the Town of Chautauqua to execute a ten (10) year lease agreement for 2484 square feet, more or less, of office space in the “C” Wing of the Chautauqua County Municipal Building; and

WHEREAS, as part of the negotiations the County of Chautauqua agreed to pay \$600,000 towards the expense of the leasehold improvements incurred by the Town of Chautauqua to bring the Premises into compliance with code and to customize the leased Premises to the needs of the County; and

WHEREAS, the 2026 Adopted Budget does include appropriations for rent and other occupancy costs associated with the Premises, as well as a revenue budget for reimbursement of those costs from the New York State Office of Indigent Legal Services; and

WHEREAS, the 2026 Adopted Budget does not include appropriations for the Chautauqua County Public Defender's pro-rata share of the leasehold improvements, based upon square footage, chargeable to the Chautauqua County Public Defender's budget, in the amount of \$324,420, as well as a revenue budget for reimbursement of those costs from the New York State Division of Criminal Justice Services and New York State Office of Indigent Legal Services; now therefore, be it

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

INCREASE APPROPRIATION ACCOUNT:

A.1170.1176.4	Contractual - Public Defender	\$324,420
---------------	-------------------------------	-----------

INCREASE REVENUE ACCOUNT:

A.1170.1176.R302.5000	New York State Aid-Indigent Legal Srvs Fund	\$258,498
-----------------------	---	-----------

A.1170.1176.R308.9000	New York State Aid-Other State Aid	\$65,922
-----------------------	------------------------------------	----------

Total	\$324,420
-------	-----------

; and be it further

RESOLVED, that the County Executive is hereby authorized and empowered to execute a lease agreement with the Town of Chautauqua upon the following terms and conditions:

1. Premises: Approximately 2484 square feet of office space in the “C” Wing of the Chautauqua Municipal Building, 2 Academy Street, Mayville, New York.

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

2. Term: The term of the lease shall commence on or about September 1, 2026 and run from the effective date for ten (10) years through August 31, 2036.
3. Rent: The rent shall be as follows:
\$24,840 per annum payable at \$2,070 per month commencing on the effective date of the lease through August 31, 2036.
4. Leasehold Improvements: County shall disburse grant funds payable by the County of Chautauqua to the Town of Chautauqua upon receipt of satisfactory substantiation for the leasehold improvements to the Premises from the Town of Chautauqua in the amount of \$324,420.
5. Utilities: Landlord shall be responsible for all utilities, including heat, electric, and cleaning services. County shall be responsible for the cost of phones and internet service.
6. Other: As negotiated by the County Executive.

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

TITLE: Amend the 2026 Budget of the Public Defender’s Office

BY: Public Safety and Audit & Control Committees:

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

WHEREAS, the Budget Director has created a sub-department to separate the Public Defender Family Court Division revenues and appropriations; and

WHEREAS, since this new department was just established, related appropriations and revenues were not included in the 2026 Adopted Budget to the new sub-department; and

WHEREAS, this amendment is to add operational appropriations and revenues for this new department, plus an additional \$59,133 for furniture in the Family Court Division’s renovated space at 2 Academy Street, Mayville, New York, the latter of which will be fully funded by DCJS Aid to Defense Supplemental Grant funds; now, therefore, be it

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

INCREASE APPROPRIATION ACCOUNTS:

A.1170.1176.----.1	Personal Services - Public Defender-Family Court Div	\$614,976
A.1170.1176.----.2	Equipment - Public Defender-Family Court Div	\$125,000
A.1170.1176.----.4	Contractual - Public Defender-Family Court Div	\$55,500
A.1170.1176.----.8	Employee Benefits - Public Defender-Family Court Div	<u>\$213,032</u>
	Total	\$1,008,508

DECREASE APPROPRIATION ACCOUNTS:

A.1170.----.1	Personal Services - Public Defender-Family Court Div	\$614,976
A.1170.----.2	Equipment - Public Defender-Family Court Div	\$65,867
A.1170.----.4	Contractual - Public Defender-Family Court Div	\$55,500
A.1170.----.8	Employee Benefits - Public Defender-Family Court Div	<u>\$213,032</u>
	Total	\$949,375

INCREASE REVENUE ACCOUNTS:

A.1170.1176.R302.5000	New York State Aid-Indigent Legal Srvs Fund	\$351,179
A.1170.1176.R308.9000	New York State Aid-Other State Aid	<u>\$140,882</u>
	Total	\$492,061

DECREASE REVENUE ACCOUNTS:

A.1170.----.R302.5000	New York State Aid-Indigent Legal Srvs Fund	\$351,179
A.1170.----.R308.9000	New York State Aid-Other State Aid	<u>\$81,749</u>
	Total	\$432,928

APPROVED
VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

TITLE: Authorize Acceptance of the Gun Involved Violence Elimination (“GIVE”) Grant funds for 2026-2027

BY: Public Safety and Audit & Control Committees:

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

WHEREAS, the New York State Division of Criminal Justice Services (DCJS) has awarded \$759,577 to Chautauqua County through multiple agencies for the Gun Involved Violence Elimination (“GIVE”) initiative. The agencies involved form the GIVE Task Force to reduce gun violence, drug offenses, and other violent crimes in the primary jurisdiction of the City of Jamestown and throughout Chautauqua County; and

WHEREAS, the funded GIVE partnership consists of the City of Jamestown Police Department, and the Chautauqua County agencies of the District Attorney, Office of the Sheriff and the Probation Department; and

WHEREAS, the City of Jamestown Police Department has been awarded \$309,345 of the total GIVE funding and will sign and administer a separate contract with New York State DCJS for its portion of said funding; and

WHEREAS, Chautauqua County’s portion of the funds is \$450,232, the agencies will share the remaining funds as follows: \$247,000 to the District Attorney’s office; \$115,432 to the Chautauqua County Office of the Sheriff; and \$87,800 to the Probation Department; and

WHEREAS, the amounts received in this term of the grant exceeded the amounts budgeted by offices of the District Attorney and the Sheriff in the 2026 Adopted Budget for each department; and

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

WHEREAS, this program will run from July 1, 2026 through June 30, 2027; now, therefore, be it

RESOLVED, that the County of Chautauqua accepts the grant funds and authorizes the County Executive to execute the GIVE Grant contracts with the New York State DCJS in the total amount of \$450,232 for the term of July 1, 2026 to June 30, 2027; and be it further

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

District Attorney:

INCREASE APPROPRIATION ACCOUNT:

A.1165.----.4	Contractual - District Attorney	\$73,500
---------------	---------------------------------	----------

INCREASE REVENUE ACCOUNT:

A.1165.----.R308.9006	New York State Aid-OTH ST AID: GIVE	\$73,500
-----------------------	-------------------------------------	----------

Sheriff:

INCREASE APPROPRIATION ACCOUNTS:

A.3110.GRNT.1	Personal Services - Sheriff--Grants	\$32,716
A.3110.GRNT.8	Employee Benefits - Sheriff--Grants	\$7,000
A.3110.GRNT.4	Contractual - Sheriff--Grants	<u>\$4,000</u>

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

	Total	\$43,716
<u>INCREASE REVENUE ACCOUNT:</u>		
A.31110.GRNT. R338.09GIV	New York State Aid-OTH PUBL SAFTY: GIVE GRANT	\$43,716

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date