

Minutes  
Public Facilities Committee  
**August 17, 2026, 4:00 p.m., Legislative Chambers**  
**Livestreamed on YouTube**  
Gerace Office Building, Mayville, NY

Members Present: Heiser, Anthony, Nelson, Whitney

Members Absent: Scudder

Others: Chagnon, Lee, Card, Taylor, Rothwell, Gregory, Vanstrom, Zafuto, Barone

**Complete video of meeting can be viewed on YouTube**

Chairman Heiser called the meeting to order at 4:00 p.m.

Approval of Minutes (07/13/26)

MOVED by Legislator Anthony, SECONDED by Legislator Whitney to approve the minutes.

*Unanimously Carried*

Privilege of the Floor

No one chose to speak.

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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  
—Presented by Legislator Nelson

*Discussion Item Only – Action Taken at Full Legislative Meeting*

Proposed Resolution – Authorizing New York State Department of Transportation Undertakings —Presented by Tim Card, DPF Director

*Unanimously Carried*

Proposed Resolution – Authorize Execution of Lease Agreement with the Town of Chautauqua for Office Space for the Chautauqua County Public Defender Family Court Division—Presented by Josh Rothwell, Assistant Deputy Director of Public Facilities, Sam Zafuto, Deputy Director of Finance, and Nate Barone, Public Defender

*MOVED by Legislator Anthony, SECONDED by Legislator Nelson to Amend by Substitution - Unanimously Carried to Amend (New Version Shown Below)*

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

**TITLE:** Authorize Execution of Lease Agreement with the Town of Chautauqua for Office Space

**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 3537 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 Departments of Probation, Public Defender and County Attorney; and

WHEREAS, negotiations have been undertaken that are mutually beneficial to the County of Chautauqua and the Town of Chautauqua to execute a ten (10) year lease agreement for 3537 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 an amount not to exceed \$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 for the Public Defender's Office; 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; 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 for the Chautauqua County Probation Department; and

\_\_\_\_\_  
**APPROVED**

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

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

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

**8/17/26 P.F: Amended by Substitution**

**AMENDED BY SUBSTITUTION IN PUBLIC FACILITIES**

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, and

WHEREAS, A Memorandum of Understanding, (MOU) between the departments of Probation and County Attorney will be put in place with no monetary value for the use of 96 square feet, and

WHEREAS, the balance of build out costs not covered by grant funds and not included in the 2026 budget totals \$125,580 therefore an amendment to the budget is needed, 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 \$125,580

; 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 ACCOUNTS:

|               |                                     |                  |
|---------------|-------------------------------------|------------------|
| A.1170.1176.4 | Contractual - Public Defender       | \$324,420        |
| A.1620.5070.4 | Contractual-Mayville Municipal Bldg | <u>\$125,580</u> |
|               | Total                               | \$450,000        |

INCREASE REVENUE ACCOUNT:

|                                |                                             |                 |
|--------------------------------|---------------------------------------------|-----------------|
| A. <u>1170.1176.R</u> 302.5000 | New York State Aid-Indigent Legal Svcs Fund | \$258,498       |
| A. <u>1170.1176.R</u> 308.9000 | New York State Aid-Other State Aid          | <u>\$65,922</u> |
|                                | 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:

\_\_\_\_\_  
APPROVED

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

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

\_\_\_\_\_  
Date

8/17/26 P.F: Amended by Substitution

**AMENDED BY SUBSTITUTION IN PUBLIC FACILITIES**

1. Premises: Approximately 3537 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:  
\$35,370 per annum payable at \$2,947.50 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 \$600,000.
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

8/17/26 P.F: Amended by Substitution

*Unanimously Carried as Amended*

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MOVED by Legislator Anthony, SECONDED by Legislator Nelson to adjourn.

*Unanimously Carried (4:26 p.m.)*

Respectfully submitted and transcribed,

Olivia L. Lee, Clerk of the Legislature/Amanda Guillory, Senior Stenographer