

CHAUTAUQUA COUNTY LEGISLATURE

08/26/26

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Chautauqua County Legislature

6:30 p.m.

CALL TO ORDER

ROLL CALL

PRAYER BY LEGISLATOR PROCTOR

PLEDGE OF ALLEGIANCE

APPROVAL OF THE MINUTES FOR 07/22/26

PRIVILEGE OF THE FLOOR

Members of the public may comment on any subject relating to any local law, resolution, or motion appearing on the agenda.

Individual comments are limited to 3 minutes and comments representing a group shall be limited to 5 minutes.

PROCLAMATION:

Declaring the Month of September as
“Childhood Cancer Awareness Month”

By

Legislator Marty Proctor &
County Executive Paul M. Wendel, Jr.

VETO MESSAGES FROM COUNTY EXECUTIVE WENDEL NO VETOES FROM 07/22/26

COMMUNICATIONS:

1. Letter – NYS Department of State – Acknowledgement of Local Law 5-26
 2. Affidavit of Publication (2) – Legal Notice – 30 Day Public Review Period Ag. District 10 (Post Journal and Observer)
 3. Affidavit of Publication (2) – Legal Notice – Public Hearing re: Local Law Introductory 9-26 (Post Journal and Observer)
 4. Affidavit of Publication (2) – Legal Notice – Public Hearing re: Local Law Introductory 11-26 (Post Journal and Observer)
 5. Minutes – Conewango Watershed Commission – July 8, 2026 Meeting
 6. Report – NYS Department of Taxation and Finance Office of Real Property Tax Services – Statement of County Equalization 2026
 7. Report – Kitty Lyons, Director of Finance – June 2026 Investment Report
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CHAUTAUQUA COUNTY LEGISLATURE

08/26/26

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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**

RESOLUTIONS:

- 203-26 Authorizing New York State Department of Transportation Undertakings
- 204-26 Amend Chautauqua County Department of Mental Hygiene 2026 Adopted Budget for Court Ordered Forensic Evaluations for Competency and Court Ordered Forensic Hospitalizations
- 205-26 Authorize Agreement with Sheridan Fire District to Utilize Space for Fly Car M71 and Paramedic
- 206-26 Authorize Fire Service Loan to Bemus Point Fire Department
- 207-26 Amend 2026 Budget for Office of the Sheriff
- 208-26 Amend the 2026 Budget of the Public Defender's Office
- 209-26 Authorize Acceptance of the Gun Involved Violence Elimination ("GIVE") Grant Funds for 2026-2027
- 210-26 Authorizing Public Hearing Regarding a Potential Application for 2026 Community Development Block Grant Funding through the New York State Office of Community Renewal
- 211-26 Accept Grant Funding from the Housing Trust Fund Corporation for a Technical Assistance to Grow Pro-Housing Communities Grant
- 212-26 Approves SEQRA Review of 2% In-Lake Occupancy Tax Grant Program Projects for 2027
- 213-26 Approves SEQRA Review of 2% Watershed Occupancy Tax Grant Program Projects for 2027
- 214-26 Authorize Chautauqua County Visitors Bureau as the Local Tourist Promotion Agency for Matching Funds Program Sponsored by the New York State Division of Tourism
- 215-26 Authorize Execution of Lease Agreement with the Town of Chautauqua for Office Space
- 216-26 Transfer of Foreclosed Properties to Chautauqua County Land Bank Corporation
- 217-26 Authorize Transfer of Tax Foreclosure Property to the Village of Mayville
- 218-26 Authorize Transfer of Tax Foreclosure Property to CHQ Transit
- 219-26 2027 \$2,000,000 Property Tax Levy Cut

ANNOUNCEMENTS

CHAUTAUQUA COUNTY LEGISLATURE

08/26/26

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PRIVILEGE OF THE FLOOR

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CHAUTAUQUA COUNTY LEGISLATURE

08/26/26

RES. NO. 203-26

Authorizing New York State Department of Transportation Undertakings

By Public Facilities Committee:

At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, the Chautauqua County Department of Public Facilities from time to time conducts activities and operations upon highways and/or within highway rights-of-way controlled by the State of New York for such purposes as obstruction removal, installation, construction, maintenance, and/or operation of infrastructure; and

WHEREAS, such activities require entry into undertaking agreements with the New York State Department of Transportation; and

WHEREAS, there is no monetary exchange associated with pending agreements, so an amendment to the budget is not needed; now, therefore, be it

RESOLVED, that the County Executive be and hereby is authorized within budget appropriations to execute agreements with the New York Department of Transportation, and to execute related documents, for the removal of obstructions and for the installation, construction, maintenance, relocation, removal and operation of County infrastructure.

Signed: Heiser, Nelson, Whitney, Anthony

RES. NO. 204-26

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

By Public Safety, Human Services, 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:

CHAUTAUQUA COUNTY LEGISLATURE

08/26/26

INCREASE APPROPRIATION ACCOUNT:

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

DECREASE APPROPRIATION ACCOUNT:

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

(8/20/26 A.C. – Carried with Legislator Johnson Voting “No”)

Signed: Bankoski, Proctor, Harmon, Lewis, Pavlock, Anthony, Scudder, Merritt, Larson, Gustafson

RES. NO. 205-26

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

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 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.

Signed: Merritt, Larson, Gustafson, Bankoski, Proctor, Anthony, Johnson, Pavlock, Scudder

RES. NO. 206-26

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

CHAUTAUQUA COUNTY LEGISLATURE

08/26/26

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 **at an interest rate of 5% for a term of 3 years.**

(8/19/26 P.S.-Amended by additional text shown in bold and underlined)

Signed: Merritt, Larson, Gustafson, Bankoski, Proctor, Anthony, Johnson, Pavlock, Scudder

RES. NO. 207-26

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

Signed: Bankoski, Merritt, Larson, Pavlock, Proctor, Gustafson, Anthony, Johnson, Scudder

RES. NO. 208-26

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.:

CHAUTAUQUA COUNTY LEGISLATURE

08/26/26

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

Signed: Bankoski, Proctor, Gustafson, Anthony, Johnson, Scudder, Merritt, Larson, Pavlock

RES. NO. 209-26

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.:

CHAUTAUQUA COUNTY LEGISLATURE

08/26/26

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
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INCREASE REVENUE ACCOUNT:

A.1165.----.R308.9006	New York State Aid-OTH ST AID: GIVE	\$73,500
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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>
	Total	\$43,716

INCREASE REVENUE ACCOUNT:

	New York State Aid-OTH PUBL SAFETY:	
A.31110.GRNT. R338.09GIV	GIVE GRANT	\$43,716

Signed: Bankoski, Proctor, Pavlock, Merritt, Gustafson, Larson, Johnson, Anthony, Scudder

CHAUTAUQUA COUNTY LEGISLATURE

08/26/26

RES. NO. 210-26

Authorizing Public Hearing Regarding a Potential Application for 2026 Community Development Block Grant Funding through the New York State Office of Community Renewal

By Planning & Economic Development Committee:

At the Request of County Executive Paul J. Wendel:

WHEREAS, the County desires to submit a Community Development Block Grant (“CDBG”) application to the New York State Office of Community Renewal (“OCR”) for a Microenterprise Assistance Grant to further fund the microenterprise assistance program; and

WHEREAS, the County is required to hold a public hearing to provide information to the public and to consider citizen comments regarding community needs and the project proposal prior to submitting an application for CDBG funding; now, therefore, be it

RESOLVED, that the Chautauqua County Legislature shall hold a public hearing for the aforementioned purposes during the regular meeting of the County Legislature on September 23, 2026, at 6:35 p.m. in the Legislative Chambers, Gerace Office Building, Mayville, New York; and be it further

RESOLVED, that the Clerk of the Legislature is authorized and directed to post notice of the public hearing in the Gerace Office Building and on the County’s website and to publish notice of the hearing at least eight (8) days prior thereto in the official newspapers of the County of Chautauqua in such form as is approved by the Chautauqua County Law Department.

Signed: Harmon, Merritt, Johnson, Penhollow, DeJoy

RES. NO. 211-26

Accept Grant Funding from the Housing Trust Fund Corporation for a Technical Assistance to Grow Pro-Housing Communities Grant

By Planning & Economic Development and Audit & Control Committees:

At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, The Chautauqua County Housing Market Assessment and Development Strategy (Plan) was completed in February 2024; and

WHEREAS, the Plan prioritized top action items that would help establish a healthy and well-functioning housing market as critical to the vibrancy of communities, well-being of residents, and future economic development in Chautauqua County; and

WHEREAS, top action items within the Plan included developing an inventory and marketing of development sites, funding for pre-development activities, a developer forum, zoning analysis, and stakeholder engagement; and

WHEREAS, in 2025, the County applied for and was awarded a New York State Homes and Community Renewal (HCR) Technical Assistance to Grow Pro-Housing Communities Grant (TAG) (project 20260068) in the amount of \$250,000 to foster housing growth and further municipal development in municipalities certified under the Pro-Housing Community program; and

WHEREAS, the Chautauqua Region Economic Development Corporation (CREDC) will be leading the pre-development activities, developer forum, project management, and stakeholder engagement, and as a sub-recipient, will receive \$165,000 in grant funds to implement the tasks; now therefore be it

CHAUTAUQUA COUNTY LEGISLATURE

08/26/26

RESOLVED, that the County Executive is hereby authorized to officially accept the Housing Trust Fund Corporation funding, and execute all agreements necessary to implement the Chautauqua County Technical Assistance to Grow Pro-Housing Communities Program; and be it further

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

INCREASE APPROPRIATION ACCOUNT:

A.8020.----.4 Contractual—Planning \$250,000

INCREASE REVENUE ACCOUNT:

A.8020.----.R308.9000 NYS Aid—Other State Aid \$250,000

Signed: Harmon, Merritt, Johnson, Penhollow, DeJoy, Pavlock, Scudder, Anthony

RES. NO. 212-26

Approves SEQRA Review of 2% In-Lake Occupancy Tax Grant
Program Projects for 2027

By Planning & Economic Development and Audit & Control Committees:

At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, the Chautauqua County Legislature requests the Department of Planning and Development arrange for the New York State Environmental Quality Review Act (SEQR) review of the top three projects recommended for 2027 2% Occupancy Tax funding as follows:

Project/Agency or Organization	Rank	Amount Requested	Cumulative Amount
Mobitrac Nearshore Cleanup	1	\$50,000	\$50,000
CLA Operational Assistance	2	\$50,000	\$100,000
Findley Lake Herbicides	3	\$50,000	\$150,000

WHEREAS, as a funder and Involved Agency, the Department of Planning and Development has determined that each of the three proposed are intended to improve the aesthetics and usability of recreational water lakes, are considered maintenance activities and should be classified as Type 2 Actions under 6 NYCRR Part 617.5 (c) and no further environmental review is warranted; and

WHEREAS, each project is located within a municipality that has discretionary authority to approve, fund or undertake the project and make its own SEQR determination; and

WHEREAS, the New York State Department of Conservation regulates activities that involve Waters of the State of New York, has discretionary authority to write permits for those activities; and therefore, makes its own environmental quality review determinations; and

WHEREAS, these projects will be recommended for inclusion in the 2027 Budget so an amendment is not necessary; now, therefore, be it

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

Signed: Harmon, Merritt, Johnson, Penhollow, DeJoy, Pavlock, Scudder, Anthony

CHAUTAUQUA COUNTY LEGISLATURE

08/26/26

RES. NO. 213-26

Approves SEQRA Review of 2% Watershed Occupancy Tax Grant
Program Projects for 2027

By Planning & Economic Development and Audit & Control Committees:

At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, the Chautauqua County Legislature requests the Department of Planning and Development arrange for the New York State Environmental Quality Review Act (SEQR) review of the top six projects recommended for 2027 2% Occupancy Tax funding as follows:

Project/Agency or Organization	Rank	Amount Requested	Cumulative Amount
CWC Cheney Creek Huhn property	1	\$9,425	\$9,425
Lily Dale Ecosystem Restoration	2	\$20,382	\$29,807
Bliss Road Culvert	3	\$28,300	\$58,107
Crooked Brook	4	\$15,000	\$73,107
Pomfret Canadaway Creek	5	\$50,000	\$123,107
Town of Harmony Culverts	6	\$21,000	\$144,107

WHEREAS, the Department of Planning and Development has determined that each of the six proposed water quality improvement projects should be classified as an Unlisted Action under 6 NYCRR Part 617.7; and

WHEREAS, as a funder and Involved Agency, the Department has completed Parts 2 and Part 3 of the Short Environmental Assessment Forms for each proposed project; and

WHEREAS, upon a review of the available information, the Department has determined that no significant adverse environmental impacts are likely to occur as a result of funding these six proposed projects; and

WHEREAS, each project is located within a municipality that has discretionary authority to approve, fund or undertake the project and make its own SEQR determination; and

WHEREAS, the New York State Department of Conservation regulates activities that involve Waters of the State of New York, has discretionary authority to write permits for those activities; and therefore, makes its own environmental quality review determinations; and

WHEREAS, these projects will be recommended for inclusion in the 2027 Budget so an amendment is not necessary; now, therefore, be it

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

Signed: Harmon, Merritt, Johnson, Penhollow, DeJoy, Pavlock, Scudder, Anthony

CHAUTAUQUA COUNTY LEGISLATURE

08/26/26

RES. NO. 214-26

Authorize Chautauqua County Visitors Bureau as the Local Tourist Promotion Agency for Matching Funds Program Sponsored by the New York State Division of Tourism

By Planning & Economic Development and Audit & Control Committees:

At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, the New York State Legislature has authorized the New York State Department of Commerce to match funds expended by local and regional organizations promoting tourist travel, resorts, and vacation businesses in this State; and

WHEREAS, the New York State Legislature has made appropriations for such purposes; and

WHEREAS, to participate in this program, the Chautauqua County Legislature must designate a not-for-profit corporation as the local tourist promotion agency for the Matching Fund Program sponsored by the New York State Division of Tourism; now, therefore, be it

RESOLVED, that the Chautauqua County Legislature hereby designates the Chautauqua County Visitors Bureau as the local tourist promotion agency for the Matching Funds Program sponsored by the New York State Division of Tourism, and authorizes the Chautauqua County Visitors Bureau to apply for matching tourism funds, to receive such matching funds, and to represent the County of Chautauqua in tourism promotion efforts; and be it further

RESOLVED, that in making the aforesaid designation, the Chautauqua County Legislature hereby certifies that Chautauqua County Visitors Bureau has been in operation for at least three (3) years immediately prior to making this year's application; and be it further

RESOLVED, that the Chautauqua County Visitors Bureau comply with the following criteria for implementing the Matching Funds Program:

1. A dedicated bank account shall be maintained for the purposes of matching and disbursing Matching Funds provided by the New York State Division of Tourism and the corresponding local share in accordance with the Program guidelines;

2. All interest earned from the Matching Funds Program monies shall be expended for generic County advertising according to the New York State guidelines for the Program;

3. All discounts and refunds be maintained in the Matching Fund program account and be expended for generic County advertising according to the Program guidelines;

4. Account(s) shall be reconciled monthly and at the end of the Program, and the required quarterly and annual reports be provided to the New York State Division of Tourism in accordance with the Program guidelines; and be it further

RESOLVED, that the Chautauqua County Visitors Bureau is authorized to apply for state matching funds up to \$250,000 for the period of January 1, 2027 through December 31, 2027.

Signed: Harmon, Merritt, Johnson, Penhollow, DeJoy, Pavlock, Scudder, Anthony

CHAUTAUQUA COUNTY LEGISLATURE

08/26/26

RES. NO. 215-26

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

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

CHAUTAUQUA COUNTY LEGISLATURE

08/26/26

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.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	<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:

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.

(8/17/26 P.F. – Amended by Substitution)

(8/20/26 A.C. – Carried with Legislator Johnson Voting “No”)

Signed: Heiser, Anthony, Nelson, Whitney, Bankoski, Gustafson, Proctor, Merritt, Larson, Pavlock, Scudder

RES. NO. 216-26

Transfer of Foreclosed Properties to Chautauqua County Land Bank Corporation

By Administrative Services and Audit & Control Committees:

At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, pursuant to Resolution 65-12, Chautauqua County created one of the first five (5) authorized land bank corporations in New York State that was incorporated as the Chautauqua County Land Bank Corporation (CCLBC); and

WHEREAS, the mission of the CCLBC is to “control and manage strategically selected dilapidated and abandoned residential and commercial properties acquired through the County

CHAUTAUQUA COUNTY LEGISLATURE

08/26/26

tax foreclosure process, bank foreclosures and/or donations, and facilitate solutions aimed at stabilizing neighborhoods, encouraging private investment, and improving the quality of life throughout Chautauqua County”; and

WHEREAS, the County Legislature has transferred distressed tax foreclosure properties to CCLBC for \$1.00 plus a \$5.00 deed fee, CCLBC cleans the interior and exterior of the properties, secures the properties, has them appraised, and lists them through the Multiple Listing Services (MLS) so that they can be made available to the public for negotiated sale; and

WHEREAS, CCLBC has all properties appraised as-is and lists them for sale at 60% of the appraised value in order to incentivize and maximize investment by the purchasers for the required renovation work; and

WHEREAS, based on historical sales, CCLBC has sold properties for approximately \$12,000 per property on average, and any ‘profits’ realized by CCLBC are being reinvested directly back into improving the County’s housing stock through a range of activities including renovation, side lot disposition, and demolition projects; and

WHEREAS, CCLBC aspires to become self- sustaining as it builds its capacity over time; now, therefore, be it

RESOLVED, that the County Executive is authorized and empowered to execute all necessary documents to transfer the following tax foreclosure properties containing distressed or at-risk structures to the Chautauqua County Land Bank Corporation for \$1.00, and upon such other terms and conditions negotiated by the County Executive:

<u>Offer Number</u>	<u>Municipality</u>	<u>Purchaser</u>	<u>Foreclosed Owner</u>	<u>Offer Amount</u>	<u>Taxes Owning</u>
PA-3-2026	City of Dunkirk	Chautauqua County Land Bank Corporation	Roman Alberto	\$1.00	\$3,594.30
PA-5-2026	City of Dunkirk	Chautauqua County Land Bank Corporation	Bigler Terry M	\$1.00	\$2,113.31
PA-12-2026	City of Dunkirk	Chautauqua County Land Bank Corporation	O'Dea John E	\$1.00	\$8,253.21
PA-18-2026	City of Dunkirk	Chautauqua County Land Bank Corporation	Hebner Donald W	\$1.00	\$12,135.40
PA-29-2026	City of Dunkirk	Chautauqua County Land Bank Corporation	Champlin Sarah M	\$1.00	\$7,951.97
PA-30-2026	City of Dunkirk	Chautauqua County Land Bank Corporation	Champlin Valerie S	\$1.00	\$393.51
PA-44-2026	City of Dunkirk	Chautauqua County Land Bank Corporation	Mirek Michael D	\$1.00	\$10,974.04
PA-46-2026	City of Dunkirk	Chautauqua County Land Bank Corporation	Petersen Richard M	\$1.00	\$10,851.51
PA-53-2026	Jamestown	Chautauqua County Land Bank Corporation	Lahnen Stephen D II	\$1.00	\$15,651.20
PA-190-2026	Chautauqua	Chautauqua County Land Bank Corporation	Turck Raymond C	\$1.00	\$3,953.88
PA-321-2026	Westfield	Chautauqua County Land Bank Corporation	Bowman Elizabeth A	\$1.00	\$10,959.33
PA-322-2026	Westfield	Chautauqua County Land Bank Corporation	Kennedy Edwin	\$1.00	\$12,087.38

Signed: Pavlock, Anthony, Heiser, Vanstrom, Scudder, Buchanan, Johnson

CHAUTAUQUA COUNTY LEGISLATURE

08/26/26

RES. NO. 217-26

Authorize Transfer of Tax Foreclosure Property to the Village of Mayville

By Administrative Services and Audit & Control Committees:

At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, pursuant to Resolution 44-13, the County Legislature established a general policy regarding disposition of tax foreclosure parcels, but retained the authority to impose special requirements, terms, and conditions for the sale of particular tax parcels and determine in its sole discretion to whom a particular tax parcel will be sold; and

WHEREAS, the Village of Mayville has requested that the County convey to the village a tax delinquent property (SBL # 245.20-2-54); now, therefore, be it

RESOLVED, that the Chautauqua County Legislature hereby authorizes the transfer of the County's property interest in parcel # 245.20-2-54 to the Village of Mayville for \$7,517.31; and be it further

RESOLVED, that the County Executive is hereby authorized to negotiate additional terms and conditions, enter into any necessary agreements to execute all documents to accomplish the aforementioned transaction.

Offer Number	Municipality	SBL	Purchaser	Foreclosed Owner	Offer Amount	Taxes Owning
PA-182-2026	Mayville	245.20-2-54	Village of Mayville	Shepherd Ellen	\$7,517.31	\$7,517.31

Signed: Anthony, Heiser, Vanstrom, Pavlock, Scudder, Johnson

RES. NO. 218-26

Authorize Transfer of Tax Foreclosure Property to CHQ Transit

By Administrative Services and Audit & Control Committees:

At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, pursuant to Resolution 44-13, the County Legislature established a general policy regarding disposition of tax foreclosure parcels, but retained the authority to impose special requirements, terms, and conditions for the sale of particular tax parcels and determine in its sole discretion to whom a particular tax parcel will be sold; and

WHEREAS, CHQ Transit has requested that the County convey to them a tax delinquent property (SBL # 371.13-4-19); now, therefore, be it

RESOLVED, that the Chautauqua County Legislature hereby authorizes the transfer of the County's property interest in parcel # 371.13-4-19 to CHQ Transit for \$1,568.20; and be it further

RESOLVED, that the County Executive is hereby authorized to negotiate additional terms and conditions, enter into any necessary agreements to execute all documents to accomplish the aforementioned transaction.

Offer Number	Municipality	SBL	Purchaser	Foreclosed Owner	Offer Amount	Taxes Owning
PA-77-2026	Jamestown	371.13-4-19	CHQ Transit	Johnson Raymond L	\$1,568.20	\$1,568.20

Signed: Pavlock, Anthony, Heiser, Vanstrom, Buchanan, Johnson, Scudder

CHAUTAUQUA COUNTY LEGISLATURE

08/26/26

RES. NO. 219-26
2027 \$2,000,000 Property Tax Levy Cut

At the Request of Legislator Larson:

WHEREAS, the County Property Tax Levy has been increasing by almost \$2,000,000 per year recently; and

WHEREAS, the County's Unappropriated Fund Balance has continued to be over \$30,000,000, well above the agreed upon minimum of 5% of the County Budget (or approximately \$16,000,000); and

WHEREAS, the rising cost of living for our residents is way above the Federal Reserve Board's target of 2%; and

WHEREAS, the increased price of gasoline at over \$4 a gallon is costing the average Chautauqua County driver approximately \$600 more this year than in 2025; and

WHEREAS, the cost of groceries for our residents has risen dramatically this year; and

WHEREAS, the 2027 Chautauqua County Budget can afford to give our taxpayers a reduction of \$2,000,000 in the 2027 Property Tax Levy, making it more affordable to live in Chautauqua County; now therefore be it

RESOLVED, that the Chautauqua County Legislature urges the County Executive to reduce the 2027 County Property Tax by \$2,000,000 in his Tentative 2027 County Budget to be presented to the County Legislature in September

Signed: Larson