CHAUTAUQUA COUNTY LEGISLATURE

11/18/26

RES. NO. 261-26

A Resolution Adopting a Uniform Tax Exemption Policy Pursuant to General Municipal Law § 874(4) Providing that the Chautauqua County Industrial Development Agency Shall Not Consent to Real Property Tax Exemptions, Mortgage Recording Tax Exemptions, or Sales and Use Tax Exemptions for Data Center Projects

At the Request of Legislators Fred Larson, Marcus Buchanan, Robert Bankoski, Thomas Nelson, Sandra Lewis, Robert Whitney:

WHEREAS, the Chautauqua County Industrial Development Agency (hereinafter "Agency") is a public benefit corporation organized and existing pursuant to Article 18-A of the New York General Municipal Law (hereinafter "GML"); and

WHEREAS, GML § 874(4) provides that a county legislature may, by resolution, adopt a Uniform Tax Exemption Policy ("UTEP") that prescribes the terms and conditions under which the Agency may provide financial assistance, including real property tax exemptions, mortgage recording tax exemptions, and sales and use tax exemptions, in connection with projects undertaken by the Agency; and

WHEREAS, the Chautauqua County Legislature (hereinafter "Legislature") is the authorizing body with jurisdiction to establish policy parameters governing the exercise of the Agency's power to grant tax exemption benefits within Chautauqua County; and

WHEREAS, the Legislature has reviewed and considered the nature and characteristics of data center projects, including but not limited to facilities whose primary purpose is the housing, storage, management, or processing of electronic data, including colocation data centers, cloud computing facilities, hyperscale data centers, cryptocurrency mining operations, and similar technology infrastructure facilities; and

WHEREAS, the Legislature finds that data center projects, while capital-intensive, typically generate minimal permanent employment relative to the magnitude of public tax benefits requested and relative to the level of capital investment made; and

WHEREAS, the Legislature further finds that data center projects often consume significant public infrastructure resources, including substantial electrical power, water resources, and utility capacity, which may impose burdens upon local infrastructure systems without commensurate benefit to the local economy, local workforce, or local tax base; and

WHEREAS, the Legislature finds that the granting of tax exemptions to data center projects diminishes revenues otherwise available to Chautauqua County, its municipalities, and its school districts, which depend upon such tax revenues to fund essential public services, including public education, emergency services, public health, and infrastructure maintenance; and

WHEREAS, the Legislature finds that data center projects do not sufficiently advance the economic development purposes set forth in Article 18-A of the GML so as to justify the granting of tax exemption benefits by the Agency; and

WHEREAS, the Legislature has determined that it is in the best interest of the residents, taxing jurisdictions, and communities of Chautauqua County to expressly preclude the Agency from consenting to or approving tax exemption benefits for data center projects; and

WHEREAS, the Legislature has provided public notice and opportunity for comment consistent with applicable law prior to the adoption of this Uniform Tax Exemption Policy; and

WHEREAS, the Legislature desires to adopt a Uniform Tax Exemption Policy that includes a prohibition on tax exemption benefits for data center projects, effective immediately upon adoption; now, therefore, be it

RESOLVED by the Chautauqua County Legislature as follows:

ARTICLE I — TITLE AND AUTHORITY

Section 1.01 — Title. This Resolution shall be known and may be cited as the "Chautauqua County Uniform Tax Exemption Policy" (hereinafter "UTEP" or "Policy").

Section 1.02 — Authority. This Policy is adopted pursuant to the authority granted to the Chautauqua County Legislature under New York General Municipal Law § 874(4), which authorizes the governing body of a county to adopt by resolution a uniform tax exemption policy applicable to the Chautauqua County Industrial Development Agency.

Section 1.03 — Purpose. The purpose of this Policy is to establish uniform standards governing the extent to which the Agency shall provide tax exemption benefits in connection with projects, and specifically to prohibit the Agency from consenting to or granting any tax exemption benefits in connection with data center projects as defined herein.

ARTICLE II — DEFINITIONS

Section 2.01 — Definitions. As used in this Policy, the following terms shall have the meanings set forth below:

(a) "Agency" means the Chautauqua County Industrial Development Agency, a public benefit corporation organized pursuant to Article 18-A of the New York General Municipal Law.

(b) "Applicant" means any person, entity, partnership, corporation, limited liability company, association, or other legal entity that applies to the Agency for financial assistance in connection with a project.

(c) "Data Center Project" means any project in which the primary or predominant use of the facility, or any material portion thereof, involves one or more of the following:

(i) the housing, storage, processing, or management of electronic data, digital information, or computing workloads on behalf of the project operator or third parties;

(ii) the operation of servers, networking equipment, storage systems, or associated infrastructure in support of cloud computing services, internet services, colocation services, or managed services;

(iii) the operation of facilities commonly described as data centers, colocation centers, cloud data centers, hyperscale data centers, edge data centers, or enterprise data centers;

(iv) the operation of facilities engaged in cryptocurrency mining, blockchain processing, or similar computationally intensive digital asset operations;

(v) any facility in which the density of computing, server, or electronic processing equipment exceeds that typically associated with incidental or accessory office or business use; or

(vi) any facility that is primarily designed, constructed, or operated to support any of the activities described in subsections (i) through (v) above.

(d) "Financial Assistance" means any form of assistance provided by the Agency including, without limitation, real property tax exemptions, payments in lieu of taxes (PILOTs), mortgage recording tax exemptions, and sales and use tax exemptions, as authorized under Article 18-A of the GML.

(e) "Mortgage Recording Tax Exemption" means the exemption from the mortgage recording tax authorized under GML § 874(1).

(f) "Real Property Tax Exemption" means the exemption from real property taxes authorized under GML § 874(1), including any benefit provided through a payment in lieu of taxes (PILOT) agreement that reduces the tax burden below that which would otherwise be owed.

(g) "Sales and Use Tax Exemption" means the exemption from state and local sales and use taxes authorized under GML § 874(1).

(h) "Tax Exemption Benefits" means, collectively, any or all of the real property tax exemption, mortgage recording tax exemption, and sales and use tax exemption benefits available through the Agency.
(i) "Taxing Jurisdiction" means any county, city, town, village, school district, or special district having the power to levy real property taxes or other taxes within Chautauqua County.

ARTICLE III — PROHIBITION ON TAX EXEMPTION BENEFITS FOR DATA CENTER PROJECTS
Section 3.01 — General Prohibition. Notwithstanding any other provision of law or any prior resolution, agreement, or practice of the Agency, the Agency shall not consent to, approve, authorize, or grant any Tax Exemption Benefits, including but not limited to real property tax exemptions, mortgage recording tax exemptions, or sales and use tax exemptions, in connection with any Data Center Project.
Section 3.02 — Prohibition Applies to All Forms of Tax Benefit. The prohibition set forth in Section 3.01 shall apply to:
(a) any new application for financial assistance submitted to the Agency on or after the effective date of this Policy in connection with a Data Center Project;
(b) any expansion, modification, amendment, or renewal of existing financial assistance arrangements that would extend, increase, or continue Tax Exemption Benefits to a project that constitutes or has become a Data Center Project; and
(c) any application that, at the time of submission or at any point during Agency review, involves or contemplates use as a Data Center Project, regardless of the characterization of the project by the Applicant.
Section 3.03 — Agency Board Compliance. The Board of Directors of the Agency shall not take any action, adopt any resolution, or enter into any agreement that is inconsistent with the prohibition set forth in this Article III. Any resolution, agreement, or action of the Agency Board that purports to grant Tax Exemption Benefits to a Data Center Project shall be null and void and of no legal effect.
Section 3.04 — Consent of Taxing Jurisdictions. Consistent with GML § 874(4), this Policy is adopted as the official position of the Chautauqua County Legislature, as the authorizing body of the Agency, and shall constitute the withholding of consent by the County to the granting of any Tax Exemption Benefits to Data Center Projects. The Agency is directed to communicate this Policy to all affected Taxing Jurisdictions.

ARTICLE IV — DETERMINATION OF DATA CENTER STATUS
Section 4.01 — Agency Determination. In the event of any uncertainty as to whether a proposed project constitutes a Data Center Project within the meaning of this Policy, the Agency shall make a determination based upon all relevant facts and circumstances, including but not limited to:
(a) the nature and description of the proposed use of the facility as set forth in the application and supporting materials;
(b) the power consumption, cooling requirements, and infrastructure specifications of the proposed facility;
(c) the ratio of permanent full-time employees to capital investment proposed for the project;
(d) the nature of the primary revenue-generating activities to be conducted at the facility; and
(e) any other factor reasonably indicating that the primary or predominant use of the facility is consistent with the definition of a Data Center Project under this Policy.
Section 4.02 — Burden on Applicant. The Applicant shall bear the burden of demonstrating to the Agency's satisfaction that a proposed project does not constitute a Data Center Project within

the meaning of this Policy. A mere assertion by the Applicant that the project is not a data center shall not be determinative.
Section 4.03 — Conservative Interpretation. In furtherance of the Legislature's intent to exclude Data Center Projects from Tax Exemption Benefits, the Agency shall interpret the definition of "Data Center Project" broadly and shall resolve any ambiguity in favor of classification as a Data Center Project.

ARTICLE V — GENERAL PROVISIONS
Section 5.01 — Relation to Existing UTEP. To the extent any prior Uniform Tax Exemption Policy of the Agency or any prior resolution of the Legislature is inconsistent with the provisions of this Policy, this Policy shall control and shall supersede such prior policy or resolution with respect to the subject matter hereof.
Section 5.02 — Remaining Provisions. Except as specifically modified or supplemented by this Resolution, all other provisions of the Agency's existing Uniform Tax Exemption Policy, if any, shall remain in full force and effect.
Section 5.03 — Filing and Notice. The Clerk of the Legislature and the Agency's Executive Director are hereby directed to:
(a) file a certified copy of this Resolution with the offices of the Chautauqua County Clerk;
(b) provide written notice of the adoption of this Policy to the Board of Directors of the Chautauqua County Industrial Development Agency;
(c) provide written notice to each Taxing Jurisdiction within Chautauqua County; and
(d) make this Policy available to the public on the Agency's official website.
Section 5.04 — Severability. If any provision of this Resolution or the application thereof to any person or circumstance is held invalid or unenforceable by a court of competent jurisdiction, the remainder of this Resolution and the application of its provisions to other persons or circumstances shall not be affected thereby and shall continue in full force and effect.
Section 5.05 — Effective Date. This Resolution shall take effect immediately.
(10/28/26 Leg – Refer to committee)
(11/10/26 PED – Failed with Legislators Harmon, Johnson, Merritt Voting "No")
(11/12/26 AC – Failed with Legislators Pavlock, Scudder, Nelson, Johnson, Anthony Voting "No")
Signed: Larson

RES. NO. 262-26
Amend Landfill and Transfer Station User Fees

By Public Facilities and Audit & Control Committees:
At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, the County operates a Landfill and several transfer stations that provide environmentally sound waste disposal services for County residents and businesses; and

WHEREAS, services are funded by user charge fees which, pursuant to Local Law 13-95, are to be based on projected costs of operation, market prices, and the nature and volume of refuse; and

WHEREAS, Landfill operational costs, including costs of handling and hauling transfer station waste, have experienced routine cost-of-living increases; and

WHEREAS, the Deputy Director of Public Facilities (Environment) has reviewed the current user charge schedule, established by Resolution 262-23, and taking into

consideration the factors specified in Local Law 13-95, recommends changes to the user charge fees consistent with such cost-of-living increases; now therefore be it

RESOLVED, that the following Landfill user charge fees, as recommended below be approved effective as of January 1, 2027:

TRANSFER STATION FEES:

Construction & Demolition - Cubic Yard - From $65.00 to $67.00 per yd
Construction & Demolition – Scaled Weight - From $65.00 to $67.00 per ton
Municipal Solid Waste – Cubic Yard - From $46.00 to $48.00 per yd
Municipal Solid Waste – Scaled Weight - From $46.00 to $48.00 per ton

LANDFILL FEES:

Asbestos – Non-friable – From $44.00 to $46.00 per ton
Construction & Demolition – From $44.00 to $46.00 per ton
Contaminated Soil – From $30.00 to $32.00 per ton
Industrial Waste – From $32.00 to $34.00 per ton
Municipal Solid Waste – From $32.00 to $34.00 per ton
Sludge – Municipal – From $29.00 to $31.00 per ton
Signed: Heiser, Pavlock, Nelson, Whitney, Anthony, Scudder, Johnson

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RES. NO. 263-26
Authorize Adoption of the Chautauqua County
Local Solid Waste Management Plan

By Public Facilities and Planning and Economic Development Committees:
At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, the County of Chautauqua is the planning unit responsible for developing a Local Solid Waste Management Plan (LSWMP) pursuant to Section 27-0107, paragraph 1(a), of Title 1 of Article 27 of the Environmental Conservation Law of the State of New York; and

WHEREAS, on October 9, 2026 the New York State Department of Environmental Conservation issued a letter stating that the current draft of the LSWMP constitutes an approvable plan; and

WHEREAS, Section 366-4.1(d)(2) of the New York State Department of Environmental Conservation's solid waste management regulations contains several provisions that must be included in a planning unit's resolution to adopt a final LSWMP, and such clauses are included herein as required; now, therefore, be it

RESOLVED, that the Chautauqua County final LSWMP is hereby adopted by the County Legislature, acting as the solid waste planning unit for Chautauqua County; and be it further

RESOLVED, that, as required by Sections 366-4.1(d)(2)(i), 366-4.1(d)(2)(ii), and 366-4.1(d)(2)(iii), of the New York State Department of Environmental Conservation's solid waste management regulations, the County of Chautauqua will (i) adopt the LSWMP, effective upon Department approval of the LSWMP, (ii) implement and maintain the solid waste management system described in the final LSWMP, and (iii) submit biennial updates as required by Subpart 366-5 of 6 NYCRR Chapter IV, Subchapter B, Part 360; and be it further

RESOLVED, that the Clerk of the County Legislature is hereby directed to ensure that an electronic copy of the final LSWMP is made available for public review on the County's website; and be it further

RESOLVED, that the Clerk of the County Legislature is hereby directed to furnish all items to the New York State Department of Environmental Conservation as indicated in the October 9, 2026, letter referenced above.

Signed: Heiser, Harmon, Nelson, Whitney, Anthony, Scudder, Merritt, Johnson

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RES. NO. 264-26
Authorizing and Approving Agreements with
Other Municipalities for Service of Legal Papers

By Administrative Services and Public Safety Committees:
At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, various County departments utilize the Civil Division of the Chautauqua County Sheriff's Office for the service of legal papers to individuals who reside in Chautauqua County; and

WHEREAS, occasionally these departments may have legal papers that are required to be served to individuals living outside of Chautauqua County, which is beyond the jurisdiction of the Chautauqua County Sheriff's Office; and

WHEREAS, the County would like to enter into agreements with other municipalities for the service of legal papers to individuals outside the jurisdiction of the Chautauqua County Sheriff's Office; and

WHEREAS, the Civil Division of the Chautauqua County Sheriff's Office would also like to make itself available to serve legal papers for other municipalities as requested; now therefore be it

RESOLVED, that the County Executive is authorized and empowered to execute all necessary documents and agreements to allow other municipal sheriff's offices or police departments to serve legal papers to individuals living outside of Chautauqua County; and be it further

RESOLVED, that the County Executive is authorized and empowered to execute all necessary documents and agreements to allow the Chautauqua County Sheriff's Office to serve legal papers for other municipalities to individuals living in Chautauqua County.

Signed: Scudder, Merritt, Anthony, Heiser, Vanstrom, Gustafson, Proctor

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RES. NO. 265-26
Authorize Agreement with Town of Clymer to
Utilize Space for Fly Car M75 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 M75; and

WHEREAS, CCOES utilizes space for M75 and a Paramedic at 8756 West Main St, Clymer, NY, which is owned by Town of Clymer; and

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

WHEREAS, Town of Clymer and CCOES wish to have a formal agreement for M75 and a Paramedic to utilize the current space at a rate of Three Thousand dollars ($3,000.00) per year, effective June 1, 2026; and

WHEREAS, the amounts are included in the CCOES 2026 Adopted and 2027 Tentative budgets so a budget amendment is not needed at this time; now, therefore, be it

RESOLVED, that the County Executive is hereby authorized to execute all necessary agreements with Town of Clymer to continue use of 8756 West Main St, Clymer, NY, for the purpose of housing M75 and a Paramedic.

Signed: Gustafson, Merritt, Proctor, Johnson, Anthony, Pavlock, Nelson, Scudder

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RES. NO. 266-26
Distribution of Mortgage Taxes

By Administrative Services and Audit & Control Committees:
At the Request of County Executive Paul M. Wendel, Jr.:

RESOLVED, that the Clerk of the County Legislature of Chautauqua County be and hereby is authorized and directed to compute the amount of Mortgage Tax Monies due the to various municipalities under Section 261 of the Tax Law and to draw the warrant or order on the Director of Finance for the distribution to said municipalities of all monies due pursuant to said act and to do all things required to be done by the Board of Legislators as required by Law:

Town		City		Village		Total
Arkwright	$12,418.31	Dunkirk	$80,467.58	Bemus Point	$4,828.08	$1,073,474.29
Busti	$110,522.04	Jamestown	$110,960.87	Brocton	$1,504.47	
Carroll	$23,761.40		$191,428.45	Cassadaga	$2,380.47	
Charlotte	$6,815.84			Celoron	$4,459.47	
Chautauqua	$50,773.47			Falconer	$7,249.89	
Cherry Creek	$3,576.10			Fredonia	$42,048.90	
Clymer	$10,779.86			Lakewood	$31,837.07	
Dunkirk	$13,421.81			Mayville	$4,024.38	
Ellery	$72,484.43			Panama	$1,449.10	
Ellicott	$65,359.90			Sherman	$841.42	
Ellington	$5,809.14			Silver Creek	$8,941.27	
French Creek	$7,608.25			Sinclairville	$1,229.80	
Gerry	$15,221.88			Westfield	$13,070.41	
Hanover	$77,014.82				$123,864.72	
Harmony	$12,512.00					
Kiantone	$12,760.84					
Mina	$18,689.32					
North Harmony	$30,732.53					
Poland	$11,497.88					
Pomfret	$87,147.85					
Portland	$16,812.44					
Ripley	$12,887.14					
Sheridan	$20,324.92					

Sherman	$4,617.41
Stockton	$14,497.78
Villenova	$3,931.40
Westfield	$36,202.35
	$758,181.12

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

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RES. NO. 267-26
Amend 2026 Budget – Department of Finance

By Administrative Services and Audit & Control Committees:
At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, some Department of Finance expenditures have exceeded initial budgetary estimates; and

WHEREAS, the Department of Finance 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 Adopted Budget:

INCREASE APPROPRIATION ACCOUNT:

A.1310.-----.4	Contractual - Department of Finance		$~~26,397~~**54,397**
A.1330.-----.8	***Employee Benefits – Real Property Tax***		***34,000***
		Total	***$88,397***

DECREASE APPROPRIATIONS:

A.1330.-----.1	***Personal Services – Real Property Tax***		***$ 7,000***
A.1330.-----.4	***Contractual – Real Property Tax***		***14,297***
		Total	***$21,297***

INCREASE REVENUE ACCOUNT:

A.1310.-----.R123.0000	Departmental Income-Fees: Treasurer		$ 7,300
A.1330.-----.R123.CCTX	Departmental Income-Fees: Credit Card Trans		~~19,097~~***21,800***
A.1330.----R123.00RP	***Departmental Income-Fees:Treas-Real Property***		***38,000***
		Total	***$67,100***

(11/12/26 A.C. – Amended by Substitution)
Signed: Scudder, Pavlock, Johnson, Anthony, Nelson, Heiser, Vanstrom

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RES. NO. 268-26
Amend 2026 Budget for Office of the Sheriff for Consolidated Dispatching

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; and

WHEREAS, the Office of the Sheriff does not estimate surpluses within the department that can be used to offset this overage; now, therefore, be it

RESOLVED, that the A Fund Balance be appropriated as follows:

INCREASE USE OF FUND BALANCE:

A.----.----.917.0000	Unassigned Fund Balance – Unassigned Fund Balance	$11,659

; and be it also

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

INCREASE APPROPRIATION ACCOUNT:

A.3020.DISP.4	Contractual – Consolidated Dispatching	$11,659

Signed: Gustafson, Merritt, Proctor, Anthony, Pavlock, Nelson, Scudder

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RES. NO. 269-26
Amend Chautauqua County Health Department 2026 Budget for Exceeding Appropriations in Personal Services and Employee Benefits

By Human Services and Audit & Control Committees:
At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, personal services and employee benefits appropriations within Chautauqua County Health Department have exceeded initial budgetary estimates, as well as some appropriations have a surplus; and

WHEREAS, the Chautauqua County Health Department will receive reimbursement in excess of budgeted revenue; now therefore be it

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

INCREASE APPROPRIATION ACCOUNTS:

A.4059.----.1	Personal Services - Early Intervention Program	$79,753
A.4059.----.8	Employee Benefits - Early Intervention Program	$86,424
	Total	$166,177

DECREASE APPROPRIATION ACCOUNTS:

A.4010.----.1	Personal Services - Public Health Admin	$84,491

INCREASE REVENUE ACCOUNTS:

A.4059.----.R345.0EIS	New York State Aid-Early Intervention Srvs	$81,686

Signed: Proctor, Harmon, Lewis, Gustafson, Johnson, Anthony, Pavlock, Nelson, Scudder

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RES. NO. 270-26
Amend 2026 Budget for Snowmobile Trail Development and Maintenance Grant

By Planning and Economic Development and Audit & Control Committees:
At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, 2026 revenue from the New York State Office of Parks, Recreation, and Historic Preservation Snowmobile Trail Grant-in-Aid Program was estimated based on previous funding awards and did not align with the State's fiscal year; and

WHEREAS, 2026-2027 Snowmobile Trails Grant-in-Aid Program 70% payment has been received by the County and exceeds budgetary estimates; and

WHEREAS, Chautauqua County acts as a pass-through agency for the funding to the local snowmobile clubs; now, therefore, be it

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

INCREASE REVENUE ACCOUNT:

A.8020.----R388.9002	Other State Aid: Snow Trail	$279,495

INCREASE APPROPRIATION ACCOUNT:

A.8020.----.4	Contractual – Planning	$279,495

Signed: Harmon, Merritt, Johnson, Anthony, Pavlock, Nelson, Scudder

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RES. NO. 271-26
Authorize Execution and Acceptance of the Community Impact Grant Agreement with Chautauqua Region Community Foundation

By Public Safety and Audit & Control Committees:
At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, the Chautauqua County Sheriff received notice the Chautauqua Region Community Foundation approved the application submitted for the further implementation of Project Lifesaver; and

WHEREAS, the Chautauqua Region Community Foundation will provide funding in the amount of $15,000 with no local funds required for the contract period from October 21, 2026 to October 20, 2027; and

WHEREAS, these funds will be held as a designation of Fund Balance in account AD.060.PLSF until they are expended; therefore, be it

RESOLVED, the Chautauqua County Executive is authorized to execute the appropriate agreement with the Chautauqua Region Community Foundation to secure the grant funding as set forth above.

Signed: Gustafson, Merritt, Proctor, Johnson, Anthony, Pavlock, Nelson, Scudder

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RES. NO. 272-26
Authorize New York State Division of Criminal Justice Services Physical Ability Standard and Equipment Program

By Public Safety Committee:
At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, New York State Division of Criminal Justice Services (“DCJS”) is an Executive Agency responsible for advising and assisting the Governor in developing policies, plans, and programs for improving the coordination and administration of the criminal justice system and its Municipal Police Training Council (“MPTC”); and

WHEREAS, the Chautauqua County Sheriff’s Office is considered a Municipal Police Training Council and will require the physical performance standard as an integral component of its entry-level police officer candidate hiring process and police academy training requirement; and

WHEREAS, DCJS has purchased, through available appropriations, requisite necessary equipment to administer the physical performance standard during the pre-conditional job offer stage and police academy training; and

WHEREAS, the Chautauqua County Sheriff's Office has been approved by DCJS to possess such equipment for implementing physical performance standard testing; now, therefore, be it

RESOLVED, that the County Executive is hereby authorized and empowered to execute the Memorandum of Agreement with the New York State Division of Criminal Justice System for DCJS' Physical Ability Standard and Equipment Program.

Signed: Gustafson, Merritt, Proctor

RES. NO. 273-26
Request Inclusion of Additional Funds for Construction of Phase I
of Proposed New JCC Wellness Complex in SUNY's Capital Request
for the 2027-2028 Executive Budget

By Planning and Economic Development and Audit & Control Committees:
At the Request of Chairman Pierre Chagnon and County Executive Paul M. Wendel, Jr.:

WHEREAS, pursuant to Resolution 326-24, the Chautauqua County Legislature requested the inclusion of a proposed athletic and wellness complex on the campus of Jamestown Community College (JCC) in SUNY's capital request for the 2025-2026 Executive Budget; and

WHEREAS, the complex is proposed as a facility shared with the Jamestown Area YMCA (YMCA), and each entity is responsible for a portion of the design and construction costs; and

WHEREAS, the YMCA has not yet completed its efforts to raise funds for its share of the joint project's costs, and JCC and the YMCA are proceeding with a phased approach for the project in order to allow portions of the project to proceed so as not to delay construction of needed facilities for JCC; and

WHEREAS, in September 2025, the Chautauqua County Planning Board reviewed and recommended plans for the project to proceed in two phases, with Phase I including design of the full joint project and renovation of the existing JCC physical education facility, and Phase II including construction of a new addition to the existing facility; and

WHEREAS, pursuant to Resolution 283-25, the Chautauqua County Legislature requested the inclusion of the construction of Phase I of the proposed JCC Wellness Complex in SUNY's capital request for the 2026-2027 Executive Budget, with construction of Phase 1 having a total estimated cost of $12,069,538.36; and

WHEREAS, the State of New York included the design of the full joint project in its 2025-2026 capital budget for community colleges, and included the original request for the construction of Phase I in its 2026-2027 capital budget for community colleges; and

WHEREAS, the total estimated cost for the construction of Phase I has increased by $7,550,462 for a new total estimated Phase I construction cost of $19,620,000.36, but JCC's portion of the estimated cost for the overall project remains at the original estimate of $24 million; now, therefore, be it

RESOLVED, that the Chautauqua County Legislature hereby requests the inclusion of $7,550,462 in additional funds for the construction of Phase I of the proposed JCC Wellness Complex in SUNY's capital request for the upcoming 2027-2028 Executive Budget; and be it further

RESOLVED, to supplement the State's anticipated 50% contribution to JCC's share of the construction cost of Phase 1, the County of Chautauqua intends to fund 25% of JCC' s share of the construction cost of Phase 1, with the remaining 25% of JCC's share of the construction cost of Phase I funded by JCC through private foundation and donor support.

(11/10/26 PED – Failed with Legislators Johnson and Merritt Voting "No")
(11/12/26 AC – Carried with Legislator Scudder Voting "No")
Signed: Harmon, Nelson, Johnson, Anthony, Pavlock

RES. NO. 274-26
Making Appropriations for the Conduct of
County Government For Fiscal Year 2027

At the Request of Chairman Pierre E. Chagnon:

WHEREAS, the Chautauqua County Legislature has held public hearings on the 2027 tentative Budget and thereafter considered the budget, made changes therein and has presented the budget along with Resolution No. 260-26 listing the changes, to the County Executive for his consideration; and

WHEREAS, the County Executive has affixed his signature to Resolution No. 260-26 and has returned the same along with the budget and such statement regarding the budget and changes made thereon; and

WHEREAS, in accordance with Section 4 of Local Law Intro. 11-26 the Budget Director is authorized to make any corrections in the budget as may be required due to any typographical, mathematical or technical errors, after conditional adoption of the budget; and

WHEREAS, there is now adopted, pursuant to law, a County budget for the fiscal year beginning January 1, 2027; therefore be it

RESOLVED, That the total amount specified in such budget as adopted for all objects of expenditures set forth therein be and hereby are appropriated for such items.
Signed: Chagnon

RES. NO. 275-26
Authorize Tax Levy

At the Request of Chairman Pierre E. Chagnon:

WHEREAS, there has been adopted a budget for the fiscal year of 2027 and

WHEREAS, this Legislature has made appropriations for the conduct of the County Government for the year 2027 therefore be it

RESOLVED, That this Legislature hereby levies:

1. Upon all the taxable property in the County, upon the valuation as equalized by it, the sum specified in said budget for all purposes chargeable to the entire county;
2. Upon all the taxable property in the Chautauqua County Social Services District, upon the valuation as equalized by it, the sum specified in said budget for Social Services purposes;
3. Upon all the taxable property liable therefore, the sum specified in the budgets for the Chautauqua County Health District;
4. Upon all the taxable property of the participating towns in respective amounts set out against each participant of the Chautauqua County Self-Insurance Plan in Resolution 176-26, adopted June 24, 2026.
5. Upon the property on which school taxes are uncollected as of November 30, 2026, the amount of such uncollected school taxes;
6. Upon the property on which village taxes are uncollected as of December 1, 2026, the amount of such uncollected village taxes;

Upon all the taxable property of the several towns and cities, upon the valuation as equalized by it any and all amount charged against any and all said towns and cities during the year 2027 pursuant to law or resolution of this Legislature.
Signed: Chagnon

RES. NO. 276-26
Authorize Levy of Town Taxes

At the Request of Chairman Pierre E. Chagnon:

RESOLVED, That there shall be assessed, levied upon and collected from the taxable real property situated in the Towns of Chautauqua County outside of any incorporated village wholly or partially located therein, the amounts to be raised by taxes for Highway Funds – Outside Village and other Part-Town Functions as specified in the Town Budgets and directed by the Town Boards to be raised; and be it further

RESOLVED, That there shall be assessed and levied upon and collected from the real property liable therefore within the respective Fire, Fire Protection, Fire Alarm, Lighting and Improvement Districts, in said Towns, the amounts for the purpose of such districts as shown and specified in annual budgets; and be it further

RESOLVED, That the amounts to be raised by tax for all other purposes as specified in said annual budgets shall be assessed levied upon and collected from the taxable property of said town as authorized by the Town Boards except as otherwise provided by law; and be it further

RESOLVED, That such taxes and assessments when collected shall be paid to the Supervisor of the several towns, to be distributed by them in the manner provided by law.
Signed: Chagnon

RES. NO. 277-26
Authorize Levy of Unpaid Town Charges

At the Request of Chairman Pierre E. Chagnon:

RESOLVED, That the Clerk of the Legislature be directed to include in current tax rolls, all charges which may properly be a lien against real property when certified as due and unpaid by the Town Boards of the various towns in the County.
Signed: Chagnon

RES. NO. 278-26
Authorize Levy of Omitted Taxes

At the Request of Chairman Pierre E. Chagnon:

RESOLVED, That the Clerk of this Legislature be instructed to extend the proper tax for the previous year against any omitted tax properly entered upon any of the assessment rolls for the present year as directed by the respective Town Boards or County Legislature in which said property is located.
Signed: Chagnon

RES. NO. 279-26
Authorize Levy of Unpaid Sewer User Charges & Civil Penalties- North, South & Center Chautauqua Lake & Portland-Pomfret-Dunkirk Sewer Districts

At the Request of Chairman Pierre E. Chagnon:

WHEREAS, the Director of Finance has transmitted a list of those residents or property owners within the county who are in arrears in the payment of charges made under Section 266 of the County Law for a period of 30 days or more after the last day fixed for payment of such charges without penalty in accordance with the requirements of Section 266 (4) of the County Law, and civil penalties outstanding pursuant to Chautauqua County Local Law 6-94; and

WHEREAS, this Legislature is mandated to levy such sums against the properties liable; now therefore be it

RESOLVED, That the county sewer charges and civil penalties contained in the list received by this body from the Director of Finance of Chautauqua County are hereby levied against the properties liable and the amount of such charges shall be stated in a separate column in the annual tax rolls of the various municipalities under the name of "County Sewer Charges."
Signed: Chagnon

RES. NO. 280-26
Fixing Equalization Rates for 2027

At the Request of Chairman Pierre E. Chagnon:

WHEREAS, Pursuant to Resolution #216-96 the County of Chautauqua elected to establish Equalization Rates for the several towns and cities in the County of Chautauqua in accord with Title 2 of Article 8 of the Real Property Tax Law; and

WHEREAS, the New York State Office of Real Property Services has completed its determination of the equalization rates to be utilized in apportioning the 2027 County Taxes; therefore be it

RESOLVED, That the following rates be fixed as the Chautauqua County Equalization rates for the 2026 tax rolls in the following towns and cities:

Arkwright	29%	Harmony	53.8%
Busti	100%	Jamestown, City	61%
Carroll	60%	Kiantone	60%
Charlotte	63.80%	Mina	100%
Chautauqua	72%	North Harmony	52.30%
Cherry Creek	55.40%	Poland	94%
Clymer	100%	Pomfret	11%
Dunkirk, Town	48%	Portland	32%
Dunkirk, City	40%	Ripley	85%
Ellery	57.40%	Sheridan	37%
Ellicott	64%	Sherman	100%
Ellington	100%	Stockton	100%
French Creek	100%	Villenova	38%

Gerry	53.10%	Westfield	49%
Hanover	48%		

Signed: Chagnon