

Agenda

Audit & Control Committee

September 20, 2018, 8:35 a.m., Room 331

Gerace Office Building, Mayville, NY

- A. Call to Order
- B. Approval of Minutes (8/16/18)
- C. Privilege of the Floor
 - 1. Proposed Resolution- Authorize Agreement with New York State DOT for Performance of Federal-Aid Project PIN 5762.45
 - 2. Proposed Resolution- Quit Claim Deeds
 - 3. Proposed Resolution- Authorize Transfer of Tax Foreclosure Property to Town of Chautauqua
 - 4. Proposed Resolution- Authorize Transfer of Tax Foreclosure Property to Town of Ripley
 - 5. Proposed Resolution- Amend 2018 Budget for Office of the Sheriff
 - 6. Proposed Resolution- Authorize Agreement with Chautauqua-Cattaraugus Erie II BOCES for Culinary Arts Instruction
 - 7. Proposed Resolution- Authorize Agreement with Chautauqua-Cattaraugus Erie II BOCES for School Resource Officers
 - 8. Proposed Resolution- Authorize Execution for New York State Office of Homeland Security Grant for State Law Enforcement Terrorism Prevention Program (SLETPP) FY18
 - 9. Proposed Resolution- Authorize Execution for New York State Office of Homeland Security And Emergency Services Grant for Explosive Detection Canine Team FY17
 - 10. Proposed Resolution- 2017 Hazardous Materials Grant Program
 - 11. Proposed Resolution- Establishment of Certified Ambulance Service
 - 12. Proposed Resolution- Indemnification Agreement with Genesee County for Services Performed Under Integrity Partners for Behavioral Health IPA, Inc.

13. Proposed Resolution- Amend Chautauqua County Health & Human Services 2018 Budget For Increased Handicapped Preschool Education Tuition Costs
14. Proposed Resolution- Amend Chautauqua County Health & Human Services 2018 Budget For Increased Emergency Aid for Adults Costs
15. Proposed Resolution- Amend Chautauqua County Health & Human Services 2018 Budget For Coroner Equipment Purchases
16. Proposed Resolution- Amend Budget for Renovation of Office Space at 2 Academy Street, Mayville for Chautauqua County Department of Mental Hygiene Administrative Offices
17. Proposed Resolution- Authorize Allocation of 3% Occupancy Tax Funding from the 2018 Reserve Account for Ripley Gateway/Commerce Center Feasibility Study
18. Proposed Resolution- Formation of Chautauqua County Food Policy Council
19. Proposed Resolution- Authorize Agreement with County of Cattaraugus to Extend Term Of the Conewango Watershed Commission
20. Proposed Resolution- Authorize Use of Chautauqua County 2% Occupancy Tax Reserve Funds for Mitigating Dredging Impacts in Dunkirk Harbor
21. Proposed Resolution- Authorize Clerk of the Legislature to Publish Notices – Re: Public Hearings on 2019 Tentative Budget & Sewer District Assessment Rolls & Maximum Salary of Members of the Chautauqua County Legislature and its Chairman
22. Other-

CHAUTAUQUA COUNTY
RESOLUTION NO. _____

GPS 8-28-18
KMW 8.22.18
SMA 8/23/18
KMD 8/23/18
GMB 8/29/18

TITLE: Authorize Agreement with New York State DOT for Performance of Federal-Aid Project PIN 5762.45

BY: Public Facilities and Audit & Control Committees:

AT THE REQUEST OF: County Executive George M. Borrello:

WHEREAS, a project for Bridge Painting, BINS 3324890, 3324180 and 2212630 in the Towns of Harmony, Clymer, and Mina (the Project) is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program, now estimated to be \$272,000, to be borne at the amount of \$217,600 Federal funds and \$54,400 Non-Federal funds; and

WHEREAS, the County of Chautauqua desires to advance the Project by making a commitment of 100% of the Non-Federal share of the costs of the Project, PIN 5762.45; and

WHEREAS; the local share is currently calculated to be \$54,400 and can be covered with existing funding in account D.5112.390, and with \$40,800 of New York State Marchiselli funding anticipated to be available in 2019, the local cost will be reduced to \$13,600; now therefore be it

RESOLVED, That the County Legislature of the County of Chautauqua hereby approves the above-subject project; and it is further

RESOLVED, That the County Legislature of the County of Chautauqua hereby authorizes the County of Chautauqua to pay in the first instance 100% of the Federal and Non-Federal shares of the cost of the Project or portions thereof; and it is further

RESOLVED, That in the event the full federal and non-federal share costs of the Project exceeds the amount appropriated above, the County of Chautauqua shall convene its Legislature as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof; and it is further

RESOLVED, That the County Executive of the County of Chautauqua be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid on behalf of the County of Chautauqua with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the Municipality's first instance funding of Project costs and permanent funding of the local share of Federal-Aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible; and it is further

RESOLVED, That a certified copy of this Resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project; and it is further

RESOLVED, That this Resolution shall take effect immediately and that the Director of Finance is directed to make the following changes to the Capital Budget:

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

INCREASE CAPITAL APPROPRIATION ACCOUNT:

D.5112.390.4 Contractual – Capital Improvements, County Bridge Program \$272,000

INCREASE CAPITAL REVENUE ACCOUNTS:

D.5112.390.R458.9002 Federal Aid – Surface Transp Program \$217,600

D.5112.390.R358.9003 NY State Aid—Marchiselli Funds \$ 40,800

D.5112.390.R503.1000 Interfund Transfers—Interfund Transfer \$ 13,600

Total \$272,000

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date



Department of
Transportation

ANDREW M. CUOMO
Governor

PAUL A. KARAS
Acting Commissioner

FRANK P. CIRILLO, SR/WA
Regional Director

July 10, 2018

Mr. George Spanos, P. E., Director
Chautauqua Co. Dept. of Public Facilities
454 N. Work St.
Falconer, New York 14733

RECEIVED

JUL 13 2018

Re: **Federal Aid Local Project Agreement
PIN 5762.45, Comptrollers Contract # D035979
Bridge Painting (BINs 3324890, 3324180, 2212630); Towns of Harmony,
Clymer, and Mina, Chautauqua County**

Dear Mr. Spanos:

The New York State Department of Transportation (NYSDOT) requests for the County of Chautauqua to enter into a Federal Aid Local Project Agreement which details the commitment of both agencies to participate in the administration and funding of the various phases of this project.

Please obtain a Resolution authorizing the County Executive of Chautauqua County to sign the enclosed Federal Aid Local Project Agreement with NYSDOT for a total of \$272,000. This amount is both the Federal and non-Federal share of the cost for the above project's Construction/Construction Inspection phase. The County of Chautauqua must commit to pay, in the first instance, 100% of the Federal and non-Federal share of the cost of this project's phase which currently equals \$272,000. The NYSDOT will reimburse the County of Chautauqua as the project is progressed, the Federal share of the cost of this project's phase. A copy of a sample Resolution has been enclosed.

Please return six (6) certified copies of the County's Resolution along with six (6) original and notarized one-sided copies of the enclosed Federal Aid Project Agreement to the regional NYSDOT office located at **100 Seneca Street, Buffalo, New York 14203**. Your Approved Signatory is required to sign each copy of the Federal Aid Project Agreement. Page 8 of the enclosed Federal Aid Local Project Agreement includes the following information; Name, Title, Mailing Address, Telephone Number, Facsimile Number, and Direct E-Mail Address of the Responsible Local Official with the authority to execute the enclosed Agreement with the NYSDOT. Please check this information and make any appropriate additions or corrections.

If the County has any questions regarding the enclosed Federal Aid Project Agreement and/or the agreement process, please contact Paul A. Kozlowski at 716-847-3233. Questions regarding the implementation of the project should be directed to Jimmy Tay, P. E, Regional Local Project Liaison, at 716-847-3833.

Sincerely,

Joseph D. Buffamonte
Supervisor, Program Management Unit

JDB/PAK/lk
Encl.

of Other (including Non-allocated MARCHISELLI) Participating Costs FOR ALL

Each PIN Fiscal Share, show current costs on the rows indicated as "Current." Show the old costs from the previous Schedule A on the row. All totals will calculate automatically.

	'Current' or 'Old' entry indicator	Funding Source	TOTAL	Other FEDERAL	Other STATE	Other LOCAL
5.321	Current	STP	\$272,000.00	\$217,600.00	\$0.00	\$54,400.00
	Old		\$	\$0.00	\$0.00	\$0.00
	Current		\$ 0.00	\$0.00	\$0.00	\$0.00
	Old		\$	\$0.00	\$0.00	\$0.00
	Current		\$ 0.00	\$0.00	\$0.00	\$0.00
	Old		\$	\$0.00	\$0.00	\$0.00
	Current		\$ 0.00	\$0.00	\$0.00	\$0.00
	Old		\$	\$0.00	\$0.00	\$0.00
	Current		\$ 0.00	\$0.00	\$0.00	\$0.00
	Old		\$	\$0.00	\$0.00	\$0.00
	Current		\$ 0.00	\$0.00	\$0.00	\$0.00
	Old		\$	\$0.00	\$0.00	\$0.00
	Current		\$ 0.00	\$0.00	\$0.00	\$0.00
	Old		\$	\$0.00	\$0.00	\$0.00
	Current		\$ 0.00	\$0.00	\$0.00	\$0.00
	Old		\$	\$0.00	\$0.00	\$0.00
TOTAL CURRENT COSTS:			\$272,000.00	\$217,600.00	\$ 0.00	\$54,400.00

C. Local Deposit(s) from Section A:	\$ 0.00
Additional Local Deposit(s)	\$
Total Local Deposit(s)	\$ 0.00

D. Total Project Costs <i>All totals will calculate automatically.</i>				
Total FEDERAL Cost	Total STATE MARCHISELLI Cost	Total OTHER STATE Cost	Total LOCAL Cost	Total ALL SOURCES Cost
\$217,600.00	\$ 0.00	\$ 0.00	\$54,400.00	\$272,000.00

E. Point of Contact for Questions Regarding this Schedule A (Must be completed)	Name: <u>Paul A. Kozlowski</u> Phone No: <u>716-847-3233</u>
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See Agreement (or Supplemental Agreement Cover) for required contract signatures.

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

JEC 9/4/18
SMA 9/4/18
KMD 9/4/18
KLC 9/4/18
GMB 9/7/18

TITLE: Quit Claim Deeds

BY: Administrative Services and Audit & Control Committees:

AT THE REQUEST OF: County Executive George M. Borrello:

WHEREAS, the Administrative Services Committee of the County Legislature has received and hereby recommends acceptance, pursuant to Section 1166 of the Real Property Tax Law, the following offers for the County's Tax Liens as detailed on the attached Schedule 1 under tax sale certificates noted on original papers on file in the office of the Director of Finance; and

WHEREAS, that unless otherwise noted, the County Tax Enforcement Officer has confirmed that the offers received are in compliance with the County's policy regarding tax foreclosure as set forth in Resolution No. 110-17; now therefore be it

RESOLVED, That the Executive and Chairman of this Legislature be hereby authorized to execute Quitclaim Deeds conveying to the offers herein mentioned, the interest of Chautauqua County in said properties under said tax sale certificates; and be it further

RESOLVED, That the Director of Finance of Chautauqua County be hereby authorized to cancel any outstanding taxes, fees, interest and other charges. In adopting this resolution, the Legislature intends to adopt each transaction separately, in the usual form of Resolution, and the failure of any particular transaction to be completed shall in no manner affect the validity of any of the others.

Offer Number	Municipality	S/B/L	Purchaser	Offer Amount	Taxes Owning
PA-23-2018	City of Dunkirk	060300-79.14-5-61	MFN Enterprises LLC	\$ 1,000.00	\$ 4,197.94
PA-67-2018	City of Jamestown	060800-370.19-1-5	MFN Enterprises LLC	\$ 9,000.00	\$ 1,891.89
PA-68-2018	City of Jamestown	060800-370.19-2-21	MFN Enterprises LLC	\$ 1,000.00	\$ 5,469.47
PA-75-2017	City of Jamestown	060800-387.06-5-38	MFN Enterprises LLC	\$ 50.00	\$ 3,208.05
PA-83-2016	City of Jamestown	060800-387.12-5-70	Irving L Leonard	\$ 50.00	\$ 10,306.98
PA-164-2014	City of Jamestown	060800-387.25-1-38	Ronald Hultin	\$ 150.00	\$ 28,397.77
PA-165-2014	City of Jamestown	060800-387.26-1-30	Margaret Kaltenmeir	\$ 200.00	\$ 5,907.29
PA-90-2015	City of Jamestown	060800-387.26-4-50	MFN Enterprises LLC	\$ 4,620.00	\$ 12,966.73
PA-148-2018	City of Jamestown	060800-387.26-4-51	MFN Enterprises LLC	\$ 6,380.00	\$ 3,139.33
PA-182-2018	Busti/Lakewood	062201-368.20-4-8	Daniel Dolan	\$ 3,407.00	\$ 9,170.08
PA-212-2018	Chautauqua/Mayville	062801-262.12-1-42	Mark Mitchener	\$ 14,500.00	\$ 4,117.88
PA-254-2018	Gerry	064489-302.00-2-43	Chris A Callen	\$ 4,200.00	\$ 3,484.55
PA-321-2018	Ripley	066200-240.12-3-43	Jonathan D Ribbing	\$ 600.00	\$ 2,963.20
			Total	\$ 45,157.00	\$ 95,221.16

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

JEC 8/17/18
KDG 8/20/18
SMA 8/23/18
KMD 8/23/18
KLC 8/26/18
GMB 8/29/18

TITLE: Authorize Transfer of Tax Foreclosure Property to Town of Chautauqua

BY: Administrative Services and Audit & Control Committees:

AT THE REQUEST OF: George M. Borrello, County Executive:

WHEREAS, pursuant to Resolution 44-13, the County Legislature established a general policy regarding disposition of tax foreclosure parcels, but retained 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 Town of Chautauqua has requested that the County convey to the Town a tax delinquent property (SBL #246.13-4-1); therefore be it

RESOLVED, That the Chautauqua County Legislature hereby authorizes the transfer of the County's property interest in tax parcel # 246.13-4-1 to the Town of Chautauqua for Six Hundred Two and 60/100 Dollars (\$602.60), with the Town responsible for any applicable real property taxes commencing with the 2018-19 school taxes; and be it further

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

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

JEC 8/30/18
KDG 8/30/18
KMD 8/28/18
KLC 9/4/18
GMB 9/7/18

TITLE: Authorize Transfer of Tax Foreclosure Property to Town of Ripley

BY: Administrative Services and Audit & Control Committees:

AT THE REQUEST OF: County Executive George M. Borrello:

WHEREAS, pursuant to Resolution 44-13, the County Legislature established a general policy regarding disposition of tax foreclosure parcels, but retained 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 Town of Ripley has requested that the County convey to the Town a tax delinquent property (SBL #240.11-1-21); therefore be it

RESOLVED, That the Chautauqua County Legislature hereby authorizes the transfer of the County's property interest in tax parcel # 240.11-1-21 to the Town of Ripley for \$9,751.01, with the Town responsible for any applicable real property taxes commencing with the 2018-19 school taxes; and be it further

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

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

CJH 9/10/2018
SMA 9/10/18
KMD 9/10/18
KLC 9/10/18
GMB 9/11/18

TITLE: Amend 2018 Budget for Office of the Sheriff

BY: Public Safety and Audit & Control Committees:

AT THE REQUEST OF: County Executive George M. Borrello:

WHEREAS, some Office of the Sheriff expenses have exceeded initial budgetary estimates, as well as some appropriations have a surplus; therefore be it

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2018 budget:

INCREASE APPROPRIATION ACCOUNTS:

A.3020.DISP.4 Contractual – Publ Safety Communication—Consolidated Dispatch	\$ 5,685
A.3020.TECH.4 Contractual – Publ Safety Communication—Technical Services	<u>\$14,975</u>
	\$20,660

DECREASE APPROPRIATION ACCOUNT:

A.3110.1 Personal Services – Sheriff	\$20,660
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APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

JAG 8/31/2018
KDG 9/4/18
SMA 9/4/18
KMD 9/4/18
KLC 9/4/18
GMB 9/7/18

TITLE: Authorize Agreement with Chautauqua-Cattaraugus Erie II BOCES for Culinary Arts Instruction

BY: Public Safety and Audit & Control Committees:

AT THE REQUEST OF: County Executive George M. Borrello:

WHEREAS, Chautauqua County is required pursuant to the New York State Correction Law and Education Law to provide appropriate educational services to eligible inmates housed at the County Jail; and

WHEREAS, Chautauqua-Cattaraugus Erie II BOCES has successfully administered various education programs at the jail, and has the ability to oversee a culinary arts program; and

WHEREAS, Chautauqua County desires to offer a culinary arts program to eligible inmates in an effort to assist such inmates in obtaining gainful employment when released from jail, and has negotiated a tentative agreement with BOCES for the period of August 1, 2018 through July 31, 2019, with payments to be made by BOCES to the County of Chautauqua for a total sum not to exceed \$35,972; and

WHEREAS, an appropriate portion of the revenue from this agreement is included in the 2018 budget and will be included in the 2019 budget; now therefore be it

RESOLVED, That the County Executive is hereby authorized and empowered to execute an agreement with Chautauqua-Cattaraugus Erie II BOCES for a culinary arts instruction program.

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

CHAUTAUQUA COUNTY
RESOLUTION NO. _____

JAG 8/31/2018
KDG 9/4/18
SMA 9/4/18
KMD 9/4/18
KLC 9/4/18
GMB 9/7/18

TITLE: Authorize Agreement with Chautauqua-Cattaraugus Erie II BOCES for School Resource Officers

BY: Public Safety and Audit & Control Committees:

AT THE REQUEST OF: County Executive George M. Borrello:

WHEREAS, the Chautauqua County Sheriff has conferred with the administrators of Chautauqua-Cattaraugus Erie II BOCES and determined that the County and BOCES schools in the region and would benefit by the continuation of the School Resource Officer program; and

WHEREAS, Chautauqua-Cattaraugus Erie II BOCES has agreed to compensate the County of Chautauqua for the cost of providing two (2) Deputy Sheriffs for the period of July 1, 2018 through June 30, 2019, the deputies to be shared between three facilities at a total sum not to exceed \$214,116.71, plus any agreed upon overtime hours compensated at the rate of \$64.08 per hour; and

WHEREAS, the County will not be required to incur any additional expenditures to fund these positions; and

WHEREAS, an appropriate portion of the revenue from this agreement is included in the 2018 budget and will be included in the 2019 budget; now therefore be it

RESOLVED, That the County Executive is hereby authorized and empowered to execute an agreement with Chautauqua-Cattaraugus Erie II BOCES for the School Resource Officer program.

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

CHAUTAUQUA COUNTY
RESOLUTION NO. _____

JAG 8/31/2018
KDG 9/4/18
SMA 9/4/18
KMD 9/4/18
KLC 9/4/18
GMB 9/7/18

TITLE: Authorize Execution for New York State Office of Homeland Security Grant for State Law Enforcement Terrorism Prevention Program (SLETPP) FY18

BY: Public Safety and Audit & Control Committees:

AT THE REQUEST OF: County Executive George M. Borrello:

WHEREAS, the Chautauqua County Sheriff received notice the State of New York Office of Homeland Security approved the application submitted to the Office of Homeland Security and Emergency Services for continued implementation of the State Law Enforcement Terrorism Prevention Program (SLETPP); and

WHEREAS, the State of New York will provide funding in the amount of \$49,986.00 with no local funds required for the contract period from September 1, 2018 to August 31, 2021; and

WHEREAS, this grant is included in the 2018 budget; now therefore be it

RESOLVED, That the Chautauqua County Executive is authorized to execute the appropriate agreement with the New York State Office Homeland Security and Emergency Services.

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

JAG 8/31/2018
KDG 9/4/18
SMA 9/4/18
KMD 9/4/18
KLC 9/4/18
GMB 9/7/18

TITLE: Authorize Execution for New York State Office of Homeland Security and Emergency Services Grant for Explosive Detection Canine Team FY17

BY: Public Safety and Audit & Control Committees:

AT THE REQUEST OF: County Executive George M. Borrello:

WHEREAS, the Chautauqua County Sheriff received notice the State of New York approved the application for an Office of Homeland Security and Emergency Services Program Grant for further implementation of the Explosive Detection Canine Team; and

WHEREAS, the State of New York will provide funding for FY17 grant award T182479 in the amount of \$15,000, with no local funds, for the contract period from September 1, 2018 to August 31, 2020; and

WHEREAS, it is anticipated that the grant funds will not be used during the 2018 budget period so no budget adjustments will be required at this time; now therefore be it

RESOLVED, That the County Executive is authorized to execute an agreement to secure the grant funding with the New York State Office of Homeland Security.

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

JCG 8/8/18
KDG 8/15/18
SMA 8/15/18
KMD 8/23/18
GMB 8/29/18

TITLE: 2017 Hazardous Materials Grant Program

BY: Public Safety and Audit & Control Committees:

AT THE REQUEST OF: County Executive George M. Borrello:

WHEREAS, the Office of Emergency Services was awarded a Regional Partnership Grant in the amount of \$94,000 under the 2017 Hazmat Grant Program which runs from August 1, 2018 through August 31, 2020; and

WHEREAS, the 2017 Hazmat Grant is a Regional Partnership Grant which includes Hazmat teams from Chautauqua, Cattaraugus, Allegany and Seneca Nation of Indians; and

WHEREAS, Resolution 140-15 authorized the County Executive to sign and accept the Homeland Security HazMat Grant Program, now therefore be it

RESOLVED, That the Director of Finance is hereby directed to make the following 2018 budgetary changes:

INCREASE APPROPRIATION ACCOUNTS:

A.3640.----.1	Personal Services—Hazardous Materials	\$ 4,700
A.3640.----.2	Equipment —Hazardous Materials	\$82,858
A.3640.----.4	Contractual —Hazardous Materials	<u>\$ 442</u>
		\$88,000

INCREASE REVENUE ACCOUNT:

A.3640.----.R430.5004	Federal Aid – Homeland Security	\$88,000
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APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

JCG 9/5/18
KDG 9/5/18
SMA 9/5/18
KMD 9/5/18
KLC 9/7/18
GMB 9/10/18

TITLE: Establishment of Certified Ambulance Service

BY: Public Safety and Audit & Control Committees:

AT THE REQUEST OF: County Executive George M. Borrello:

WHEREAS, pursuant to New York State Public Health Law Article 30, section 3008(7) a, a municipality may determine that a need exists to establish an ambulance or advanced life support service (ALS-FR); and

WHEREAS, the County of Chautauqua is experiencing a serious shortage of commercial and volunteer ambulance service within the County; and

WHEREAS, such shortage has the potential to adversely affect the health and safety of the residents of Chautauqua County; and

WHEREAS, the County has previously established an ALS-FR service; and

WHEREAS, the County Legislature desires to establish a certified ambulance service by seeking authority from the State Emergency Medical Services Council to provide ambulance service within the entire geographical area of the County; now therefore be it

RESOLVED, That the County Legislature authorizes the County Executive to prepare and execute such documents as may be necessary to apply for the establishment of an ambulance service, and to eventually establish and operate such service for the benefit of County residents as may be approved in the County budget; and be it further

RESOLVED, That this resolution shall take effect January 1, 2019.

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

PAB 9/6/2018
ABC 9/7/18
SMA 9/7/18
KMD 9/7/18
KLC 9/10/18
GMB 9/10/18

**CHAUTAUQUA COUNTY
RESOLUTION NO. ____**

TITLE: Indemnification Agreement with Genesee County for Services Performed Under Integrity Partners for Behavioral Health IPA, Inc.

BY: Human Services and Audit & Control Committees:

AT THE REQUEST OF: County Executive George M. Borrello:

WHEREAS, pursuant to Resolution No. 325-16, the Chautauqua County Legislature authorized the County Executive to execute an intermunicipal agreement with Genesee County for the purpose of paying Chautauqua County's pro-rata share of the joint legal fees incurred to establish a behavioral health Intermunicipal Consortium between the Counties of Chautauqua, Cattaraugus, Livingston, Genesee, Niagara, and Orleans ("Counties"); and

WHEREAS, the Counties, pursuant to Section 402 of the Not-For-Profit Corporation Law, formed Integrity Partners for Behavioral Health IPA, Inc. ("IPA"), whose purpose is to provide services as an independent practice association pursuant to the provisions of Article 44 of the New York Public Health Law and Title 10, Part 98 of the New York Code of Rules and Regulations; and

WHEREAS, Genesee County, through its Department of Mental Hygiene, is designated to act as the lead agency of the IPA on behalf of the Counties for receipt and disbursement of funds payable under a Value Based Payments Readiness Program ("VBPR") agreement between New York Quality Healthcare Corporation d/b/a Fidelis Care and the Genesee County Department of Mental Hygiene, and to execute, deliver and perform the VBPR; and

WHEREAS, it is appropriate that Chautauqua County enter into an Indemnification Agreement with Genesee County that will indemnify Genesee County for bearing the primary risk as lead agency on behalf of Chautauqua County in the execution, delivery, and performance of the VBPR; and the receipt of disbursement of funds under the VBPR; now therefore be it

RESOLVED, That the County Executive is hereby authorized to enter into an Indemnification Agreement with Genesee County for services performed as lead agency on behalf of Chautauqua County under Integrity Partners for Behavioral Health IPA, Inc.

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

**CHAUTAUQUA COUNTY
RESOLUTION NO.**

CLS 8/27/18 KMW 8.28.18 SMA 8/28/18 KMD 8/28/18 KLC 9/4/18 GMB 9/7/18
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TITLE: Amend Chautauqua County Health & Human Services 2018 Budget for Increased Handicapped Preschool Education Tuition Costs

BY: Human Services and Audit & Control Committees:

AT THE REQUEST OF: County Executive George M. Borrello:

WHEREAS, 2018 expenditures for Handicapped Preschool Education Tuition are now projected to be in excess of the budgeted amount; and

WHEREAS, 2018 contractual expenditures for Medicaid weekly shares are now projected to be lower than the budgeted amount; and

WHEREAS, Handicapped Preschool Education Tuition costs are funded at 59.5% by the State of New York; now therefore be it

RESOLVED, That the Director of Finance is authorized and directed to make the following changes to the 2018 Budget:

INCREASE APPROPRIATION ACCOUNT:

A.2960.TUIT.4 Contractual-Educ. Handicapped Children Tuition	\$442,500
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DECREASE APPROPRIATION ACCOUNT:

A.6100.----.4 Contractual-Medicaid	\$179,212
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INCREASE REVENUE ACCOUNT:

A.2960.4410.R327.7000 NYS Aid – Ed Handicapped Children	\$263,288
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APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

**CHAUTAUQUA COUNTY
RESOLUTION NO.**

CLS 09/05/18
ABC 09/06/18
SMA 09/6/18
KMD 9/7/18
KLC 9/7/18
GMB 9/10/18

TITLE: Amend Chautauqua County Health & Human Services 2018 Budget for Increased Emergency Aid for Adults Costs

BY: Human Services and Audit & Control Committees:

AT THE REQUEST OF: County Executive George M. Borrello:

WHEREAS, 2018 expenditures for Emergency Aid for Adults are now projected to be in excess of the budgeted amount; and

WHEREAS, 2018 contractual expenditures for Medicaid weekly shares are now projected to be lower than the budgeted amount; and

WHEREAS, Emergency Aid for Adults costs are funded at 50% by the State of New York; now therefore be it

RESOLVED, That the Director of Finance is authorized and directed to make the following changes to the 2018 Budget:

INCREASE APPROPRIATION ACCOUNT:

A.6142.----.4 Contractual-Emergency Aid for Adults	\$66,000
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DECREASE APPROPRIATION ACCOUNT:

A.6100.----.4 Contractual-Medicaid	\$33,000
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INCREASE REVENUE ACCOUNT:

A.6142.R364.2000 NYS Aid – Emerg Assist for Adults	\$33,000
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APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

CLS 09/05/18
KMW 09.05.18
SMA 9/5/18
KMD 9/5/18
KLC 9/7/18
GMB 9/10/18

TITLE: Amend Chautauqua County Health & Human Services 2018 Budget
For Coroner Equipment Purchases

BY: Human Services and Audit & Control Committees:

AT THE REQUEST OF: County Executive George M. Borrello:

WHEREAS, on July 27, 2018, pursuant to Local Law 11-18 and the County's Administrative Code, Chautauqua County's Coroner program became a Division of the Department of Health and Human Services; and

WHEREAS, it has been determined that supplying the Coroners with communications and other equipment will aid them in the performance of their duties; and

WHEREAS, the 2018 Medical Examiners & Coroners budget did not include any funding for equipment purchases; and

WHEREAS, 2018 equipment expenditures for Social Services Administration are now projected to be lower than the budgeted amount; now therefore be it

RESOLVED, That the Director of Finance is authorized and directed to make the following changes to the 2018 Budget:

INCREASE APPROPRIATION ACCOUNT:

A.1185.----.4	Contractual-Med Examiners & Coroners	\$ 10,000
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DECREASE APPROPRIATION ACCOUNT:

A.6010.----.4	Contractual-Social Services Admin`	\$ 10,000
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APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

**CHAUTAUQUA COUNTY
RESOLUTION NO.**

PAB 9/6/2018
ABC 9/7/18
SMA 9/7/18
KMD 9/7/18
KLC 9/7/18
GMB 9/14/18

TITLE: Amend Budget for Renovation of Office Space at 2 Academy Street, Mayville for Chautauqua County Department of Mental Hygiene Administrative Offices

BY: Human Services and Audit & Control Committees:

AT THE REQUEST OF: County Executive George M. Borrello:

WHEREAS, pursuant to Resolution 307-17, the Department of Mental Hygiene entered into a lease with Town of Chautauqua for space available at 2 Academy Street, Mayville, New York; and

WHEREAS, renovations are required to meet the Department of Mental Hygiene's needs and permit it to consolidate its administrative offices; and

WHEREAS, the Department of Mental Hygiene received \$95,468 in funding from the New York Care Coordination Program, Inc. ("NYCCP") for lead Health Home functions, which is not included in the 2018 Budget; and

WHEREAS, the Department of Mental Hygiene intends to use the NYCCP funds and deferred revenues to pay for the renovations of the space located at 2 Academy Street, Mayville, New York; and

WHEREAS, no expenditures or revenue for renovations were recorded in 2017 so most of the amendments to the 2017 Budget from Resolution 307-17 need to be added to the 2018 Budget; therefore, be it

RESOLVED, That the Chautauqua County Legislature accepts the \$95,468 in funding from the NYCCP for lead Health Home functions and designates that said funding shall be used towards renovations of the available space located at 2 Academy Street, Mayville, New York; and be it further

RESOLVED, That the Director of Finance is authorized and directed to make the following changes to the 2018 Budget:

INCREASE REVENUE ACCOUNT:

A.4320.----.R277.0000	Miscellaneous--Other Unclassified Rev	\$ 95,468
A.4320.----.R277.0000	Miscellaneous--Other Unclassified Rev	<u>\$ 32,532</u>
	Total	\$128,000

INCREASE APPROPRIATION ACCOUNTS:

A.4310.----.4	Contractual - Mental Hygiene Admin	\$ 58,000
A.4320.----.4	Contractual - Mental Hygiene Programs	<u>\$ 70,000</u>
	Total	\$128,000

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

MRG 9/5/18
ABC 9/6/18
SMA 9/6/18
KMD 9/7/18
KLC 9/7/18
GMB 9/10/18

TITLE: Authorize Allocation of 3% Occupancy Tax Funding from the 2018 Reserve Account for Ripley Gateway/Commerce Center Feasibility Study

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

AT THE REQUEST OF: County Executive George M. Borrello:

WHEREAS, Chautauqua County has established a 3% Occupancy Tax program for the purposes of promoting, developing, and protecting the area's tourism industry; and

WHEREAS, the concept of developing a Gateway/Commerce Center along the New York State Thruway in Ripley has been contemplated for many years; and

WHEREAS, millions of travelers annually traverse the New York State Thruway, and it has been recognized that this area is a prime location for the siting of such a facility; and

WHEREAS, Tamarac, a welcome/commerce center facility located in West Virginia which attracts hundreds of thousands of people annually, is a model to emulate here in Chautauqua County; and

WHEREAS, it is essential to undertake a study that will not only investigate the feasibility of establishing a Gateway/Commerce center, but will also result in the development of a conceptual plan that reveals the size, scope, and configuration of the facility along with cost estimates; and

WHEREAS, such a study needs to be undertaken in order to convince stakeholders that such a facility is needed and feasible, and to seek funding to construct the facility; and

WHEREAS, Chautauqua County's tourism industry would benefit from supporting this effort as it will ultimately lead to significantly more tourists spending money in the County, and visitors being educated about what we have to offer, thus enticing them to spend time here; and

WHEREAS, as of August 2018, the balance of the 3% Occupancy Tax Reserve Account is \$105,758; and

WHEREAS, the Chautauqua County Department of Planning & Development is requesting \$45,000 of the 3% Occupancy Tax Reserve funding, which will be matched with \$5,000 of CCIDA funding, to contract with a firm to undertake the feasibility study; therefore be it

RESOLVED, That the Chautauqua County Legislature authorizes \$45,000 from the 2018 3% Occupancy Tax Reserve to undertake a feasibility study for the Ripley Gateway/Commerce Center; and be it further

RESOLVED, That the County Executive is authorized and empowered to enter into any and all contracts necessary to undertake a feasibility study for the Ripley Gateway/Commerce Center; and be it further

RESOLVED, That A Fund Balance is appropriated as follows:

INCREASE THE USE OF FUND BALANCE:

A.----.----.883.0000 Fund Bal., Reserved Fund Bal. – Reserve for Occupancy Tax \$45,000

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

; and be it further

RESOLVED, That the Director of Finance is authorized and directed to make the following change to the 2018 Budget:

INCREASE APPROPRIATION ACCOUNT:

A.6420.TOUR.4	Contractual – Promotion of Industry, Tourism	\$45,000
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APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

DWM 9-5-18
ABC 9/7/18
KMD 9/7/18
KLC 9/10/18
GMB 9/10/18

**CHAUTAUQUA COUNTY
RESOLUTION NO. ____**

TITLE: Formation of Chautauqua County Food Policy Council

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

AT THE REQUEST OF: County Executive George M. Borrello:

WHEREAS, the Growing Foods Connections (“GFC”) Committee was formed in 2015 to enhance community food security in Chautauqua County while ensuring sustainable and economically viable agriculture and food production; and

WHEREAS, the Chautauqua County Legislature received a presentation on Chautauqua County’s food system by students from the University at Buffalo of the State of New York (“UB”) graduate program in the Fall of 2017, which outlined an action plan to strengthen the local food system; and

WHEREAS, the Chautauqua County Health Network (“CCHN”), which is part of the GFC Committee, secured grant funding through the “Creating Healthy Schools and Communities” program to implement recommendations from the food system study completed by UB; and

WHEREAS, CCHN and the Chautauqua County Division of Planning and Community Development (CCDPCD) seek to enter into an agreement to form a County Food Policy Council to strengthen and sustain the local food system; and

WHEREAS, such efforts fit into the CCDPCD’s mission of ensuring community development and an improved quality of life for all residents and visitors; and

WHEREAS, revenue and expenditures associated with this grant are already included in the tentative 2019 budget; therefore, be it

RESOLVED, That the County Executive is authorized to enter into an agreement with CCHN to accept \$ 15,000 in grant funding for the formation of the Chautauqua County Food Policy Council.

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

SMA 9/4/18
KMD 9/4/18
KLC 9/4/18
GMB 9/7/18

TITLE: Authorize Agreement with County of Cattaraugus to Extend Term
Of the Conewango Watershed Commission

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

AT THE REQUEST OF: County Executive George M. Borrello :

WHEREAS, pursuant to Resolution 222-13, the County Legislature authorized an agreement with the County of Cattaraugus to extend the term of the Conewango Watershed Commission until December 31, 2018 to manage the flood control structures in the Conewango Creek Watershed and to manage the 12.5 mile New York State Drainage Ditch, otherwise known as the Dredge; and

WHEREAS, the Conewango Watershed Commission and the County of Cattaraugus wish to extend the term of the Conewango Watershed Commission to continue its management of the watershed infrastructure; therefore be it

RESOLVED, That the County Executive is authorized and empowered to enter into an extension agreement with the County of Cattaraugus as described above to extend the term of the Conewango Watershed Commission to December 31, 2023 upon the following terms and conditions:

1. Term: January 1, 2019 to December 31, 2023.
2. Operation, Cleanup and Maintenance Expense: Subject to appropriation, to be shared equally by the counties for both Conewango Watershed Protection Projects and the Dredge. Each County agrees to continue to budget \$7,500.00 per year for Commission work.
3. Capital Expense: Subject to appropriation, counties are each responsible for capital improvements located within their borders.
4. Termination. Upon ninety (90) days written notice.
5. Other. As negotiated by the County Executive

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

**CHAUTAUQUA COUNTY
EMERGENCY RESOLUTION NO. _____**

DWM 8/23/18
ABC 8/24/18
SMA 8/24/18
KMD 8/24/18
KLC 8/26/18
GMB 8/29/18

TITLE: Authorize Use of Chautauqua County 2% Occupancy Tax Reserve Funds for Mitigating Dredging Impacts in Dunkirk Harbor

BY: Planning & Economic Development and Audit & Control Committees

AT THE REQUEST OF: County Executive George M. Borrello

WHEREAS, Lake Erie and the City of Dunkirk’s Waterfront and Harbor are invaluable assets to Chautauqua County and the City of Dunkirk; and

WHEREAS, Chautauqua County and the City of Dunkirk have worked together to develop tourism-related activities on the City of Dunkirk Waterfront and in the Harbor; and

WHEREAS, Chautauqua County and the City of Dunkirk have been strong advocates for increased Federal Investment in Dunkirk Harbor including maintenance dredging of the Federal Navigation Channels; and

WHEREAS, the United States Army Corps of Engineers is currently dredging the Federal Navigation Channel of Dunkirk Harbor, and the project has resulted in an unanticipated increase in the amount of nuisance aquatic vegetation in the Harbor; and

WHEREAS, the nuisance vegetation is having a negative impact on the Harbor’s marinas and was anticipated to have a negative impact on the nationally televised Offshore Powerboat Racing event which occurred on August 17-19, 2018; and

WHEREAS, the 2% Occupancy Tax Reserve fund has an unobligated balance of approximately \$232,382; therefore, be it

RESOLVED, That the Chautauqua County Legislature designates up to \$5,000 from the 2% Occupancy Tax Reserve to reimburse the City of Dunkirk for mitigation of dredging impacts in Dunkirk Harbor; and be it further

RESOLVED, That the County Executive is hereby authorized to establish accounts and enter into any and all contracts necessary to implement the terms of this resolution; and be it further

RESOLVED, That the Fund Balance be appropriated as follows:

INCREASE THE USE OF FUND BALANCE:

A.----.----.889.WATR Fund Bal, Rsvd Fund Bal-MISC RES: Lakes & Watrway \$5,000

;and be it further

RESOLVED, That the Director of Finance is authorized and directed to make the following amendment to the 2018 Budget:

INCREASE APPROPRIATION ACCOUNT:

A.8020.WTRS.4 Contractual—Planning—Watershed Administration \$5,000

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

PMW 9/14/18

TITLE: Authorize Clerk of the Legislature to Publish Notices – Re: Public Hearings on 2019 Tentative Budget & Sewer District Assessment Rolls & Maximum Salary of Members of the Chautauqua County Legislature and its Chairman

BY: Audit & Control Committee:

AT THE REQUEST OF: Chairman Paul M. Wendel:

WHEREAS, Pursuant to Sections 359 and 271 of the County Law public hearings must be held on the Tentative Budget and the sewer district assessment rolls, with statement of maximum salary of members of County Legislature included in notice; and

WHEREAS, Such notice shall state the time, place and purpose of the public hearing on the Tentative Budget and that copies of the budget will be available for distribution and inspection and specify therein the maximum salary that may be fixed and payable to members of the Legislature and Chairman thereof during the ensuing year; and

WHEREAS, Public hearings on the sewer district assessment rolls will be held simultaneously with the hearing on the Tentative County Budget and the assessment rolls will be completed and open to inspection during business hours before the public hearing on them; therefore be it

RESOLVED, That the Clerk of the Legislature be and hereby is authorized and empowered to advise in such publications that a public hearing will be held on the 2019 Tentative Budget and on the North Chautauqua Lake Sewer District and the Portland-Pomfret-Dunkirk Sewer District Assessment Rolls on Wednesday, October 24, 2018 at 2:00 P.M. and 6:30 P.M. in the Legislative Chambers, Gerace Office Building, Mayville, New York; and be it further

RESOLVED, That the Clerk of the Legislature be and hereby is authorized and empowered to advise in notice of public hearing on Tentative Budget that the 2019 salary of each Legislator shall be no more than \$9,000, that the Chairman of the Legislature shall be paid no more than \$8,000 in addition to his Legislator's salary and that the following positions be additionally compensated no more than the amounts indicated nor for more than one of the positions listed, over and above the basic Legislator's salary.

Majority Leader	\$1000.00
Minority Leader	\$1000.00
(1) Assistant Majority Leader	\$ 500.00
(1) Assistant Minority Leader	\$ 500.00
Each Committee Chairman	\$1000.00
Ranking Members	\$ 250.00

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date