

**CHAUTAUQUA COUNTY LEGISLATURE**

**04/22/2020**

*Meeting by Remote Access*

*To View the Meeting on-line go to*

<https://www.facebook.com/ChautauquaCountyGovernment/>

**PUBLIC PARTICIPATION** – Due to the COVID-19 crisis, the public may participate in Privilege of the Floor and the (2) public hearings in any of the following ways: (i) by emailing a statement prior to the County Legislature’s 6:30 PM meeting to the Clerk of the Legislature at [TampioK@co.chautauqua.ny.us](mailto:TampioK@co.chautauqua.ny.us) – emailed statements received by the Clerk shall be read during the Privilege of the Floor or public hearings; (ii) by calling 716-363-3790 (conference ID # 17894) to make a live verbal statement via telephone; or (iii) by appearing in person at the Legislature Chambers to make a live video conference statement – please note that County Legislators will not be physically present in the Legislature Chambers as the meeting and public hearings will be conducted by video and telephone conference. Social distancing will be observed in the Legislative Chambers, and those appearing in person for the public hearings are asked to wear a face covering.

# Chautauqua County Legislature

**6:30 p.m.**

**CALL TO ORDER**

**ROLL CALL**

**PRAYER BY LEGISLATOR LAWTON**

**PLEDGE OF ALLEGIANCE**

**APPROVAL OF THE MINUTES FOR 03/25/20**

**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. Emailed comments will be read by the Clerk.

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**VETO MESSAGES FROM COUNTY EXECUTIVE WENDEL  
NO VETOES FROM 03/25/20**

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**PUBLIC HEARINGS**

**6:35 p.m.**

**Public Hearing Regarding Hangar A Lease Agreement at the  
Chautauqua County Jamestown Airport**

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**6:35 p.m.**

**Public Hearing Regarding a Potential Application for 2020 Community  
Development Block Grant Funding through the New York State Office of  
Community Renewal and the Uses of Said Funding**

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**COMMUNICATIONS:**

- 1. Declaration – County Executive Wendel – Extend State of Emergency**
  - 2. Letter – County Executive – Appointment to Chautauqua County Fire Advisory Board**
  - 3. Reports (2) – Fn. Director Crow – Investment Reports – January 2020 and February 2020**
  - 4. Email – Bruce Rockwell – Opposition to Hangar A Lease Agreement at Jamestown Airport**
- 

**RESOLUTIONS:**

- 113-20 Confirm Appointments and Re-Appointments-Chautauqua County Fire Advisory Board**
- 114-20 Amend Resolution 194-19 - Authorize Chautauqua County Visitors Bureau as the Local Tourist Promotion Agency for the Matching Funds Program Sponsored by New York State Division of Tourism**
- 115-20 Amend 2019 Adopted Budget due to Changes in Fund Balances**
- 116-20 Amend 2019 Budget for Year End Reconciliations – Final Adjustments**
- 117-20 Amend 2020 Budget Appropriations and Revenues Due to Changes in Accounting Method for Some County-Wide Costs**
- 118-20 Amend 2020 Budget for Liability Insurance Accounts**
- 119-20 Authorize Agreement with NY State DOT for Performance Of Federal-Aid Project PIN 5762.01**
- 120-20 Authorize Hangar A Lease Agreement at the Chautauqua County Jamestown Airport**
- 121-20 Authorize Submitting Grant Application for 2020 Community Development Block Economic Development Grant Funding through the New York State Office of Community Renewal**
- 122-20 Extend 2020 Tax Foreclosure Redemption Date**
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**MOTIONS:**

- A. In Support of Reexamining the 2019 Bail Reform Law**
  - B. Declaring May 3 – 9, 2020 as Correctional Officers and Correctional Employees Week in Chautauqua County**
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**ANNOUNCEMENTS**

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**PRIVILEGE OF THE FLOOR**

Members of the public may comment on any subject.

A member of the legislature may speak on any subject.

Individual comments are limited to 3 minutes and comments representing a group shall be limited to 5 minutes. Emailed Comments will be read by the Clerk.



# Luscombe Aircraft Corporation

## Business Plan 2020

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## Executive Summary

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Increased demand within the aviation industry has created a pilot shortage. At the same time, as demand for air travel is growing, the baby-boom generation is aging and airline pilots face mandatory retirement at 65. These two factors combine to create a huge global demand to train new pilots. The average age of an airplane in the civilian training fleet is over 40 years. With a global demand approaching 60,000 pilots per year for the next 10 years, flight schools and academies are finding it difficult to maintain their training fleet, and new aircraft will be required. The pilot shortage, and aging fleet of training aircraft, has created a surge in demand for trainer aircraft to train additional pilots to fulfill the needs of the market.

**This combination of a shortage of qualified parts and pilots creates a rare opportunity for an efficient, low cost business to fulfill the voids in the market.**

Increased demand for aircraft has yielded increased demand for parts to maintain the aircraft. This presents a lucrative opportunity for Luscombe Aircraft Corporation (LAC).

LAC now owns the FAA Type Certificate (TC A694) for the Luscombe Model 8 family of light aircraft. Along with the numerous FAA Supplemental Type Certificates (STCs) and production tooling that LAC owns, we are poised to resume production of a very well respected and popular light aircraft and meet the rising demands of the marketplace.

LAC also owns the intellectual property required to produce a slightly lighter version of the Model 8F called the LSA-8. The FAA permits production of Light Sport Aircraft (LSAs) under ASTM consensus standards. The ASTM methods emphasize best commercial practices and highest quality while avoiding the burdensome regulatory environment required to produce FAA certified versions of the aircraft. Following the ASTM methods will allow LAC to begin production and sales with the lowest possible time-to-market.

### Objectives

1. LAC will build and develop an aircraft assembly facility to produce a “New” LSA Model 8 aircraft. LAC will not need to provide FAA certified aircraft to start with but will work toward FAA certification of airplanes and parts, along with AS9100 certified aircraft parts for the US Government. By focusing initially on the LSA, LAC will fulfill the market demand for a new Luscombe aircraft at an affordable price. With the focus on making our LSA Model 8 as an LSA during our first year of operation, we will reduce the time to market and cut our production costs to fill the market’s demand for lower cost aircraft. After an FAA approved assembly line is operational, we will then offer the FAA certified version of our airplane, called the Model 8F.
2. LAC will then introduce and manufacture the Model T8G aircraft, a purpose built, affordable aircraft with modern tricycle landing gear to train the next generation of pilots. In the early 1940’s Cessna copied the Model 8 to create the Cessna 140, which later morphed into the Cessna models 150 and 152. With a combined production run of just over 31,000 airplanes combined, the Cessna 150 and 152 was arguably the most successful entry level and primary flight training aircraft ever built. However the age of the Cessna 150 and 152 fleets averages 49 years and 36 years old, respectively. The Luscombe model T8G will serve the large pent up demand for affordable two seat training airplanes that was created when



Cessna ceased production of the 152. By offering an affordable alternative to the Cessna 172, Piper Archer, Diamond DA-20, and other competitors, we will be poised to gain market share for a tricycle trainer.



## Target Markets

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- Civilian Flight Training Academy and University Market
  - Domestic and Foreign, for the airline pilot training industry
- Military Entry Level Flight Training Aircraft
  - Screening, Primary, Aerobatic, Instrument, Contact, etc.
  - “Cadet Flight Training” for USAF and US Navy Sponsored Innovation Initiatives
- Civil General Aviation Market
  - Bush plane, trainer, personal sport airplane, etc
- FAA Approved Spare Parts Manufacturing Authorization (PMA)
- Aerospace-Defense Market
  - Majority of contracts will be direct to Defense Logistics Agency and other US Government agencies
    - Defense Logistics Agency (DLA)
    - Air Force Material Command, NAVAIR, Naval Sea Command
    - US Government Prime Contractors such as Boeing, Lockheed Martin, Northrop Grumman, L3-Harris, etc.)
  - Also pursue subcontract work for Gulfstream, Airbus, Leonardo, Honda, etc.



## Description of Business

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Luscombe Aircraft Corporation (LAC) will focus on manufacturing high-quality, all metal Light Sport Aircraft (LSA) that has been certified to FAA safety and quality standards. After the LSA has a proven track record under best commercial ASTM practices, LAC will pursue FAA production certification of the heavier certified plane and FAA approved spare parts. This approach will allow the FAA certification process to move through the process in a shorter, less costly, time frame while offering LSAs with expedited time-to-market. LAC will also produce and source Aerospace and Defense parts to meet the needs and standards of our customers. LAC manufactures and develops trainer aircraft to help train the next generation of pilots to meet the growing market demands.

### Company Ownership/Legal Entity

Luscombe Aircraft Corporation is a C Corporation registered in the State of Wyoming with current facilities in Chino, California. LAC is majority owned by Founders Steve Testrake and Stephen Young.

The principals Stephen Young and Steve Testrake of Testrake Aviation Inc. (TAI) acquired the assets from Good Earthkeeping Organization (GEO) in June of 2019. A new C Corporation, Luscombe Aircraft Corporation (LAC), was formed to hold the assets and build a new factory.

Steve Testrake provided LAC start-up funding of \$320,000 dollars, engineering services and patented technologies specifically related to the design of modern training aircraft that will allow LAC to be a leader in the Aerospace & Defense Industries.

### Location

LAC is currently located in Chino, California, at the Chino Airport, and is currently planning to relocate to a final assembly plant at Jamestown Airport in Chautauqua County, New York. This new facility will blend into the local community and provide a variety of highly skilled jobs for the local economy. LAC intends to utilize a 25,000 sq. ft hangar at the Jamestown Airport to ensure runway access for ease of operations.

LAC is in the process of shipping all of our dies to a custom machining facility located in Jamestown, New York, to receive, prepare and start parts assembly using all of LAC metal forming dies. This will start the process to manufacture most of the parts not in the current new-old stock (NOS) and needed for assembly of Luscombe aircraft. Our inventory of NOS parts reduces cost and provides a quick start once the factory is in operation. The refurbishment of hard tooling will be under our affiliate company, YES LLC, which will facilitate the start of our MBE-HUB Zone status.



## Products and Services

LAC is an established and well-respected manufacturer of the Model 8 aircraft.



The Model 8 is a high-wing, sport aircraft that was originally designed and manufactured in 1937. LAC produced 5,867 of the FAA certified Model 8 between 1937 and 1960, of which, there are currently approximately 1,600 active on the FAA Registry. LAC'S predecessor attempted to revive the Model 8 as a ASTM approved Light Sport Aircraft (LSA) and had a short assembly run in 2007. Due to a combination of over-estimating production demand and under-funding the work effort, they were not successful. Under LAC's ownership, production of the Model 8 will resume after our move to Chautauqua County.

LAC possesses a FAA Type Certificate A694 for the Luscombe Model 8, which approves the existing design of the aircraft at 1400 lbs gross weight. Production of LSA version, which is limited to 1320 lbs, does not require FAA certification but must conform to the industry standards required by the American Society for Testing and Materials (ASTM). To avoid the complexities, cost and inevitable delays of FAA certification for the heavier aircraft, LAC will first produce the LSA version of the Model 8 while simultaneously pursuing FAA approval of our quality system. Once LAC's quality system is approved, we will resume production of the heavier Model 8F (the tail wheeled version) and the Model T8G, (the tricycle version).

LAC will accomplish factory overhauls of existing Model 8 LSA before we begin production of new Model 8s. LAC will supply parts to the existing Luscombe aircraft, restore vintage aircraft, and manufacture new aircraft. These multiple product lines ensure multiple revenue streams for LAC and mitigates risk through diversification.

### **Aerospace and Defense Parts & Assemblies:**

LAC has the inventory of New Old Stock (NOS) parts that are needed by current Model 8 owners to support the fleet of ~1600 Model 8 Aircraft that are still on the FAA registry. LAC is following a process to "conform" these parts to original FAA approved standards to ensure the quality and





longevity of these parts. The value of these parts is estimated to be over \$500,000, and represents a significant investment that will reduce our needs for start-up funding.

Additionally, LAC will focus on providing Aerospace and Defense (A&D) manufacturing capabilities to supply US Government's Defense Logistics Agency (DLA) and other US Government Agencies. We will leverage sister company YES's Minority Business Enterprise (MBE) status to secure a market share of the \$35 Billion annual budget for goods and services, of which a growing percentage is being set-aside to MBE and Native American owned companies. We will secure a share of the market by offering highly competitive prices and delivering superior products, quickly, as compared to the large aerospace corporations.

As one of our first objectives, LAC will partner with sister company YES to establish parts manufacturing and hard tooling refurbishment in a Historically Underutilized Business Zone (HUBZone). This will cut production cost and allow LAC to control the supply of its production parts.

### **Aircraft: Model 8F and LSA-8**

The Model 8F is an all-metal, "real" airplane originally designed and still constructed to United States CAR 4a standard airworthiness requirements. The Model 8-LSA is almost identical except built to ASTM consensus standards and slightly lighter. Both the certificated model 8F and the LSA-8 can be equipped with the 100 hp Continental O-200D, the 110 hp 7-cylinder radial, or the Lycoming O-235 power plant and its performance matches or exceeds that of the original Luscombe "top-of-the-line" 8F in every way. The Model 8 is built and serviced in the USA.



The Model 8 has time-proven low maintenance requirements; thousands of aircraft mechanics are familiar with it, and parts are readily available from the factory and other suppliers. With over 1600 of the originals still flying after 50 years or more of service, its durability cannot be questioned. And most of all, it is one of the best flying, fun aircraft ever designed.

LAC's Model 8 is a safe and versatile light aircraft that is capable of fulfilling aviation needs and is an ideal training aircraft. The LSA version does not require a FAA certification, which greatly reduces the time it will take for LAC to bring the aircraft to market.

### **Model 8 Tricycle Gear Enhancements**

LAC will supply new training aircraft to meet the growing demand for flight training fleets operators. Following the move, LAC will immediately assemble resume the development of a new modified version of the aircraft to perfectly serve the needs of the growing market. The landing gear on the Model 8 will be redesigned to reflect a fixed tricycle landing gear. This provides a superior training platform and offers a more comfortable performance in flight. This new version of the



airplane will initially be called the Model T8G-LSA in its ASTM conforming light sport configuration, and later the Model T8G once we achieve FAA certification.

As a result of the tricycle landing gear modification, the engine mount and cowling will be redesigned to accommodate the nose landing gear. Future modifications may include a diesel engine to burn jet-fuel to eliminate the reliance on leaded aviation gasoline which is often impossible to acquire in many parts of the world.

## **Factory Restoration of Aircraft:**

A total of 5867 model 8 aircraft have been produced since production began in 1937. With about 1600 of these aircraft still listed on the FAA registry of airworthy airplanes, a large number of “projects” are available for factory restoration. There are a large number of aviation enthusiasts who desire to restore their airplanes to a like-new condition but have been hampered by the shortage of parts and factory support. These older aircraft also possess older technologies that require updates to be safe and flyable under modern requirements. As part of our restoration services, LAC will offer enhancements to current aircraft technologies that will enhance the safety and longevity of the aircraft.

## **Pricing**

### Aircraft

LAC will establish a market presence in the aircraft industry by providing customers a superior, low cost alternative to aircraft currently on the market. Utilizing the baseline aircraft developed and sold by LAC saves millions of dollars in research and development, design, and certification costs. As a result, LAC is capable of offering proven, certified aircraft at an affordable price that can immediately compete within the domestic aerospace market.

In the low cost, entry-level “tail wheel” trainer market, LAC will offer the Model 8-LSA, and later the Model 8, which will be competitively priced at approximately \$120,000 to \$130,000. We will aggressively pursue the Model T8G with tricycle landing gear which will be priced in the \$150,000 to \$160,000 range. The \$30,000 premium for the tricycle version of the aircraft will permit us to recoup our investment to design the airplane, while still remaining highly competitive and affordable. Our primary competition with the Model 8 in the entry-level trainer market will be the Diamond DA20, which sells for approximately \$250,000. A new model from Texas Aircraft has entered the market in 2019 with a base price of \$167,000 ([www.texasaircraft.com](http://www.texasaircraft.com)) This proves our view of the market need for a lower cost entry plane. The Model 8 will offer LAC customers’ savings and allow LAC to establish a foothold in the low, cost entry-level trainer market.

## **Parts**

LAC currently provides NOS parts for existing Model 8 aircraft. These parts are currently available online via LAC’s parts web portal.

LAC will compete as a reasonable cost provider for aircraft parts and equipment for private individuals as well as government contracts. LAC will operate in a low cost, low overhead environment to ensure costs remain low. This will ensure our pricing will be extremely competitive while maintaining decent profit margins. This will ensure that LAC attains a foothold in the A&D



parts market and will quickly allow us to establish a strong market presence. As LAC grows, it will continue to maintain low overhead initiatives that will allow it to remain competitive.

### **Manufacturing Agreement:**

On November 24th, 2019 LAC entered into a “Reciprocal Development and Manufacturing Agreement“ with D-Motor Jurgen Ostermeier Oerlinghausen and Ultraleichtflugzeugbau in Germany. The agreement grants the right to use the LAC licensed property and the Consortium is receiving the right to manufacture, produce, market and use the licensed property. The consortium will be referred to collectively as "Luscombe Germany."

Luscombe Germany has the right to market the Model 8 in Europe and the United Kingdom under the name "Luscombe". A name supplement will be assigned, such as "Luscombe 8-26" or "Luscombe Silvaire 26" to distinguish the German version of the airplane from the US built version. LAC has delivered one LSA to Luscombe Germany that is proceeding through the Germany certification process. Luscombe Germany is expected to produce a minimum of four (4) aircraft sales to Germany per year. LAC will also benefit from additional sales as well as engineering completed by the Consortium to improve the design of the Luscombe Model 8 Light Sport Aircraft.

### **Management**

LAC principals have extensive experience in aviation (military, commercial, and general aviation) and are industry experts in LAC’S target market, including military flight training and US Defense contracting. Our team are experts at modification and certification of special mission aircraft and have been studying the flight training problem for over 24 years. As a result, LAC is well positioned to take advantage of this emerging and growing market.

**Stephen Young** (Founder and CEO) – An entrepreneurial executive leader with 25 years of bottom line driven experience. Mr. Young runs and manages LAC’s day-to-day operations. Mr. Young is also a member of the Cherokee tribe and is the majority owner of Young’s Environmental Services (YES). YES has been in business since 2007 and has successfully fulfilled Government contracts in the past for the Defense Reutilization and Marketing Office (DRMO) (Presently DLA Disposition Services).

**Steve Testrake** (Founder and CTO) – Mr. Testrake has more than 40 years of proven thought leadership, technical development, technical leadership, functional management, and program management for aerospace, defense, and aviation technology firms. Mr. Testrake has proven excellence in conceiving and managing large-scale projects from concept through implementation. He is a dynamic, achievement-oriented leader with a successful track record in sales, engineering, management, business development, and problem solving.

**Bruce Roberts** (Advisory Board) – Mr. Roberts is a Member of the Board of Directors and Founder at Cyber Security Institute of San Diego. He is currently an advisor to the San Diego Regional Innovation Cluster, and a Consultant Advisor to Cubic Corporation. Prior to his role as Consultant Advisor to Cubic Corporation, he was the President and CEO of Cubic Defense Systems.



# Market Analysis and Market Segmentation

## General Aviation

LAC will serve a large domestic and international market, known in the industry as “General Aviation” or GA. General Aviation covers any aspect of aviation that is not Scheduled Airlines or Military. LAC will provide aircraft and parts to the GA industry, which has experienced growth in recent years. In fact, overall air traffic is expected to grow at 4.4 per cent annually, requiring some 37,400 new passenger and dedicated freighter aircraft at a value of US\$5.8 trillion over the next 20 years.<sup>1</sup> This offers a large potential market for LAC and both our aircraft and parts product lines.

From 2009 to 2015, an average of ~820 single engine piston airplanes per year were built in the US. While the overall GA sales trend remained flat for last 7 years, recent years have experienced growth as the US economy has emerged from the recession. Factory Net Billings have nearly returned to pre-recession levels and we expect that this number will continue to rise in the coming years.

**1.8 European-Manufactured General Aviation Airplane Shipments by Type (2008–2015)**

Year	Grand Total	Single-Engine Piston	Multi-Engine Piston	Total Piston	Turboprop	Business Jet	Total Turbine	Companies Reporting	Factory Net Billings (\$ Millions)
2008	579	223	85	308	190	81	271	6	\$3,966.6
2009	416	125	38	163	165	88	253	6	\$4,552.5
2010	380	98	41	139	133	108	241	6	\$5,556.0
2011	468	204	70	274	121	73	194	7	\$3,987.9
2012	446	231	28	259	112	75	187	8	\$4,063.3
2013	657	420	42	462	112	83	195	10	\$4,533.9
2014	722	449	71	520	131	71	202	10	\$3,825.3
2015	612	354	67	421	132	59	191	9	\$3,736.2

An aircraft is considered manufactured in Europe when produced under an EASA production approval. EASA rules require production approvals for all aircraft including CS-VLA and CS-SLSA models.

Source: GAMA

From 2009 to 2015, an average of ~263 single engine piston airplanes per year were built in Europe. European GA airplane shipments continue to show a growth trend, and we will continue to monitor European and foreign markets for opportunities for both LAC aircraft and A&D parts.

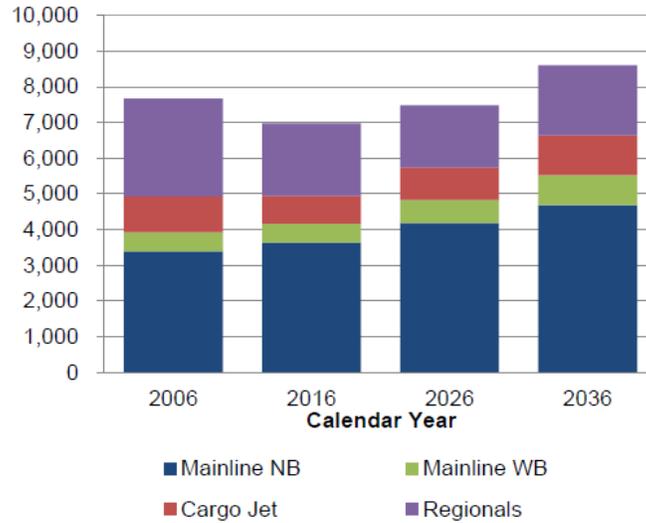
In 2018, the sales of new training aircraft was 385 aircraft. The FAA and GAMA predict 8% YoY growth of new aircraft sales. It is anticipated that the FAA will increase the light sport aircraft (LSA) weight limit to 3600 pounds. This rule change will stimulate even more demand for new and used airplanes up to 3000 lb. gross weight. Large number of potential new pilots, constrained by the large cost to earn a Private Pilot License, will now be able to fly larger airplanes with only a Sport Pilot License (in half the time). This action is anticipated to stimulate further growth in the aviation industry.

The number of aircraft in the US commercial fleet is forecast to increase from 6,871 in 2015 to 8,414 in 2036, an average annual growth rate of 1.0 percent a year. Increased demand for air travel and growth in air cargo is expected to fuel increases in both passenger and cargo fleets.

<sup>1</sup> Airbus Global Market Forecast (GMF) for 2018-2037



**U.S. Carrier Fleet**



While fleet size will grow, demand for new aircraft will grow faster as older aircraft are retired. The demand for certified / approved aerospace manufacturing firms is growing too, putting LAC in an ideal position to fulfill market demand as a parts manufacturer for the commercial airline industry.

### US Government Sales

Each year, the United States Government does approximately \$4 trillion worth of business with large and small businesses. The Federal Government’s overall goal is to allocate 23% of contracts to small businesses. The US Government has small business goals that they strive to meet each year. The US Government just expanded international contracts (which amount to \$100 billion a year) to count as a part of these goals, in the hopes to further the use of small businesses. Once established production is in full operations, LAC will pursue possible contracts with the US Government.

### Trainer Aircraft

As the aviation, defense, and commercial airlines industries continue to grow, demand for pilots has increased and created a pilot shortage across the all industries. Boeing’s 2018 Pilot and Technician Outlook shows demand for pilots, technicians, and other industry workers “at an all-time high.”<sup>2</sup> Per GAMA, between 2007 and 2014, an there was an average of 55,700 new student pilots per year, but there were not enough graduates to prevent a pilot shortage. The airline industry and USAF combined project a need for 60,000 pilots per year. The US Navy and US Marine Corps projects a need for between 1000 to 1900 pilots per year over the next 10 years.

The pilot shortage is making itself felt in rising orders for new trainer aircraft. In 2017, the industry has delivered 1,054 airplanes and 494 helicopters, worth a total of more than \$10 billion.<sup>3</sup> This trend exists in the defense industry as well as the military trainer aircraft market is expected to register a CAGR of 5.3% between 2018 - 2023. The market for trainer aircraft is also expected to grow as the

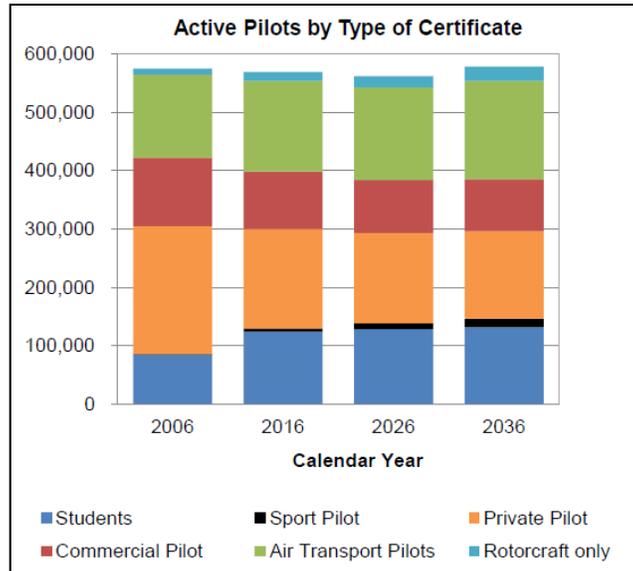
<sup>2</sup> AOPA Magazine Article “Demand for Trainers Drives Manufacturing Gains”

<sup>3</sup> GAM



35 to 60 year old fleet of existing trainers rapidly deteriorates, as well funded universities and ab initio flight academies expand their fleets, and as more developing countries start buying trainers.<sup>4</sup>

LAC is in an opportune position in the aviation industry by providing aircraft will be optimized for military and commercial pilot training. LAC aircraft will be equipped with patented technologies that is similar for both airlines and military training aircraft:



The pilot shortage will create a sustained flow of new student pilots each year for the next 20 years will create a solid demand for training airplanes. As a result, the airline pilot population will grow, which will create demand for trainees and training airplanes. Additionally, with the growth in the aerospace industry and the FAA rule changes, the Sport Pilot sector is predicted to grow at 4.5% annually, creating demand for Light Sport Aircraft.

As described earlier, the average age of the Cessna 150 and 152 fleets is 49 years and 36 years old, respectively. This aging aircraft fleet cannot support the current demands for training 600,000 new pilots. Many trainers are outdated and do not possess the modern technologies that the current aircraft fleet is utilizing. New airplanes, such as LAC’s Model 8 LSA and the new Model T8G “Trike” are needed to provide modern yet affordable “glass” technology. There will be an increasing demand for new training airplanes with modern cockpit display systems, as well as like-new refurbishments of older airplanes, and LAC is in a prime position to take advantage of these market trends.

## Competition

For the civilian flight training mission, the primary competitors for the Model 8 will be the Diamond DA20-C1, which sells for approximately \$250,000. According to FAA records, there are 306 DA20-C1 aircraft operating in the US. For US manufacturers, Cessna offers the 160 HP C-172 for about \$500,000, and Piper offers the 180 HP Archer for \$440,000. These two aircraft typically sell to large

<sup>4</sup>Mordor Intelligence



flight academies and universities. With prices ranging from \$250,000<sup>5</sup> to \$500,000<sup>6</sup>, new airplanes are typically unaffordable to small flight schools, which typically purchase used aircraft (of which the availability is dwindling).

A new entry into the market, Texas Aircraft Colt with a price tag of \$167,000 dollars confirms the need for a lower cost trainer aircraft.

## **Barriers to Entry**

There are numerous barriers to entering the airplane manufacturing business, among them is acquiring FAA Production and Type Certificates, developing a skilled work force, and the costs to build and certify an aircraft factory. To produce FAA certified airplanes and parts it is required to have a FAA Part 21 approved facility (the “Production Certificate”). LAC will leverage ASTM and AS9100 to achieve Part 21 approvals. LAC will strive to maintain an excellent relationship with the FAA and serve as a model organization and train new FAA employees.

The Model 8 aircraft is approved by the FAA under CAR 4 and Part 23 regulations. The Model 8 LSA benefits from these approvals and is “grandfathered” so as to not require any further certification to begin production under ASTM standards. To produce the slightly heavier Model 8F, and later the T8G Trike, we will be required to have a FAA approved aircraft Production Certificate (PC). This certification allows the building of numerous aircraft types. LAC is currently working to develop a FAA Part 21 approved facility that will enable the production of FAA Part 23 certified airplanes and products. LAC purchased the documentation that established our predecessor’s FAA approved Quality System (QS). LAC will leverage these assets to achieve Part 21 approval much quicker than if we were required to start from a clean sheet of paper.

A skilled workforce is required to manufacture aircraft. Aircraft manufacturing skills are often unique and specialized, and difficult to acquire, for example, sheet metal and riveting, aerospace certified welding, fabric covering. LAC’Ss move to the Chautauqua County, New York, will require a highly skilled workforce that possesses the following skills:

- Machinists and Machine Operators
- Sheet metal forming equipment operators + riveters
- Steel and aluminum laser cutting equipment operators
- Electrical assemblers, avionics installers, and electricians / avionics technicians
- Certified welders, specialized in thin wall MIG and TIG
- Painters:
  - Capable of operating in down-draft paint booths for small aircraft
  - Powder Coat
- A&P mechanics
- Production test pilots



Due to the skilled workforce, the Chautauqua County is an ideal location to move LAC'Ss final assembly plant. We are working directly with the Jamestown Community College and SUNY at Fredonia who will contribute greatly to the work force development effort.

It is estimated that the cost of designing and certifying a new aircraft, then establishing a new FAA certified aircraft factory, is approximately \$100 million. By leveraging past FAA approvals and LAC'Ss strong history, LAC will first establish a new production line that conforms to ASTM consensus standards. This will position LAC to soon after gain an FAA certified aircraft factory for a fraction of the price of atypical new factory. This will result in lower costs that LAC will pass along to its customers to establish a dominant foothold in the Aerospace and Defense industry. As a manufacturer of both an ASTM and FAA approved aircraft, LAC will operate under a very rigorous, highly disciplined quality assurance and manufacturing system. This quality control system will also extend to our subcontractors, suppliers, purchased parts and raw materials, and be similar to AS 9100.

In order to develop a physical plant, LAC will partner with companies that have access to established production facilities, supply chain, tooling, quality systems, work force, etc. LAC leverage existing machine shop and metal forming capacities in the community to control costs and minimize the need to purchase expensive capital equipment.

## **Advertising and Promotion**

In an effort to maintain low overhead costs, LAC's initial advertising plan is to advertise via our website and by attending major aviation events and trade shows such as Oshkosh AirVenture and Sun N Fun. Our Luscombe Germany associate has been attending AERO Friedrichshafen and will continue to do so. This will help us initially establish relationships with many of our preferred customers within the industry. We will distribute print advertising at trade shows for market awareness with the internet web site as the detailed information conveyor.

In addition to attending trade shows, LAC will implement a hands-on marketing approach by performing several demonstrators in strategic locations for potential customers. These demonstrations will highlight the capabilities of the LAC aircraft and offer our potential customers to watch the aircraft perform. The demonstrations will be streamed live to our website and recorded to be used for future marketing material.

## **Patented Technologies**

LAC Experience: LAC Principals have written numerous white papers that discuss innovative methods for leveraging technology for flight training. Two patents were awarded specifically related to the US Navy and USAF flight training innovation efforts.

- *Patent 8794970: Control Systems to Emulate Jet Aircraft in Reciprocating Engine-Powered Trainers*

This patent introduces simulated jet cockpit into low-cost piston class aircraft. As a result, it reduces direct operating cost to operate aircraft by approximately 75%. Additionally, it allows early training during the screening phase of the pipeline. It provides better training by providing jet and cockpit training earlier in the pipeline. As a result of the earlier jet and



cockpit training, it also provides more effective screening of candidates so the military services can better manage attrition.

- *Patent 8784107: Flight Training System*

This disclosure describes novel systems, methods and software for providing flight training. In an aspect of some embodiments, flight data is collected during a training flight. That flight data then can be used to provide a review and/or simulation of the training flight. The student may be allowed to participate in the simulation by providing input from a set of controls. In some cases, an instructor (or another) might provide modified flight data, which can be used to modify the simulation. Advantageously, this allows for the analysis and simulation of a variety of hypothetical, “what-if” scenarios.

## **Potential Future Business Opportunities**

The principals of LAC have enjoyed over two decades of collaboration with the Virtual Flight Academy (VFA), the primary change agent in all US military and recently US airline flight training arenas. This collaboration has led to a number of future opportunities that LAC will pursue with the US Government. LAC is in direct and regular discussions with the US Air Force’s Air Education and Training Command’s (AETC) Innovation center in San Antonio, TX and the US Navy’s Chief of Naval Air Training (CNATRA) in Corpus Christi, TX. Both the USAF and the USN innovation centers have acknowledged the validity and importance of LAC’s patented technologies. These relationships have resulted in introduction to thought leaders at Apple and Boeing ForeFlight. Apple and ForeFlight have also validated LAC’s technologies and offered to actively support our efforts to accomplish proof of concept demonstrations of our patented technologies in our airplanes. We have also initiated discussions with Epic Optix, the manufacturer of Head Up Displays (HUDs) which we intend to integrate into our flight training technology demonstrator. LAC has established close relationships with fellow disruptors which perfectly positions us to participate in the fundamental re-invention of military flight training. We are confident that where the US Navy and US Air force lead, the airline industry will follow, and LAC will provide the needed services and patented technologies.

April 11, 2020

**Proposed Lease Agreement Between Chautauqua County and Luscombe Aircraft Corporation for Lease of Jamestown Airport's Hangar A.**

**Facility Description:** Hangar A provides approximately 25,000 gross square feet (GSF) of "bulk" aircraft storage space in an open-span steel framed structure located adjacent Taxiway F and fronting on Turner Road. The hangar was designed to store approximately 16 fixed wing, single and multi-engine propeller aircraft. The building was built in 1997 as a low-cost aircraft storage facility. It has a single bi-fold hangar door with a rough opening of approximately 60 x 14 feet. The hangar is modestly insulated but has no HVAC, water, sewer, gas or communications services. On February 1, 2020, when Centric Aviation took over operation of the Jamestown FBO, there were approximately 12 aircraft housed in the hangar, only about half of which were current on their rent.



Hangar A (low profile building on the left)



Hangar A Interior

**Proposed Lease:**

Luscombe Aircraft Corporation proposes to lease Hangar A effective May 1, 2020 for a monthly fee of \$1850 per month. The base rent is fixed for the first 4 years of the 20-year lease term and is subject to annual rent increases commencing year 5 at a rate equal to CPI or 2 percent, whichever is less.

Luscombe may make improvements to the Hangar and immediate environs to support their specific business needs. Further, the County will allow Luscombe a credit of up to \$500 per month for capital improvements that are permanent and enhance the value and future utility of the building. The monthly capital improvements credit shall be available for up to 8 years and unused credits may be carried forward from month to month during that 8-year period (total potential credit of \$48,000).



Tenant is responsible for all utilities and all building maintenance apart from the roof. The county is responsible for roof maintenance.

Tenant is responsible for any real property taxes or other special use assessments.

A condition of the Letter of Intent between the County, Luscombe and the IDA requires Luscombe to provide proof of financial means to fund start-up costs for the first two years of operations as outlined in their business plan.

**Implications of Removing Hangar A from General Aviation aircraft storage Use and Centric Aviation’s FBO Lease Agreement**

The FBO lease-operate agreement with Centric Aviation that went into effect on February 1, 2020 anticipated possible relinquishment of Hangar A from the FBO agreement in favor of leasing the building to Luscombe for the express propose of aircraft assembly and sales.

Centric’s monthly rent will decrease from \$2500 to \$1,660 per month when Hangar A is taken off the FBO lease agreement. This 34 percent rent reduction compensates Centric for the 38 percent reduction in rent-able space.

With the removal of Hangar A from the FBO lease, available public-use hangar space is reduced from 65,000 GSF to 40,000 GSF at JHW. This condition will exist for approximately 12 months until Hangar C is placed in service following rehabilitation. Hangar C is approximately 10,000 GSF and, when placed on line, will bring the inventory of rent-able hangar space up to 50,000 GSF.

There are currently 19 based aircraft at Jamestown utilizing available FBO Hangar space. With the planned contraction of available hangar space to 40,000 GSF, the hangar “load factor” for based aircraft will still be less than 50%. This utilization rate preserves ample space for transient aircraft.

CHAUTAUQUA COUNTY LEGISLATURE  
04/22/2020

RES. NO. 113-20

Confirm Appointments and Re-Appointments-Chautauqua County Fire Advisory Board

By Public Safety Committee:

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

WHEREAS, County Executive, George M. Borrello, has submitted the following re-appointments to the Chautauqua County Legislature for action; now therefore be it

RESOLVED, That the Chautauqua County Legislature hereby confirms the following re-appointments to the Chautauqua County Fire Advisory Board.

**1<sup>st</sup> Battalion**

Lawrence Barter  
9 Pine Dr.  
Fredonia, NY 14063  
Term Expires: 1/31/21  
Reappointment

Mike Edwards  
143 West 4<sup>th</sup> St.  
Dunkirk, NY 14048  
Term Expires: 1/31/21  
Reappointment

Christopher Wichlacz  
3381 Tarbox Rd.  
Cassadaga, NY 14718  
Term Expires: 1/31/21  
Reappointment

Brandon Mahle  
1990 Route 39  
Forestville, NY 14062  
Term Expires: 1/31/21  
Reappointment

Brian Puro  
3681 New Road  
Dunkirk, NY 14048  
Term Expires: 1/31/21  
Reappointment

Adan Reisenweber  
8470 Chautauqua Rd  
Fredonia, NY 14063  
Term Expires: 1/31/21  
New Appointment  
Alternate

**2<sup>nd</sup> Battalion**

Al Akin  
5984 Manor Dr.  
Chautauqua, NY 14722  
Term Expires: 1/31/21  
Reappointment

Matthew Oehlbeck  
159 Park St.  
Sherman, NY 14781  
Term Expires: 1/31/21  
Reappointment

Ronald H. Trippy  
6755 S. Portage Rd.  
Westfield, NY 14787  
Term Expires: 1/31/21  
Reappointment

Lyle Holland  
47 Clinton St.  
Westfield, NY 14787  
Term Expires: 1/31/21  
Reappointment

Mark Smith  
9437 E. Main Rd.  
Ripley, NY 14775  
Term Expires: 1/31/21  
Reappointment

Burl Swanson  
6168 Wright Road  
Dewittville, NY 14728  
Term Expires: 1/31/21  
Reappointment  
Alternate

**3<sup>rd</sup> Battalion**

Ronald V. Johnson  
1265 Norby Rd.  
Jamestown, N.Y. 14701  
Term Expires: 1/31/21  
Reappointment

Jackson Knowlton  
2141 Shadyside Rd.  
Lakewood, NY 14750  
Term Expires: 1/31/21  
Reappointment

Sam Salemme  
217 Dearing Avenue  
Jamestown, NY 14701  
Term Expires: 1/31/21  
Reappointment

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Randall Shampoe Jr.  
690 Clymer-Sherman Rd.  
Clymer, NY 14724  
Term Expires: 1/31/21  
Reappointment

Scott Bailey  
29 Melvin Ave  
Celoron, NY 14720  
Term Expires: 1/31/21  
Reappointment

Dan Sisson  
Term Expires: 1/31/21  
Reappointment  
Alternate

**4<sup>th</sup> Battalion**

Lance Hedlund  
14 Dunn Avenue  
Jamestown, NY 14701  
Term Expires: 1/31/21  
Reappointment

Jeff Molnar  
30 Main Street  
Bemus Point, NY 14712  
Term Expires: 1/31/21  
Reappointment

Barry Swanson  
4870 Bayview Road  
Bemus Point, NY 14712  
Term Expires: 1/31/21  
Reappointment

Charles Piazz  
1357 Newland Ave.  
Jamestown, NY 14701  
Term Expires: 1/31/21  
New Appointment

Peter Samuelson  
4696 Maple Grove Road  
Bemus Point, NY 14712  
Term Expires: 1/31/21  
Reappointment

Ryan Delahoy  
205 N. Dow St.  
Falconer, NY 14733  
Term Expires: 1/31/21  
New Appointment  
Alternate

Signed by Niebel (via Telephone Consent)

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RES. NO. 114-20

Amend Resolution 194-19 - Authorize Chautauqua County Visitors Bureau as the Local Tourist Promotion Agency for the Matching Funds Program Sponsored by 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, pursuant to Resolution 194-19, the Chautauqua County Legislature authorized the Chautauqua County Visitors Bureau as the local tourist promotion agency for Matching the Funds Program sponsored by New York State Division of Tourism; and

WHEREAS, the New York State Division of Tourism has since requested that the dates listed in the Resolution correspond to the grant program cycle and not the New York State fiscal year from which the funds are provided for 2020; and

WHEREAS, an amendment must be made to the fourth RESOLVED clause of Resolution 194-19; now therefore be it

RESOLVED, That the Chautauqua County Legislature hereby amends the fourth RESOLVED clause of Resolution 194-19 as follows:

RESOLVED, That the Chautauqua County Visitors Bureau is authorized to apply for state matching funds up to \$250,000 for the grant program cycle state fiscal year from ~~April 1, 2019 through March 31, 2020~~ January 1, 2020 through December 31, 2020.

Signed by Odell, Starks, Harmon, Ward, Muldowney, Nazzaro, Gould, Niebel (Voted "yes" by video Conference PED & AC Committee Meetings)

CHAUTAUQUA COUNTY LEGISLATURE  
04/22/2020

RES. NO. 115-20  
Amend 2019 Adopted Budget due to Changes in Fund Balances

By Audit & Control Committee:

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

WHEREAS, the County Road Fund (D Fund) has been negative since the end of 2018 and needs to be replenished by a transfer from the General Fund (A Fund); and

WHEREAS, insurance recovery revenues from the 2010 fire at the North County Office Building were placed in an insurance reserve in the Liability Insurance Fund (CS Fund); and

WHEREAS, all expenditures associated with the fire have been paid so the remaining recovery revenue can be transferred from the insurance reserve to the general fund; now therefore be it

RESOLVED, That the A and CS Fund Balances are appropriated as follows:

INCREASE THE USE OF FUND BALANCE:

CS.-----863.0000	Reserved Fund Balance--Insurance Reserve	\$1,108,619
A.-----917.0000	Unassigned Fund Balance--Unassigned Fund Balance	\$825,000

RESOLVED, That the A and D Fund Balances are appropriated as follows:

DECREASE THE USE OF FUND BALANCE:

A.-----917.0000	Unassigned Fund Balance--Unassigned Fund Balance	\$1,108,619
	Unassigned Fund Balance--Assigned Fund Balance	
D.-----915.0000	Unappropriated	\$825,000

;and be it further

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2019 Adopted Budget:

INCREASE APPROPRIATION ACCOUNT

CS.9901.-----9	Interfund Transfers - Transfers to Other Funds	\$1,108,619
	Interfund Transfers - Transfer to Other Funds-Trans Co Road	
A.9901.9000.9	Suppl (A-D)	\$825,000

INCREASE REVENUE ACCOUNT:

A.1310.9999.R503.1000	Interfund Transfers-Interfund Transfer	\$1,108,619
D.9901.9000.R503.1000	Interfund Transfers-Interfund Transfer	\$825,000

Signed by Nazzaro, Odell, Harmon, Gould, Niebel (Voted "yes" by video Conference AC Committee Meeting)

CHAUTAUQUA COUNTY LEGISLATURE  
04/22/2020

RES. NO. 116-20  
Amend 2019 Budget for Year End Reconciliations – Final Adjustments

By Audit & Control Committee:

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

WHEREAS, some department expenses have exceeded initial budgetary estimates, as well as some appropriations have a surplus; and

WHEREAS, some departments have received revenues in excess of budget; now therefore be it

RESOLVED, That the A Fund Balance is appropriated as follows:

DECREASE THE USE OF FUND BALANCE:

A.----.----.878.0000	Reserved Fund Balance--Reserve for Capital	\$161,933
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; and be it further

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2019 Adopted Budget:

INCREASE APPROPRIATION ACCOUNTS:

A.1162.1120.4	Contractual - Unified Court Costs-Conflict Administration	\$40,037
A.1440.----.2	Equipment - Engineers	\$16,995
A.2960.----.4	Contractual - Educ: Handicapped Children-Administration	\$10,743
EL.8160.1000.4	Contractual - Environment-Landfill	\$300,530
EL.8160.1000.8	Employee Benefits - Environment-Landfill	\$441,312
EL.8160.6000.8	Employee Benefits - Environment-Closed Landfills	\$5,050
EL.8160.7000.4	Contractual - Environment-Recycling	\$1,520
EL.8160.7000.8	Employee Benefits - Environment-Recycling	\$41,195
EL.8189.----.8	Employee Benefits - Oth Env-House Haz Waste	\$620
ESN.8110.8112.8	Employee Benefits - Administration-Administration	\$4,493
ESN.8120.8122.4	Contractual - Sanitary Sewers-Sanitary Sewers	\$1,412
ESN.8130.8132.8	Employee Benefits - Sewage Treatment-Sewage Treatment	\$6,199
ESP.8110.8114.1	Personal Services - Administration-Administration	\$81
ESP.8120.8124.8	Employee Benefits - Sanitary Sewers-Sanitary Sewers	\$16,884
ESS.8110.----.8	Employee Benefits - Administration	\$33,890
ESS.8120.----.4	Contractual - Sanitary Sewers	\$19,467
ESS.8120.----.8	Employee Benefits - Sanitary Sewers	\$16,599
ESS.8130.----.8	Employee Benefits - Sewage Treatment	\$25,123
EW.8120.----.8	Employee Benefits - Sanitary Sewers	\$973
EW.8310.----.8	Employee Benefits - Water District	<u>\$2,881</u>
	Total	\$986,004

DECREASE APPROPRIATION ACCOUNTS:

A.9950.----.9	Interfund Transfers - Transfer to Capital	\$161,933
EL.8160.6000.4	Contractual - Environment-Closed Landfills	\$5,050

CHAUTAUQUA COUNTY LEGISLATURE  
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EL.8189.----.4	Contractual - Oth Env-House Haz Waste	\$620
ESN.8110.8112.4	Contractual - Administration-Administration	\$4,493
ESN.8120.8122.1	Personal Services - Sanitary Sewers-Sanitary Sewers	\$1,473
ESN.8130.8132.1	Personal Services - Sewage Treatment-Sewage Treatment	\$2,506
ESN.8130.8132.4	Contractual - Sewage Treatment-Sewage Treatment	\$3,632
ESP.8120.8124.4	Contractual - Sanitary Sewers-Sanitary Sewers	\$16,965
ESS.8130.----.4	Contractual - Sewage Treatment	\$95,079
EW.8120.----.4	Contractual - Sanitary Sewers	\$973
EW.8310.----.4	Contractual - Water District	\$2,881
H.3150.06848.4	Contractual - Jail-Closed-Jail Repointing (2014)	\$6,563
H.7110.25002.4	Contractual - Parks-Parks Capital Improvements (2018)	<u>\$40,570</u>
	Total	\$342,738
<u>INCREASE REVENUE ACCOUNTS:</u>		
A.1310.9999.R111.0000	Non Property Tax Items-Sales Tax	\$57,032
A.2960.ADMN.R327.7000	New York State Aid-Ed Handicapped Children	\$10,743
EL.8160.1000.R237.6000	Shared Services-Chrgs: OCC Municipal	\$600,000
EL.8160.1000.R213.0000	Departmental Income-Chrgs: Refuse & Garbage	\$184,557
H.2490.550.R571.0000	Proceeds L/T Obligations-Serial Bonds	\$6,563
H.5130.626.R503.1000	Interfund Transfers-Interfund Transfer	<u>\$35,553</u>
	Total	\$894,448
<u>DECREASE REVENUE ACCOUNTS:</u>		
H.2490.550.R503.1000	Interfund Transfers-Interfund Transfer	\$6,563
H.3150.06848.R571.0000	Proceeds L/T Obligations-Serial Bonds	\$6,563
H.5130.626.R266.5000	Sale of Property/Compensa-Sale of Equipment	\$500
H.5130.626.R571.0000	Proceeds L/T Obligations-Serial Bonds	\$35,053
H.7110.25002.R265.2000	Sale of Property/Compensa-Sale of Forest Products	<u>\$40,570</u>
	Total	\$89,249

Signed by Nazzaro, Odell, Harmon, Gould, Niebel (Voted "yes" by video Conference AC Committee Meeting)

CHAUTAUQUA COUNTY LEGISLATURE  
04/22/2020

RES. NO. 117-20

Amend 2020 Budget Appropriations and Revenues Due to Changes in Accounting Method for  
Some County-Wide Costs

By Administrative Services and Audit & Control Committees:

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

WHEREAS, dues for the New York State Association of Counties (NYSAC) and costs associated with the President of CSEA Unit 6300 are included in the 2020 Adopted Budget, and appropriate portions of such 2020 costs are budgeted in various enterprise funds; and

WHEREAS, the costs of most county-wide services are consolidated in their home departments and charged to the enterprise funds via the cost allocation plan; and

WHEREAS, it is appropriate to charge enterprise funds for NYSAC dues and CSEA fees via the cost allocation plan; now therefore be it

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2020 Adopted Budget:

INCREASE APPROPRIATION ACCOUNT:

A.1230.----.4	Contractual - County Executive	\$2,059
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DECREASE APPROPRIATION ACCOUNTS:

EL.8160.1000.4	Contractual - Environment, Landfill	\$4,001
ESN.8110.8112.4	Contractual - Administration, Administration	\$367
ESN.8120.8122.4	Contractual - Sanitary Sewers, Sanitary Sewers	\$145
ESN.8130.8132.4	Contractual - Sewage Treatment, Sewage Treatment	\$73
ESP.8110.8114.4	Contractual - Administration, Administration	\$294
ESS.8110.----.4	Contractual - Administration	\$439
ESS.8120.----.4	Contractual - Sanitary Sewers	\$363
ESS.8130.----.4	Contractual - Sewage Treatment	\$726
EW.8120.----.4	Contractual - Sanitary Sewers	\$147
EW.8310.----.4	Contractual - Water District	\$147
EWN.8310.----.4	Contractual - Water District	<u>\$294</u>
	Total	\$6,996

DECREASE REVENUE ACCOUNT:

A.1430.COEM.R221.0CUP	Shared Services-Shared Services CSEA Union President Charges	\$4,937
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Signed by Scudder, Muldowney, Starks, Davis, Vanstrom, Nazzaro, Odell, Harmon, Gould, Niebel (Voted "yes" by video Conference AS & AC Committee Meetings)

CHAUTAUQUA COUNTY LEGISLATURE  
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RES. NO. 118-20  
Amend 2020 Budget for Liability Insurance Accounts

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

WHEREAS, some Insurance Division expenses have exceeded initial budgetary estimates; and

WHEREAS, these expenses are offset by participant assessments to County; now therefore be it

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2020 Adopted Budget:

INCREASE APPROPRIATION ACCOUNT:

CS.1710.----.4 Contractual – Insurance Administration \$75,000

INCREASE REVENUE ACCOUNT:

CS.1710.R270.9000 Miscellaneous – Participant Assessments \$75,000  
Signed by Scudder, Muldowney, Starks, Davis, Vanstrom, Nazzaro, Odell, Harmon, Gould, Niebel (Voted “yes” by video Conference AS & AC Committee Meetings)

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RES. NO. 119-20

Authorize Agreement with NY State DOT for Performance Of Federal-Aid Project PIN 5762.01

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

WHEREAS, the project for Bridge Sealing BINS 3325300, 3325310, 3325410, 3325430, 2212440, 2258400, 2258410, 3323950 and 33240900 (the Project) is now eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such Project, now estimated to be \$125,000, to be borne at \$100,000 Federal funds and \$25,000 Local funds; and

WHEREAS; the Project’s Construction Phase is currently estimated to be \$125,000 to be borne at the ratio of 80% Federal Funds and 20% County 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 5762.01; 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 costs of the Project or portions thereof; and it is further

RESOLVED, That in the event the full federal and nonfederal share costs of the Project exceeds the amount appropriated above, the County of Chautauqua shall convene its Legislature

CHAUTAUQUA COUNTY LEGISLATURE  
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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 the A Fund Balance is appropriated as follows:

INCREASE THE USE OF FUND BALANCE

A.----.----.878.0000 Reserved Fund Balance—Reserve for Capital	\$ 25,000
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; and be it further

RESOLVED, That this Resolution shall take effect immediately and that the Director of Finance is directed to make the following changes to the 2020 Adopted Budget:

INCREASE APPROPRIATION ACCOUNT:

A.9950.----.9 Interfund Transfers—Transfer to Capital	\$ 25,000
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INCREASE CAPITAL REVENUE ACCOUNTS:

D.5112.389.R503.1000 Interfund Transfers-Interfund Transfer	\$ 25,000
D.5112.389.R458.9002 Federal Aid--Surface Transp Program	<u>\$100,000</u>
Total	\$125,000

INCREASE CAPITAL APPROPRIATION ACCOUNT:

D.5112.389.4 Contractual – Capital Improvements, Funded Bridge Program	\$125,000
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Signed by Odell, Starks, Harmon, Ward, Muldowney, Nazzaro, Gould, Niebel (Voted “yes” by video Conference PED & AC Committee Meetings)

RES. NO. 120-20

Authorize Hangar A Lease Agreement at the Chautauqua County Jamestown Airport

By Public Facilities and Audit & Control Committees:

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

WHEREAS, the County owns and operates the Chautauqua County Jamestown Airport in the Town of Ellicott in a manner that provides services and facilities on a non-exclusive basis for the general use of the public and to enhance current and future economic development in the County; and

WHEREAS, the County has received and accepted a Letter of Intent from Luscombe Aircraft Corporation conveying its desire and intention to lease hangar facilities at the Jamestown Airport for the purpose of producing new recreational aircraft and repairing and refurbishing legacy aircraft; and

WHEREAS, the County and Luscombe Aircraft Corporation have negotiated the lease of Hangar A for the specific purposes of aircraft manufacturing and refurbishment, authorized aviation activities for FAA-funded and regulated public airports; and

WHEREAS, the Airport Commission has considered and recommends leasing of Hangar A to Luscombe Aircraft Corporation for the purpose of operating an aircraft manufacturing and refurbishment enterprise; and

WHEREAS, a public hearing pursuant to Article 14 of the General Municipal Law has been held regarding the proposed agreement; therefore be it

RESOLVED, That the County Executive is authorized and empowered to execute a lease agreement with Luscombe Aircraft Corporation to lease Jamestown Airport Hangar A to operate an aircraft manufacturing and refurbishment enterprise at the Chautauqua County Jamestown Airport in conformance with FAA regulations, to include substantially the following terms and conditions:

1. Term. Twenty (20) years commencing on May 1, 2020 and terminating on April 30, 2040.
2. Premises. Hangar A, a 25,000 gross square foot facility located at the Chautauqua County Jamestown Airport, with access and frontage along Turner Road.
3. Payment. Luscombe Aircraft Corporation shall pay County a monthly fixed rental fee of \$1,850, and will be eligible for rent reduction credits for authorized capital improvements of up to \$500 per month for a period not to exceed ninety-six (96) months or \$48,000. In years five (5) through twenty (20) of the lease, monthly rent shall be subject to an annual increase equal to the annual increase in the United States Department of Labor's Consumer Price Index for all Urban Consumers (CPI-U), U.S. City Average, or two percent (2%), whichever is less.
4. Other. As negotiated by the County Executive.

Signed by Odell, Starks, Harmon, Ward, Muldowney, Nazzaro, Gould, Niebel (Voted "yes" by video Conference PED & AC Committee Meetings)(AC Amended by Additional Text Indicated by Underline)

CHAUTAUQUA COUNTY LEGISLATURE  
04/22/2020

RES. NO. 121-20

Authorize Submitting Grant Application for 2020 Community Development Block Economic  
Development Grant Funding through the New York State Office of Community Renewal

By Planning & Economic Development and Audit & Control Committees:

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

WHEREAS, the County desires to submit a Community Development Block Grant (“CDBG”) application to the New York State Office of Community Renewal (“OCR”) for an Economic Development Grant in the amount of \$450,000 to support the development of ‘Lodge at Chautauqua Lake’, located on Route 394, Chautauqua Lake in Mayville, New York (the “Project”); and

WHEREAS, the Project will result in substantial benefit to Chautauqua County in the form of new investment and new employment positions, and

WHEREAS, the County’s application for an OCR Economic Development Grant shall include entering into an agreement with the Chautauqua Region Economic Development Corporation (CREDC) for the implementation of the Project, for the purpose of making a loan(s), and administration of the OCR Economic Development Grant Program; and

WHEREAS, pursuant to Resolution 110-20, the County has held a public hearing pursuant to 24 CFR §§570.431 and 24 CFR §§570.486 to obtain citizens’ views regarding the CDBG program as administered by OCR and the Project; therefore be it

RESOLVED, That the County Executive is hereby authorized to submit a CDBG grant application to the OCR to support the development of ‘Lodge at Chautauqua Lake’, located on Route 394, Chautauqua Lake in Mayville, New York; and be it further

RESOLVED, That the County Executive is hereby authorized to execute the OCR grant agreement, a grant agreement with CREDC, and all other related documents associated with the OCR grant, and all such documents to be subject to review and approval by the County Attorney; and be it further

RESOLVED, That the County Executive is hereby designated as the Certifying Officer responsible for all environmental review actions associated with the OCR grant pursuant to the National Environmental Policy Act (“NEPA”).

Signed by Odell, Starks, Harmon, Ward, Muldowney, Nazzaro, Gould, Niebel (Voted “yes” by video Conference PED & AC Committee Meetings)

CHAUTAUQUA COUNTY LEGISLATURE  
04/22/2020

RES. NO. 122-20  
Extend 2020 Tax Foreclosure Redemption Date

By Administrative Services and Audit & Control Committees:

At the Request of County Executive Paul M. Wendel, Jr., Chairman Pierre Chagnon, Legislator Charles Nazzaro, and Legislator Bob Scudder:

WHEREAS, pursuant to Article 11 of the Real Property Tax Law, the redemption date in a tax foreclosure proceeding is the last day a property owner can redeem a property by paying the delinquent taxes, and also the last day a property owner may file an answer in the tax foreclosure proceeding; and

WHEREAS, the redemption date in the County's annual tax foreclosure for 2020 was initially set as April 15, 2020; and

WHEREAS, due to the COVID-19 crisis, the County previously extended the tax foreclosure redemption date to June 18, 2020, consistent with Governor Cuomo's March 20 executive order that there shall be no enforcement of a foreclosure for a period of ninety days; and

WHEREAS, it would be desirable for the County to move its annual tax foreclosure auction from June until late September in order to afford additional time for property owners to reacquire their foreclosed property prior to the auction; and

WHEREAS, it is appropriate to further extend the tax foreclosure redemption date to correspond to the annual tax foreclosure auction being moved to late September; now therefore be it

RESOLVED, That the Chautauqua County Legislature hereby designates August 7, 2020 as the extended redemption date in the County's annual tax foreclosure for 2020.

Signed by Scudder, Muldowney, Starks, Davis, Vanstrom, Nazzaro, Odell, Harmon, Gould, Niebel (Voted "yes" by video Conference AS & AC Committee Meetings)

**CHAUTAUQUA COUNTY**  
**MOTION NO. \_\_\_-20**

**TITLE:** In Support of Reexamining the 2019 Bail Reform Law

**AT THE REQUEST OF:** Legislators Mark Odell, Lisa Vanstrom, Elisabeth Rankin, John Davis, John Hemmer, Bob Scudder, Dan Pavlock, Bob Bankoski, Terry Niebel and William Ward:

WHEREAS, the 2019 New York State Budget included significant changes to the state's laws on cash bail, criminal discovery, and access to a speedy trial; and

WHEREAS, effective January 1, 2020, criminal justice laws were implemented eliminating pretrial detention and cash bail as an option for an estimated 90 percent of arrests, including most misdemeanors and nonviolent felonies, accounting for more than 400 offenses; and

WHEREAS, pursuant to the new law judges must release individuals charged with most misdemeanors and nonviolent felonies without imposing cash bail, simply releasing them on their own recognizance or with conditions to ensure they return to court; and

WHEREAS, a defendant's criminal history, or the fact that they may pose a clear physical threat to another person, cannot be considered by the judge with regard to bail under the current bail reform provisions; and

WHEREAS, due to the elimination of cash bail, according to the USA Today, courts "are in the process of releasing at least 3,800 inmates in county prisons"; and

WHEREAS, the 2019 laws were intended to prevent penalizing a suspect for being unable to afford bail; however, this new process has led to numerous examples of dangerous suspects being immediately released back into the community; and

WHEREAS, across the state, individuals who are arrested and charged with misdemeanors following a potentially violent encounter or after a pattern of disturbing behavior are being released, without bail, pre-trial pursuant to the new law. In too many of these instances, the defendant has proceeded to return to their initial victim or another victim to perpetrate more harm; and

WHEREAS, there is an overwhelming need to revisit numerous aspects of the 2019 criminal justice reforms, especially the severe limitations placed on a judge's discretion when setting bail; now therefore be it

KNOWN, That the Chautauqua County Legislature is in support of the New York State Legislature immediately revisiting the criminal justice reforms that became effective January 1, 2020 as they pertain to restricting the use of cash bail; and be it further

KNOWN, That the Chautauqua County Legislature is in support of judicial discretion when it comes to setting bail for a suspect in police custody if a victim dies as a result of a crime; and be it further

KNOWN, That the Chautauqua County Legislature is in support of judicial discretion in setting bail for a suspect in police custody who is charged under the aggravated family offence statute, which include domestic violence and sex crimes; and be it further

KNOWN, That the Chautauqua County Legislature is in support of judicial discretion in setting bail for a suspect in police custody who is charged with a hate crime; and be it further

KNOWN, That the Chautauqua County Legislature is in support of a judge having the ability to consider a suspect's dangerousness and previous criminal history when considering bail; and be it further

MOVED, That the Clerk of the Legislature is hereby directed to forward copies of this Motion to the New York State Assembly Leader Carl Heastie, NYS Senate President and Majority Leader Andrea Stewart Cousins, Minority Leader John Flanagan, Governor Andrew M. Cuomo, Senator George Borrello, Assemblyman Andrew Goodell and all others deemed necessary and proper.

**CHAUTAUQUA COUNTY**  
**MOTION NO. \_\_\_-20**

**TITLE:** Declaring May 3 – 9, 2020 as Correctional Officers and Correctional Employees Week in Chautauqua County

**AT THE REQUEST OF:** Legislator Terry Niebel:

WHEREAS, on May 5, 1984, President Ronald Reagan did proclaim that the first full week of May would be observed as National Correctional Officers Week, in recognition of the important role these officers play in our criminal justice system; and

WHEREAS, in the year 2020 Correctional Officers and other correctional employees continue to play that important role, but in an ever more stressful environment due to the current pandemic sweeping our nation and the world; and

WHEREAS, even as President Reagan observed in his 1984 Proclamation, the position of Correctional Officer, once considered merely that of a “guard” has become increasingly more complex and demanding, involving simultaneously custodial, supervisory and counselling roles, and that complexity continues to grow; and

WHEREAS, the Chautauqua County Legislature wishes to acknowledge the difficult job we ask these officers and employees to perform, locked inside a facility for a large part of their day, where they must securely, safely and humanely keep those committed to the jail, respecting the rights and dignity of all the inmates, including those who have been found guilty and those only awaiting adjudication; and

WHEREAS, the important and difficult role these Correctional Officers and correctional employees fulfill is not always recognized or appreciated by the general public; and

WHEREAS, the Chautauqua County Legislature is desirous of recognizing the good work being done by the Correctional Officers and correctional employees at the Chautauqua County Jail; now therefore be it

KNOWN, That the Chautauqua County Legislature does hereby declare the week of May 3 – 9, 2020 to be Correctional Officers and Correctional Employees Week in Chautauqua County, and does offer those good public servants gratitude for their conscientious service for the People of Chautauqua County.