

Regular Meeting
Chautauqua County Legislature
**Meeting was Held Virtually due to Social Distancing Guidelines
And Live Streamed on Social Media**
Wednesday, January 27, 2021 6:30 p.m.
Mayville, N.Y. 14757

Chairman Chagnon called the meeting to order at 6:32 p.m.

Clerk Tampio called the roll and announced a quorum present.

Chairman Chagnon: At this time I will recognize Legislator Harmon.

Legislator Harmon: Good evening. I would like to take this time to have a moment of silence for Mac Crowe, who was a four term legislator in my area of Silver Creek. So, if we could just take a moment to remember Mac that would be fantastic. Thank you.

(Moment of Silence)

Legislator Whitney delivered the prayer and pledge of allegiance.

MOVED by Legislator Bankoski, SECONDED by Legislator Whitford and duly carried the minutes were approved. (12/16/20 & 01/04/21)

1st Privilege of the Floor

Chairman Chagnon: That brings us to the first privilege of the floor. Is there anyone wishing to address the first privilege of the floor? Kathy, did we receive any correspondence for the first privilege of the floor?

Clerk Tampio: We have not received any correspondence relative to the first privilege of the floor.

Chairman Chagnon: Thank you.

**VETO MESSAGES FROM COUNTY EXECUTIVE WENDEL
NO VETOES FROM 12/16/20 & 01/04/21**

COMMUNICATIONS:

1. **Certification – Election Commissioner Certification – Norman P. Green**
 2. **Letter – Bob Bentley – Re: Support for South Ripley Solar Project**
 3. **Report – Finance Director Crow – November 2020 Investment Report**
 4. **Report & Proof of Publication – NYS Comptroller, Thomas P. DiNapoli – Ethics Oversight**
 5. **Letters (4)– County Executive Wendel – Appointments to various Boards**
 6. **Letter – NYS Department of State – Acknowledgement of Local Laws 1-21 & 2-21**
 7. **Minutes – Conewango Watershed Commission – January 6, 2021 Meeting**
 8. **Letter – District Attorney – Appointment of Assistant District Attorneys**
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RESOLUTIONS:

Legislator Bankoski: I would like to make a motion that we block resolution 5-21 through 9-21.

Legislator Vanstrom: I'll second.

Chairman Chagnon: O.K., we have a motion and a second. Discussion on the motion to block resolutions 5-21 through 9-21? Hearing none, all those in favor please say aye. Opposed?

Unanimously Carried to Block Resolutions 5-21 through 9-21.

RES. NO. 5-21 Confirm Appointment and Re-Appointments – New York Fish & Wildlife Management Board, by Public Facilities Committee – UNANIMOUSLY ADOPTED

RES. NO. 6-21 Confirm Appointments and Re-Appointments-Chautauqua County Fire Advisory Board, by Public Safety Committee – UNANIMOUSLY ADOPTED

RES. NO. 7-21 Confirm Appointments - Chautauqua County Community Services Board, by Human Services Committee – UNANIMOUSLY ADOPTED

RES. NO. 8-21 Confirm Appointment and Re-Appointments – Chautauqua County Planning Board, by Planning & Economic Development Committee – UNANIMOUSLY ADOPTED

RES. NO. 9-21 Confirm Appointments and Re-Appointments – Agriculture & Farmland Protection Board, by Planning & Economic Development Committee – UNANIMOUSLY ADOPTED

Chairman Chagnon: Are there any questions, comments, discussion on the resolutions 5-21 through 9-21?

Legislator Odell: Often times our board appointments go without much fanfare and go through. I just thought it would be a good opportunity, one to inform the public that these volunteer boards, advisory's and commissions are all volunteer from citizens within the County. I would like to applaud everyone for stepping up for appointments and re-appointments for serving the County in these various capacities, especially Courtney Curatolo because (*inaudible*) to our Planning Board that steers us over our five year plan and would like to welcome Courtney Curatolo to our Planning Board. Thank you.

Chairman Chagnon: Other questions or comments on the blocked resolutions? Hearing none and seeing none, all those in favor please say aye. Opposed?

RES. NO. 10-21 NCLSD SEQR Determination for Chautauqua Shores and Orchard Terrace I & I Repair, by Public Facilities Committee – **UNANIMOUSLY ADOPTED**

RES. NO. 11-21 Continuation of Interim Funding for North Chautauqua County Water District, by Public Facilities and Audit & Control Committees – **UNANIMOUSLY ADOPTED**

RES. NO. 12-21 Amend Resolution 99-18 Authorizing Sale and Option Agreements for Redevelopment of Roberts Road Properties in the City of Dunkirk, by Public Facilities, Administrative Services, and Audit & Control Committees

Legislator Bankoski: In regards to this property- this is the old Roblin Steel site in the City of Dunkirk. Presently, Roberts Road Freezer Company has consumed half this lot of land to build their new cold storage facility and the remainder piece of this property is somewhat of an odd shaped parcel and it would only benefit the Roberts Road Freezer Company for a possible expansion down the road. So, I'm 100% behind this resolution.

Chairman Chagnon: Thank you. Any other questions or comments?

Legislator Muldowney: Yes. I'd like to just further comment on it and just congratulate- this goes back quite a ways. The ten years that I was on the Dunkirk City Council and before that, actually and it's really a nice situation where the federal government came in, New York State came in, Chautauqua County came in and the City of Dunkirk came in to help this. This was 25 acres of property that was in the City of Dunkirk- originally the old train manufacturer and then it went from Roblin Steel to another steel company. So, it's been 11-12 years in the making that I've been involved with it and each level of government (*inaudible*) to help clean up. The federal government put \$2.7 million into the property. The County one year didn't have enough for the matching grant for the brownfields, so the City stepped up and put the matching money in and did receive the grant and it was just kind of an affect after that. A lot of people- from Mark Thomas all the way through Willy Rosas to (*inaudible*) Pat McGee(?) Cathy Young played a big part in this project. How wonderful this is that a company has actually built on this property as a result of all those efforts and they actually want more. So, this is a real true example of governments and people working together.

Chairman Chagnon: Excellent. Thank you. Any other comments, questions on the proposed resolution?

RES. NO. 12-21 – R/C Vote: 19 Yes – **UNANIMOUSLY ADOPTED**

RES. NO. 13-21 Denial of Level 3 Applications for Refunds/Credits of Real Property Taxes Form RP 556 for the 2018 Property Tax, by Administrative Services and Audit & Control Committees – **UNANIMOUSLY ADOPTED**

RES. NO. 14-21 Authorize Acceptance of Indigent Legal Services Grant for the Period January 1, 2020 to December 31, 2022, by Public Safety and Audit & Control Committees – **UNANIMOUSLY ADOPTED**

RES. NO. 15-21 To Authorize Emergency Use Facility and Public Health Mutual Aid Services Agreements with Chautauqua County Municipalities and Other Governmental Entities, by Human Services Committee – **UNANIMOUSLY ADOPTED**

RES. NO. 16-21 Amend Capital Project H.6010.31003, by Human Services and Audit & Control Committees – **UNANIMOUSLY ADOPTED**

RES. NO. 17-21 Accept Grant Funding from the Chautauqua Region Community Foundation to Update the Chautauqua County Agriculture and Farmland Protection Plan, by Planning & Economic Development and Audit & Control Committees

Legislator Odell: Thank you. On behalf of our legislature, I'd like to publically thank Torrey (*inaudible*) and the folks over at the Chautauqua Region Community Foundation for their support of (*inaudible*) the community service special project grant award for \$30,000 for the matching funds for this. This Chautauqua Agricultural Farmland Protection Plan will in essence provide resources and strategies to protect agricultural lands and support the economic (*inaudible*) of agriculture and its related businesses in the County. Thank you very much.

Chairman Chagnon: Thank you Mark. Any other questions or comments on the proposed resolution? Hearing none and seeing none, all those in favor please say aye. Opposed?

RES. NO. 17-21 – **UNANIMOUSLY ADOPTED**

RES. NO. 18-21 Authorize Chautauqua County State Grant Application and Commitment of Matching Funds for County Complex Green Infrastructure Retrofit Project, by Planning & Economic Development and Audit & Control Committees – **UNANIMOUSLY ADOPTED**

RES. NO. 19-21 Authorizing the Adoption of a Section 3 Participation Plan in Connection With Community Development Block Grant Funding, by Planning & Economic Development Committee – **UNANIMOUSLY ADOPTED**

RES. NO. 20-21 Confirming 2021 Salary of Public Defender, by Public Safety and Audit & Control Committees – R/C Vote: 19 Yes – **UNANIMOUSLY ADOPTED**

MOTION:**A. Proclaiming February Black History Month**

Clerk Tampio: At this time, Mr. Chairman, if there is sufficient (*inaudible*) to bring this motion to the floor, it is titled, "Proclaiming February Black History Month."

Chairman Chagnon: O.K., do I have a motion to bring this motion to the floor?

Legislator Bankoski: So moved.

Legislator Rankin: I'm happy to bring this to the floor.

Chairman Chagnon: We have a motion by Legislator Bankoski and a second by Legislator Rankin. Is there any discussion on the motion to bring this motion to the floor for consideration? Hearing none and seeing none, all those in favor of bringing the motion to the floor for consideration please say aye. Opposed?

Unanimously Carried to Bring the Motion to the Floor

Chairman Chagnon: O.K., are there any comments on the motion? Any comments? Hearing none and seeing none, all in favor of the motion please say aye. Opposed?

Unanimously Carried

PRIVILEGE OF THE FLOOR

Chairman Chagnon: This brings us to the second privilege of the floor. Anyone wishing to address the second privilege of the floor?

Mr. Green: Mr. Chairman?

Chairman Chagnon: Mr. Green please.

Mr. Green: How are you tonight? Greetings everyone. It's been 23 years since I was first appointed election commissioner. I came to the job with the experience of 20 years in retail management, where I rose to a regional retail manager for (*inaudible*) in Dunkirk for Brand Names. I hope some of you still remember that. Also time in the United States Army- honorably discharged, served on the Chautauqua County Alcoholic Beverage Control Board with the late Mayor Gilbert Snyder. I also had two terms as an Ellicott Town Councilman where- I'm pretty proud, I was elected against the registration and (*inaudible*) like Councilwoman Vanstrom (*inaudible*) have it, and we were running town wide, so I was with a pretty big (*inaudible*.) I'm happy to remember the days of service with your own County Legislator Terry Niebel where we spent- I always call those the (*inaudible*) years and then- go ahead Terry.

Legislator Niebel: You've got the floor, Norm.

Mr. Green: I heard you rattle over there a little bit. And then Brian Abram came in at the same time the new optical scan voting machines had come in. We've accomplished much. I hear department head come up all the time, tell you what a wonderful department they have, but we think we have- you know, that we have real measurements. Our biggest one is, and all the legislators know it, and that is that our budget is approximately the same amount of money that it was in 2009, which no other department can say that. We took in pay raises- had to redo that and restructured how we do business, we print our own ballots, we make sure that every possible dollar that can be saved and every possible grant that we can get ahold of happens, and we do that quietly. Last year, you know, probably the most proud moment - we never once blamed our troubles on the State of New York, we just did our job. We quietly went about our business. Certainly there was a lot to complain about. Our most proud moment during the year was when the schools in Chautauqua County we're going to be- were forced to mail ballots by mail and we came through to their service, put together a program for them, we counted 20,000 of their absentees in about a 20 hour period. We came in as the polls closed for the schools, we were there, and we continued on the next day and across the state some counties refused to help, some counties offered a little bit of help, but we were all in. You know, we're all in. We were partners, I mean we had no problem helping. One day of the year we are the largest employer- the largest department in Chautauqua County and the fact that nearly 500 people come to work for us on Election Day - it's a difficult task, and you know our process always has been in these optical scan years- has always been a process of customer experience. People talk about different things where we talked about hey what's the experience when you come in and what's the experience that the voter leaves with and how quickly you get in and get out of the polling site? That's so important to us, and while we see failures in New York State, it's sad, we see failures across the United States of America. It's disturbing to all of us and the reason why it doesn't happen here is because you have well-trained, qualified people who work hard to get the job done.

Anyhow, it's been I think five legislatures and this is the first legislature that hasn't approved me for reappointment. I understood that was coming. I mean, February of last year Chuck Nazzaro called me on the phone said the County Legislature will no longer support you. I accepted that. I went to work every day. Worked hard every day I didn't give up I didn't sit down and say hey, listen, this is it, it's done, I'm finished. I did what I was supposed to do and people say why, why is that and I think it goes back to your army years. Your army years- we just you know you get the job done, you have to do what you have to do. In retailing, you know, you get the job done.

Chairman Chagnon: Excuse me, Norm. Could you wrap it up?

Mr. Green: I will, and anyway, I wanted to take a minute to talk about the 22 years- I actually get five minutes, right?

Chairman Chagnon: Yes, you're well beyond five minutes now.

Mr. Green: O.K., anyway, I thank you for the time tonight and I appreciate your past support of Norm Green and what Norm Green works for with Brian Abram and with the

Republicans. And we have an office that actually works together. (*Inaudible*) look across the State of New York, look at the 22nd Congressional District and you'll see the disasters that happens when you don't have boards of election for bipartisan board of elections that works hard and works together, thank you.

Chairman Chagnon: Norm, thank you for your comments, thank you for your service to the people who of Chautauqua County. Is there anyone else wishing to address the second privilege of the floor?

Chairman Chagnon: Kathy, do we have any correspondence for the second privilege of the floor?

Clerk Tampio: No, I have not received any correspondence.

Chairman Chagnon: Thank you. Anyone else?

MOVED by Legislator Gould, SECONDED by Legislator Scudder and duly carried the meeting was adjourned. (6:59 p.m.)

Respectfully submitted and transcribed,
Kathy K. Tampio, Clerk of the Legislature/ Olivia L. Ames, Deputy Clerk/Secretary to the
Legislature