

Agenda

Administrative Services Committee

October 18, 2021, 5:00 p.m., Legislative Chamber

Livestreamed on Facebook

Gerace Office Building, Mayville, NY

- A. Call to Order
- B. Approval of Minutes (9/13/21) – Budget Hearing Minutes (10/5/21)
- C. Privilege of the Floor
 1. Proposed Resolution – Amend 2021 Budget to Implement the County Internet Bandwidth Upgrades Project Within the Chautauqua County American Rescue Plan Act (ARPS) Spending Plan
 2. Proposed Resolution – Amend 2021 Budget to Increase Revenue & Expenditure Accounts for Historian Department
 3. Proposed Resolution – Amend Resolution 141-21 – Standard Workday and Reporting Resolution
 4. Proposed Resolution – Amend 2021 Budget for Liability Insurance
 5. Proposed Resolution – Amend Resolution 185-21 Regarding Quit Claim Deeds
 6. Proposed Resolution – Canceling Outstanding Tax Balances on County-Owned Properties and a Property Conveyed to the City of Jamestown
 7. Proposed Motion – Calling on All Elected Officials of the State of New York and the United States Government to Exercise Their Legislative and Executive Powers Within the Bounds of Their Constitutional Authority
 8. Other

CHAUTAUQUA COUNTY
RESOLUTION NO. _____

JD 10/01/21
KMD 10/01/21
TMT 10/01/21
SMA 10/01/21
KLC 10/5/21
PMW 10/6/21

TITLE: Amend 2021 Budget to Implement the County Internet Bandwidth Upgrades Project
Within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan

BY: Administrative Services and Audit & Control Committees:

AT THE REQUEST OF: County Executive Paul M. Wendel, Jr.:

WHEREAS, President Biden signed into law the American Rescue Plan Act (ARPA) on March 11, 2021, and this legislation contains a wide array of stimulus and recovery funding designed to ensure the nation's swift economic and public health recovery from COVID-19; and

WHEREAS, Chautauqua County received an award of \$24,600,000 in ARPA funding, of which \$18,219,169 is available for general county spending based on the Treasury Department's revenue loss formula and other guidance, and the remaining \$6,380,831 in funding can only be spent on designated ARPA categories including premium pay; water, sewer, and broadband projects; and responding to the COVID-19 pandemic and its associated economic impacts; and

WHEREAS, an ARPA working group consisting of the County Executive, several legislators, and several department heads worked for many months to create an ARPA Spending Plan (Plan) consisting of priority projects to address the key strategic categories as defined by the Department of Treasury, to be sustainable, and to have a County-wide impact; and

WHEREAS, the Plan, consisting of the priority projects, was thoroughly reviewed by the ARPA working group, the County Executive, and the County Legislature and was adopted pursuant to Resolution No. 202-21; and

WHEREAS, the County Internet Bandwidth Upgrades project, identified as one of the priority projects recommended in Resolution 202-21, is ready to proceed and budget amendments are necessary to authorize spending for the project; therefore be it

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2021 Adopted Budget in order to implement the County Internet Bandwidth Upgrades project:

INCREASE APPROPRIATION ACCOUNT:

A.1680.----.2	Equipment—Information Technology	\$173,000
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ESTABLISH & INCREASE REVENUE ACCOUNT:

A. 1680.----.R408.9ARP	Federal Aid—Oth Fed Aid: ARPA	\$173,000
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APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

MMH 09/28/21
KMD 09/28/21
TMT 09/28/21
LLB 09/28/21
SMA 09/28/21
KLC 9/30/21
PMW 9/30/21

TITLE: Amend 2021 Budget to Increase Revenue & Expenditure Accounts for Historian Department

BY: Administrative Services and Audit & Control Committees:

AT THE REQUEST OF: County Executive Paul M. Wendel, Jr.:

WHEREAS, The County Historian has received \$625 in gifts and donations over the budgeted amount for 2021; and

WHEREAS, the Historian's Department has operating expenses greater than the budgeted amount for 2021; therefore be it

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2021 Adopted Budget:

INCREASE REVENUE ACCOUNT:

A.7510.----.R270.5HIS	Miscellaneous—Gifts & Donations: Histor	\$625
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INCREASE APPROPRIATION ACCOUNT:

A.7510.----.4	Contractual—Historian	\$625
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APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

JR 09/15/21
KMD 09/15/21
ABC 10/4/21
SMA 10/4/21
KLC 10/5/21
PMW 10/6/21

TITLE: Amend Resolution 141-21 - Standard Workday and Reporting Resolution

BY: Administrative Services Committee:

AT THE REQUEST OF: Chairman Pierre Chagnon:

WHEREAS, the Chautauqua County Legislature approved the standard work days and schedule set forth in Resolution 141-21 for the titles listed therein; and

WHEREAS, since the adoption of Resolution 141-21, the New York State and Local Retirement System updated their form which must be used to officially report the standard work days for the titles listed in the schedule based on time keeping system records or their records of activities; therefore be it

RESOLVED, That Resolution 141-21 be amended by substitution as follows:

BE IT RESOLVED, That the County of Chautauqua hereby establishes the following standard work days for these titles, as set forth in the attached schedule, and will report the officials to the New York State and Local Retirement System based on time keeping system records or their record of activities:

Name	Social Security Number	NYSLRS ID	Title	Current Term Begin & End Dates	Standard Work Day	Record of Activities Result	Not Submitted	Pay Frequency	Tier 1
Elected Officials:									
Kenneth Lawton	xxxx	xxxxxxxx	Legislator	1/22/2020-12/31/2021	6	3.49		Bi-Weekly	
Charles Nazzaro	xxxx	xxxxxxxx	Legislator	1/1/2020-12/31/2021	6	7.15		Bi-Weekly	
Mark Odell	xxxx	xxxxxxxx	Legislator	1/1/2020-12/31/2021	6	6.20		Bi-Weekly	
Appointed Officials:									
Mark Duncanson	xxxx	xxxxxxxx	Assistant Public Defender	1/1/2020-12/31/2021	7	24.91		Bi-Weekly	
Derek Gregory	xxxx	xxxxxxxx	Assistant Public Defender	12/10/2020-12/31/2021	7	22.92		Bi-Weekly	
Amber Payne	xxxx	xxxxxxxx	Second Assistant District Attorney	1/1/2021-12/31/2024	7	22.49		Bi-Weekly	
Andrew Molitor	xxxx	xxxxxxxx	First Assistant District Attorney	1/5/2021-12/31/2024	7	25.59		Bi-Weekly	
Alexander Scherer	xxxx	xxxxxxxx	Assistant District Attorney	1/1/2021-12/31/2024	7	23.72		Bi-Weekly	

APPROVED
VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

KLC 10/01/21
KMD 10/01/21
KMW 10.01.21
SMA 10/01/21
PMW10/01/21

TITLE: Amend 2021 Budget for Liability Insurance

BY: Administrative Services and Audit & Control Committees:

AT THE REQUEST OF: County Executive Paul M. Wendel, Jr.:

WHEREAS, some Insurance departmental expenses have exceeded initial budgetary estimates; now therefore be it

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2021 Adopted Budget:

INCREASE APPROPRIATION ACCOUNT:

CS.1710.----.4	Contractual – Insurance Administration	\$50,000
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INCREASE REVENUE ACCOUNT:

CS.1710.----.R270.9000	Miscellaneous - Participant Assessments	\$50,000
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APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

KAM 9/30/21
KMD 10/1/21
TMT 10/1/21
KLC 10/5/21
PMW 10/6/21

TITLE: Amend Resolution 185-21 Regarding Quit Claim Deeds

BY: Administrative Services and Audit & Control Committees:

AT THE REQUEST OF: County Executive Paul M. Wendel, Jr.:

WHEREAS, the Legislature approved Resolution 185-21 in August 2021, authorizing the County Executive and Chairman of the Legislature to execute Quit Claim deeds for the sale of certain tax foreclosed properties; and

WHEREAS, one approved sale failed to be completed, but a second bid for this property had been received; now therefore be it

RESOLVED, That Resolution 185-21 is hereby amended to accept the bid of Knight Family LLC and strike the bid of Thomas and Bernadette Zachary for PA-428-2019.

Offer Number	Municipality	S/B/L	Purchaser	Foreclosed Owner	Offer Amount	Taxes Owning
*PA-428-2019	Westfield	067201-193.13-2-11	Knight Family LLC	Daniel Lloyd	\$100.00	\$194.99
*PA 428 2019	Westfield	067201 193.13 2-11	Thomas & Bernadette Zachary	Daniel Lloyd	\$500.00	\$195.00

APPROVED
VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

KAM 10/8/2021
KMD 10/08/21
TMT 10/08/21
SMA 10/08/21
KLC 10/8/21
PMW 10/8/21

TITLE: Canceling Outstanding Tax Balances on County-Owned Properties and a Property Conveyed to the City of Jamestown

BY: Administrative Services and Audit & Control Committees:

AT THE REQUEST OF: County Executive Paul M. Wendel, Jr., Legislator Chuck Nazzaro, and Legislator Bob Scudder

WHEREAS, a working group of County Legislators and County staff are examining outstanding tax balances on various properties that have remained unresolved on the County's financial books for an extended period of time; and

WHEREAS, a portion of the outstanding tax balances relate to three (3) parcels of real property owned by the County that were previously leased or owned by private owners whose interest was abandoned, terminated, or foreclosed, and the County's tax exempt status did not apply prior to the County taking full ownership; and

WHEREAS, an additional parcel of real property containing an outstanding tax balance relates to a tax foreclosed property of vacant land on Lakeview Avenue conveyed to the City of Jamestown; and

WHEREAS, the outstanding tax amounts on said parcels have not been canceled since the County took full ownership of the real property or conveyed its interest to the City of Jamestown, and substantial amounts of additional interest and penalties have continued to accrue and need to be cleared from the County's books; therefore be it

RESOLVED, That County Legislature hereby approves the canceling of all of the following outstanding tax balances set forth below for the listed properties that are now tax exempt and fully owned by the County or the City of Jamestown:

<u>Tax ID #</u>	<u>Property</u>	<u>Base Tax</u>	<u>Base Tax + Penalties + Interest</u>
336.00-1-35..1	Former United Jet Center Hangar – JHW Airport	\$ 5,858.78	\$ 15,679.99
370.14-1-12	Vacant parcel on Washington St, City of Jamestown	\$33,801.13	\$137,804.80
80.00-3-29..B	Former Great Circle Aviation Hangar – DKK Airport	\$67,373.53	\$187,259.29
370.19-8-2	Vacant parcel on Lakeview Ave, City of Jamestown	\$ 8,662.41	\$ 14,302.64

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

CHAUTAUQUA COUNTY
MOTION NO. ____ -21

TITLE: Calling on All Elected Officials of the State of New York and the United States Government to Exercise Their Legislative and Executive Powers Within the Bounds of Their Constitutional Authority

AT THE REQUEST OF: Legislator Dan Pavlock, Legislator John Davis, and County Executive Paul M. Wendel, Jr.

WHEREAS, members of the Chautauqua County Legislature, members of the New York State Legislature, and the Governor of the State of New York are duly sworn by their oath of office to uphold the Constitution of the United States and the New York State Constitution and Laws, including the New York State Civil Rights Law; and

WHEREAS, members of the United States Congress and the President of the United States similarly are duly sworn by their oath of office to uphold the Constitution and Laws of the United States; and

WHEREAS, rights specifically enumerated in the United States and New York constitutions include, but are not limited to, rights to freedom of expression, speech, association, religion, press, and petition, the right to keep and bear arms, the right to protection of person and property, and the right against unreasonable searches and seizures; and

WHEREAS, the exercise of governmental power by the legislative and executive branches of the state and federal governments must be undertaken within the delegated authority and restraints on such authority found in the constitutions; and

WHEREAS, throughout the history of the United States and State of New York, elected officials within the legislative and executive branches of government, regardless of political affiliation, have periodically sought to push the boundaries of their constitutional authority to achieve their legislative and executive policy objectives; and

WHEREAS, Daniel Webster, a nineteenth century United States Congressman and Secretary of State aptly said that “[i]t is hardly too strong to say that the Constitution was made to guard the people against the dangers of good intentions,” and President Thomas Jefferson said that “[i]n questions of power, then, let no more be heard of confidence in man, but bind him down from mischief by the chains of the Constitution;” and

WHEREAS, in a time of frequent disagreement over many issues regarding the best path forward for the United States and the State of New York, it is of the utmost importance that the Constitutions of the United States and State of New York be keenly supported and upheld by all of our elected representatives in the exercise of their duties; therefore

LET IT BE KNOWN, That the Chautauqua County Legislature urges the New York State Legislature, the Governor of the State of New York, the President of the United States, and the

United States Congress to support, uphold, and preserve the principles set forth in the Constitutions of the United States and State of New York, and exercise their legislative and executive powers within the bounds of their constitutional authority; and be it further

MOVED, That the Clerk of the County Legislature is directed to send copies of this Motion to Governor Kathy Hochul, New York Senate Majority Leader Andrea Stewart-Cousins, Senate Minority Leader Robert Ort, Senator George Borrello, New York Assembly Speaker Carl Heastie, Assembly Majority Leader Crystal Peoples-Stokes, Assembly Minority Leader William Barclay, and Assemblyman Andrew Goodell; and be it further

MOVED, That the Clerk of the County Legislature is directed to send copies of this motion to President Joseph Biden, Vice-President Kamala Harris, United States Senate President Pro Tempore Patrick Leahy, Majority Leader Charles Schumer, Minority Leader Mitch McConnell, New York Senator Kirsten Gillibrand, Speaker of the House Nancy Pelosi, House Majority Leader Steny Hoyer, House Minority Leader Kevin McCarthy, and Congressman Tom Reed.