

CHAUTAUQUA COUNTY LEGISLATURE

10/27/2021

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This meeting is open to the public and subject to all current COVID-19 guidelines.

Chautauqua County Legislature

6:30 p.m.

CALL TO ORDER

ROLL CALL

PRAYER BY LEGISLATOR PAVLOCK

PLEDGE OF ALLEGIANCE

APPROVAL OF THE MINUTES FOR 09/08/21 & 09/22/21

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.

VETO MESSAGES FROM COUNTY EXECUTIVE WENDEL

NO VETOES FROM 09/22/2021

COMMENDATIONS:

JCC Men's Swim Team

JCC Women's Swim Team

Karianne Yuchnitz – JCC Women's Swim Team

by

Chairman Pierre E. Chagnon

and

County Executive Paul M. Wendel, Jr.

AWARD PRESENTATION:

Chautauqua County Finance Department

90+cashVest Award for 2021

By

Joseph Rulison, CEO threeplusone

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6:30 P.M.

PUBLIC HEARING

**2022 TENTATIVE BUDGET & SEWER
DISTRICT ASSESSMENT ROLLS**

COMMUNICATIONS:

- 1. Report – NYS Office of Real Property Tax Services – Re: County Equalization Rates 2021**
 - 2. Letter – Robert Neratko**
 - 3. Report – Department of Finance – 2021 Investment Report – Re: August**
 - 4. Affidavits of Publication (2) – Post-Journal – Re: Public Hearing- Chautauqua County Tentative Budget and Sewer Districts Assessment Rolls**
 - 5. Affidavits of Publication (2) – Observer – Re: Public Hearing- Chautauqua County Tentative Budget and Sewer Districts Assessment Rolls**
-

RESOLUTIONS:

- 205-21 Confirm Appointment - Chautauqua Opportunities Board of Directors**
- 206-21 Confirm Appointment - Chautauqua County Health Board**
- 207-21 Confirm Appointment - Chautauqua County Planning Board**
- 208-21 Reestablish County Sewer Agency for Proposed Phase 2 Extension of South & Center Chautauqua Lake Sewer Districts**
- 209-21 Amend 2021 Budget for DPF Parks Division**
- 210-21 Amend 2021 Budget to Implement the Purchase of Heavy Equipment Project within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan**
- 211-21 Increase Capital Account for the Replacement of Hangar 3 at the Chautauqua County Dunkirk Airport**
- 212-21 Amend 2021 Budget to Implement the Air Service Development Study Project within Chautauqua County American Rescue Plan Act (ARPA) Spending Plan**
- 213-21 Amend 2021 Budget to Implement the County Internet Bandwidth Upgrades Project Within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan**
- 214-21 Amend 2021 Budget to Increase Revenue & Expenditure Accounts for Historian Department**
- 215-21 Amend 2021 Budget for Liability Insurance**
- 216-21 Authorize Acceptance of Criminal Justice Discovery Reform Funding**
- 217-21 Amend 2021 Budget for Capital Project: Server & Storage Replacement**
- 218-21 Amend 2021 Budget to Implement the New Handguns Project within the**

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Chautauqua County American Rescue Plan Act (ARPA) Spending Plan

- 219-21 Amend 2021 Budget to Implement the Body & Mail Scanners Project within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan**
- 220-21 Authorize Lease Agreement with Erie 2-Chautauqua Cattaraugus BOCES at Hewes Educational Center**
- 221-21 Authorize Lease Agreement with Erie 2-Chautauqua Cattaraugus BOCES at Phillip J. LoGuidice Educational Center**
- 222-21 Authorize Agreement with Forestville Central School for School Resource Officer**
- 223-21 Authorize Execution of State Interoperability Communications Grant Program FY20**
- 224-21 Emergency Services 2021 Budget Amendment**
- 225-21 Amend Emergency Services 2021 Budget for Vehicle Accident Claims**
- 226-21 Authorize Agreement for Early Intervention Services Program Administration**
- 227-21 Amend Chautauqua County Health & Human Services 2021 Adopted Budget for New York State Department of Health Award to Support Nurse Family Partnership**
- 228-21 Amend 2021 Budget to Implement the Chautauqua County Agricultural Improvement Plan Project within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan**
- 229-21 Amend 2021 Budget for New York State Housing Trust Fund Corporation Community Development Block Grant Award**
- 230-21 Amend 2021 Budget to Implement the Workforce Development Initiative Project within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan**
- 231-21 Amend 2021 Occupancy Tax Program Budgets to Include Chautauqua County American Rescue Plan Act (ARPA) Funding**
- 232-21 Amend 2021 Budget to Implement the Support for the Jefferson Project at Chautauqua Lake Project within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan**
- 233-21 Amend 2021 Budget to Implement the Chautauqua County Partnership for Economic Growth (CCPEG) Project within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan**
- 234-21 Amend ~~2021~~ 2022 Tentative Budget to Develop a Chautauqua Lake District Work Plan Project Within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan**
- 235-21 Amend 2021 Budget to Implement the Marketing Assistance to Businesses and Not-for-Profits Project within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan**
- 236-21 Amend 2021 Budget to Implement the Chautauqua County Site Acquisition for Shovel Ready Sites Project within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan**
- 237-21 Amend 2021 Budget to Implement the Ag Building Upgrades within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan**

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- 238-21 Amend 2021 Budget to Implement the Conewango Dams Project within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan**
 - 239-21 Amend Resolution 141-21 - Standard Workday and Reporting Resolution**
 - 240-21 Canceling Outstanding Tax Balances on County-Owned Properties and a Property Conveyed to the City of Jamestown**
 - 241-21 Amend Resolution 185-21 Regarding Quit Claim Deeds**
 - 242-21 Approving Labor Contract with Chautauqua County Sheriff's Supervisors' Association (CCSSA)**
 - 243-21 Consider 2022 Tentative Budget, with the Changes Listed Below, and Present Same to the County Executive for His Consideration and Action**
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MOTION:

- A. 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**

 - B. Calling on Elected Officials of the State of New York to Consider Alternatives to Vaccination Mandates for Healthcare Workers**
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ANNOUNCEMENTS

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.

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RES. NO. 205-21

Confirm Appointment - Chautauqua Opportunities Board of Directors.

By Human Services Committee:

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

WHEREAS, County Executive Paul M. Wendel, Jr. has submitted the following appointment for action by the Chautauqua County Legislature; therefore be it

RESOLVED, That the Chautauqua County Legislature does hereby confirm the following appointment to the Chautauqua Opportunities Board of Directors.

Kevin Whitaker

197 Martin Rd

Jamestown, NY 14701

Term Expires: 06/30/22

Signed: Whitford, Whitney, Pavlock

RES. NO. 206-21

Confirm Appointment - Chautauqua County Health Board

By Human Services Committee:

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

WHEREAS, County Executive Paul M. Wendel, Jr. has submitted the following appointment for action by the Chautauqua County Legislature; therefore be it

RESOLVED, That the Chautauqua County Legislature does hereby confirm the following appointment to the Chautauqua County Health Board.

James Mark McConnon

1670 Riverside Rd.

Jamestown, N.Y. 14701

Term Expires: 12/31/26

(Replacing Roland Hewes)

Signed: Whitford, Whitney, Pavlock

RES. NO. 207-21

Confirm Appointment - Chautauqua County Planning Board

By Planning & Economic Development Committee:

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

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WHEREAS, County Executive Paul M. Wendel, Jr. has submitted the following appointment for action by the Chautauqua County Legislature; therefore be it

RESOLVED, That the Chautauqua County Legislature does hereby confirm the following appointment to the Chautauqua County Planning Board.

Susan L. Asquith
186 Dale Drive
Cassadaga, NY 14718
Term Expires: 12/31/21
(Replacing John Penhollow)
Signed: Harmon, Muldowney, Ward, Penhollow, Starks

RES. NO. 208-21

Reestablish County Sewer Agency for Proposed Phase 2 Extension of South & Center
Chautauqua Lake Sewer Districts

By Public Facilities Committee:

At the Request of County Executive Paul M. Wendel, Jr. & Chairman Pierre Chagnon:

WHEREAS, the County of Chautauqua, the North Chautauqua Lake Sewer District (NCLSD), the South and Center Chautauqua Lake Sewer Districts (SCCLSD), and other stakeholders worked collaboratively to develop the “Chautauqua Lake Integrated Sewage Management Plan” (CLISMP), which was completed in 2014; and

WHEREAS, a portion of the CLISMP recommendations included the upgrade, extension, and development of sewer infrastructure to replace existing septic systems on the west side of Chautauqua Lake; and

WHEREAS, SCCLSD has recently commenced the construction of Phase 1 of the extension of sewer infrastructure on the west side of Chautauqua Lake as a result of the 2017 extension of the boundaries of SCCLSD through the hamlet of Stow; and

WHEREAS, it is now appropriate that Phase 2 of the west side extension of SCCLSD be pursued from the hamlet of Stow to the southern boundary of NCLSD at or near Prendergast Creek; and

WHEREAS, pursuant to County Law Sections 253 and 274, an existing county district may petition the county legislative body to include territory not previously included within its boundaries, and the existing county district may undertake to furnish or pay the cost of a map and plan for such extension at the district’s cost or expense; and

WHEREAS, the SCCLSD Board has petitioned the Chautauqua County Legislature to extend the boundaries of SCCLSD to enable the financing and construction of Phase 2 of the west side extension of sewer infrastructure from the hamlet of Stow to the southern boundary of NCLSD at or near Prendergast Creek; and

WHEREAS, SCCLSD will undertake to furnish or pay the cost of a map and plan to effectuate said Phase 2 extension of SCCLSD; and

WHEREAS, pursuant to County Law Section 253, the County’s Sewer Agency must be reconvened in order to review the Phase 2 map and plan and make recommendations to the County Legislature regarding the proposed further extension of SCCLSD; now therefore be it

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RESOLVED, That there is hereby established a Chautauqua County Sewer Agency pursuant to Article 5-A of the County Law, initially consisting of seven (7) members to serve without compensation, as follows:

1. Two (2) County Legislators appointed by the Chairman of the County Legislature; and
 2. Two (2) elected officials representing the municipalities proposed to be included in areas that will be upgraded with sewer infrastructure, to include the Supervisors of the Towns of Chautauqua and North Harmony, and their successors in office; and
 3. Three (3) members appointed by the County Executive.
- Signed: Gould, Scudder, Davis

RES. NO. 209-21
Amend 2021 Budget for DPF Parks Division

By Public Facilities and Audit & Control Committees:

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

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

WHEREAS, the Public Facilities Parks Division has received revenues in excess of budget; now therefore be it

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

INCREASE APPROPRIATIONS ACCOUNTS:

A.7110.----.1	Personal Services-Parks	\$19,600
A.7110.----.4	Contractual-Parks	<u>\$ 2,000</u>
	Total	\$21,600

INCREASE REVENUE ACCOUNT:

A.7110.----.R270.1000	Miscellaneous--Refunds: Prior Yr Exp	\$ 3,282
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DECREASE APPROPRIATION ACCOUNTS:

A.1440. ----.4	Contractual-Engineers	\$ 2,000
A.5610.5610. ----.2	Equipment-Jamestown Airport	\$ 4,000
A.5610.5610. ----.4	Contractual-Jamestown Airport	\$ 9,118
A.7110. ----.2	Equipment-Parks	<u>\$ 3,200</u>
	Total	\$18,318

Signed: Scudder, Davis, Gould, Harmon, Niebel, Nazzaro

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RES. NO. 210-21

Amend 2021 Budget to Implement the Purchase of Heavy Equipment Project within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan

By Public Facilities 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, four Purchase of Heavy Equipment Projects, including: Purchase of a 60 Ton Crane in the amount of \$650,000; Purchase of two Dump/Plow Trucks in the amount of \$240,000 each, for a total of \$480,000; Purchase of Snow Blower in the amount of \$810,000; and Purchase of a Long Arm Excavator in the amount of \$400,000, were identified as priority projects recommended in Resolution 202-21, and are ready to proceed once budget amendments authorize spending for the Projects; 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 Purchase of Heavy Equipment projects:

INCREASE APPROPRIATION ACCOUNTS:

H.5130.626.4	Contractual—Road Machinery, DPF Large Equipment (Annual)	\$2,340,000
A.9950.----.9	Interfund Transfers—Transfer to Capital	<u>\$2,340,000</u>
	Total	\$4,680,000

ESTABLISH & INCREASE REVENUE ACCOUNTS:

H.5130.626.R408.9ARP	Federal Aid—Oth Fed Aid: ARPA	
<u>H.5130.626.503.1000</u>	<u>Interfund Transfers—Interfund Transfers</u>	\$2,340,000
A.9950.9999 ----.R408.9ARP	Interfund Transfers— <u>OTH FED AID:ARPA</u>	<u>\$2,340,000</u>
	Total	\$4,680,000

Signed: Gould, Scudder, Davis, Harmon, Nazzaro, Niebel

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RES. NO. 211-21

Increase Capital Account for the Replacement of Hangar 3 at the Chautauqua County Dunkirk Airport

By Public Facilities and Audit & Control Committees:

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

WHEREAS, Chautauqua County received a grant from the New York State Department of Transportation (NYSDOT) to pay \$456,620 or 79% of the allowable costs incurred for the Chautauqua County/Dunkirk Airport – Replace Existing Bulk Hangar 3 (NYSDOT/Aviation Grant Program), Project No. 5905.94 (herein referred to as the “Project”); and

WHEREAS, Chautauqua County approved local share funding to pay \$121,380 or 21% of the anticipated Project costs under Resolution 230-18; and

WHEREAS, the actual cost of construction of the Project, inclusive of design services and other project costs is currently projected at final cost of \$885,857, thus exceeding the authorized project budget by \$307,857; and

WHEREAS, the NYSDOT grant for the Project expressly stipulates that “Project Costs in excess of State funds available for the work shall be the responsibility of Sponsor (County)”;

now therefore be it
RESOLVED, That the Director of Finance is directed to make the following changes to the 2021 Adopted Budget:

DECREASE APPROPRIATION ACCOUNT:

A.1990.----.4 Contractual – Contingent Account \$307,857

INCREASE APPROPRIATION ACCOUNT:

A.9950.----.9 Interfund Transfers – Transfer to Capital \$307,857

INCREASE CAPITAL APPROPRIATION ACCOUNT:

H.5610.~~25164~~.25008.4 Contractual – Chautauqua County Airport,
Hangar C – JHW (2019)
Repl Bulk Hangar #3-DNK (2018) \$307,857

INCREASE CAPITAL REVENUE ACCOUNT:

H.5610.~~25164~~.R503.1000 Interfund Transfer – Interfund Transfer
25008 \$307,857

;and be it further

RESOLVED, That the County Executive is hereby authorized to enter into an amendment to the Fixed Base Operator Lease Agreement with Centric Aviation JHW, LLC, authorized pursuant to Resolution 21-20, to lease Hangar 3 at the Chautauqua County Dunkirk Airport and increase the monthly remittance payable to the County by a fixed fee of \$1,300 per month, with fuel flowage and service fee remittances in accordance with the base agreement, and with said lease amendment to be executed prior to award of the contracts for construction of Hangar 3

Signed: Nazzaro, Hemmer, Gould, Davis, Harmon, Niebel (P.F. – Amended with strike through and additional text) (P.F. – Carried with Scudder Voting “No”) (A.C.- Amended with additional “Resolved” Clause)

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RES. NO.212-21

Amend 2021 Budget to Implement the Air Service Development Study Project within
Chautauqua County American Rescue Plan Act (ARPA) Spending Plan

By Public Facilities and Audit & Control Committees:

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

WHEREAS, Chautauqua County Jamestown Airport is designated a national air transportation facility within the U.S. National Plan for Integrated Airport Systems (NPIAS); and

WHEREAS, the U.S. Department of Transportation, Office of the Secretary of Transportation, terminated an Essential Air Service Contract with Southern Airways Express thereby ending commercial air service to the Chautauqua County Jamestown Airport effective January 15, 2018, pursuant to Order No. 2017-12-2 dated December 29, 2017; and

WHEREAS, pursuant to Resolution 153-19, the Chautauqua County Legislature authorized the expenditure of \$72,000 per year for up to three years in direct financial underwriting and \$52,000 per year for in-kind services to partially fund operation of commercial air service under a proposed Essential Air Service contract; and

WHEREAS, in September 2019, Chautauqua County and Boutique Air, Inc. submitted a joint proposal seeking to re-establish commercial air service between Jamestown and Pittsburgh International Airport and Baltimore-Washington International Airport; and

WHEREAS the U.S. Department of Transportation, by USDOT Order DOT-OST-2003-14950 dated December 31, 2020 denied the joint Chautauqua County – Boutique proposal noting a lack of market research to support the business case offered in the proposal; and

WHEREAS, a competitive solicitation for conduct of an independent air service development study had been performed and a prospective best value consultant has been selected for a negotiated contract cost of \$71,650; and

WHEREAS, the Airport Commission has considered and recommended that the County undertake an independent analysis of the economic viability for commercial air service at the County's Jamestown Airport; and

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 202-21; and

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WHEREAS, the Air Service Development Study 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 County Executive is hereby authorized to execute any and all necessary documents on behalf of Chautauqua County in connection with the Air Service Development Study project; and be it further

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 Air Service Development Study project:

INCREASE APPROPRIATION ACCOUNT:

A.5610.5610.4	Contractual—Chautauqua County Airport, Jamestown Airport	\$72,000
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ESTABLISH & INCREASE REVENUE ACCOUNT:

A.5610.5610.R408.9ARP	Federal Aid— OTH FED AID: ARPA	\$72,000
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Signed: Hemmer, Scudder, Davis, Harmon (P.F. – Carried with Legislator Gould voting “No”)
(A.C. – Defeated with Niebel and Nazzaro voting “No”)

RES. NO. 213-21

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

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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

ESTABLISH & INCREASE REVENUE ACCOUNT:

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

Signed: Starks, Davis, Muldowney, Vanstrom, Scudder, Harmon, Niebel, Gould, Nazzaro

RES. NO. 214-21

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

INCREASE APPROPRIATION ACCOUNT:

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

Signed: Starks, Davis, Muldowney, Gould, Nazzaro, Vanstrom, Scudder, Harmon, Niebel

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RES. NO. 215-21
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

INCREASE REVENUE ACCOUNT:

CS.1710.----.R270.9000 Miscellaneous - Participant Assessments \$50,000
Signed: Starks, Davis, Muldowney, Vanstrom, Scudder, Harmon, Niebel, Gould, Nazzaro

RES. NO. 216-21
Authorize Acceptance of Criminal Justice Discovery Reform Funding

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

WHEREAS, the New York State Legislature passed Discovery and Bail Reform legislation in 2020 under Criminal Procedure Law (CPL) Chapter 11-A, Part 2, Title J, Article 245. Discovery Reform requires prosecutors to share evidence in their possession soon after arraignment, well in advance of trial, and allows defendants the opportunity to review evidence prior to pleading guilty. Prosecutors are also required to share names and contact information of victims and witnesses to the defense, but are provided with the ability to protect victims and witnesses from intimidation and coercion. Bail Reform eliminated bail for many non-violent and low-level offenses to reduce the number of people held in jail prior to trial; and

WHEREAS, the Discovery and Bail Reform laws were enacted on January 1, 2020, resulting in increased expenses for District Attorney's offices, Probation Departments, and law enforcement agencies statewide to implement these laws; and

WHEREAS, the Division of Criminal Justice Services (DCJS) has awarded each county outside of New York City a sum of money to be used to offset the increased expenses associated with implementing the Discovery and Bail Reform laws and the award amount was determined by each County's average criminal court arraignments statewide; and

WHEREAS, Chautauqua County has been awarded a total of \$703,124.00 to be shared between the District Attorney's office, Probation Department, Sheriff's office, and local police agencies in the County to assist with Discovery and Bail Reform, with priority given to the District Attorney and police agencies; and

WHEREAS, upon completion of the DCJS Discovery Reform Funding Plan by the County and approval of the plan by DCJS, the County will receive the entire award in one payment and there is no specified end date as to when the funds need to be used; and

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WHEREAS, it is necessary for the effective implementation of the Criminal Justice Discovery Reform funding for Chautauqua County to enter into contracts and agreements with the Chautauqua County Probation Department and the following police agencies: Village of Fredonia, Village of Westfield, Village of Lakewood/Busti, Town of Ellicott, and City of Dunkirk; and

WHEREAS, the expenses for such contracts and agreements will be covered by the award for Criminal Justice Discovery Reform Funding; and

WHEREAS, revenues and expenditures associated with this award are expected to be included in the adopted 2022 *and 2023* Budget; now therefore it be

RESOLVED, That the County of Chautauqua Legislature accepts the total award and authorizes the County Executive to execute the Criminal Justice Discovery Reform Funding contract with the New York State Division of Criminal Justice Services for a total of \$703,124.00; and be it further

RESOLVED, That the County Executive is hereby authorized and empowered to execute contracts and agreements with the Chautauqua County Probation Department and the municipal police departments in Chautauqua County for the purposes of implementing the Criminal Justice Discovery Reform Funding.

Signed: Nazzaro, Whitford, Pavlock, Hemmer, Niebel, Harmon (P.S. – Amended with additional text)

RES. NO. 217-21

Amend 2021 Budget for Capital Project: Server & Storage Replacement

By Public Safety and Audit & Control Committees:

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

WHEREAS, the County established a capital project for Server & Storage Replacement in 2019; and

WHEREAS, the total project expenses will exceed initial budgetary estimates due to the need to update user licensing, as a direct result of server replacements; and

WHEREAS, the Video System & Camera Upgrades, Tyler RMS System Upgrade, and Roof Replacement Capital Projects have a surplus; 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 CAPITAL REVENUE ACCOUNT:

H.3110.06004.R503.1000	Interfund Transfer – Interfund Transfer	\$81,369
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INCREASE CAPITAL APPROPRIATION ACCOUNT:

H.3110.06004.4	Contractual—Server & Storage Repl	\$81,369
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DECREASE CAPITAL REVENUE ACCOUNT:

H.3110.06001.R503.1000	Interfund Transfer – Interfund Transfer	\$12,583
H.3110.06002.R503.1000	Interfund Transfer – Interfund Transfer	\$58,784
H.3110.06003.R503.1000	Interfund Transfer – Interfund Transfer	<u>\$10,002</u>
	Total	\$81,369

CHAUTAUQUA COUNTY LEGISLATURE

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DECREASE CAPITAL APPROPRIATION ACCOUNT:

H.3110.06001.4	Contractual—Video Sys & Camera Upgrade	\$12,583
H.3110.06002.4	Contractual—Tyler RMS System Upgrade	\$58,784
H.3110.06003.4	Contractual—Roof Replacement	<u>\$10,002</u>
	Total	\$81,369

Signed: Whitford, Pavlock, Hemmer, Niebel, Harmon, Gould, Nazzaro

RES. NO. 218-21

Amend 2021 Budget to Implement the New Handguns Project within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan

By Public Safety 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 New Handguns 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 New Handguns project:

INCREASE APPROPRIATION ACCOUNT:

A.3110.----.4	Contractual—Sheriff	\$65,159
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CHAUTAUQUA COUNTY LEGISLATURE

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ESTABLISH & INCREASE REVENUE ACCOUNTS:

A.3110.----.R408.9ARP	Federal Aid—Oth Fed Aid: ARPA	\$28,603
A.3110.----.R226.0000	Shared Services – Chrgs: Oth Gov-Pub Safety	<u>\$36,556</u>
	Total	\$65,159

Signed: Whitford, Pavlock, Hemmer, Niebel, Harmon, Nazzaro

RES. NO. 219-21

Amend 2021 Budget to Implement the Body & Mail Scanners Project within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan

By Public Safety 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 Body & Mail Scanners 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(s); 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 Body & Mail Scanners project:

ESTABLISH & INCREASE APPROPRIATION ACCOUNTS:

H.3150.06012.4	Contractual—Jail, Body & Mail Scanners (2021)	\$299,350
A.9950.----.9	Interfund Transfers—Transfer to Capital	<u>\$299,350</u>
	Total	\$598,700

ESTABLISH & INCREASE REVENUE ACCOUNTS:

H.3150.06012.R503.1000	Interfund Transfers – Interfund Transfer	\$299,350
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A.9950. 9999 -----R408.9	ARP Interfund Transfers – Oth Fed Aid: ARPA	<u>\$299,350</u>
	Total	\$598,700

Signed: Whitford, Pavlock, Hemmer, Niebel, Harmon, Nazzaro

RES. NO. 220-21

Authorize Lease Agreement with Erie 2-Chautauqua Cattaraugus BOCES at Hewes Educational Center

By Public Safety and Audit & Control Committees:

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

WHEREAS, County desires to lease approximately 350 square feet of office space at the BOCES complex known as the Hewes Educational Center located at 2615 N. Maple Road, Ashville, NY 14710, County of Chautauqua, New York, and

WHEREAS, negotiations have been undertaken to obtain a tentative lease agreement mutually beneficial to the County and BOCES; now therefore be it

RESOLVED, That the County Executive is hereby authorized and empowered to execute a lease agreement with Erie 2-Chautauqua Cattaraugus BOCES upon the following terms and conditions:

- 1) Premises. Approximately 350 square feet of office space on the first floor of the Hewes Educational Center.
- 2) Term. July 1, 2021 through June 30, 2024.
- 3) Rent. \$0.
- 4) Utilities. Landlord shall be responsible for all utilities, including heat and electric.
- 5) Other. As negotiated by the County Executive.

Signed: Whitford, Pavlock, Hemmer, Niebel, Harmon, Nazzaro

RES. NO.221-21

Authorize Lease Agreement with Erie 2-Chautauqua Cattaraugus BOCES at Phillip J. LoGuidice Educational Center

By Public Safety and Audit & Control Committees:

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

WHEREAS, County desires to lease approximately 1,000 square feet of office space at the BOCES complex known as the Phillip J. LoGuidice Educational Center located at 9520 Fredonia-Stockton Road, Fredonia, County of Chautauqua, New York, for use by the Sheriff's Office; and

WHEREAS, negotiations have been undertaken to obtain a tentative lease agreement mutually beneficial to the County and BOCES; now therefore be it

CHAUTAUQUA COUNTY LEGISLATURE

10/27/21

RESOLVED, That the County Executive is hereby authorized and empowered to execute a lease agreement with Erie 2-Chautauqua Cattaraugus BOCES upon the following terms and conditions:

- 1) Premises. Approximately 1,000 square feet of office space on the first floor of the LoGuidice Educational Center.
- 2) Term. July 1, 2021 through June 30, 2024.
- 3) Rent. \$0.
- 4) Utilities. Landlord shall be responsible for all utilities, including heat and electric.
- 5) Other. As negotiated by the County Executive.

Signed: Whitford, Pavlock, Hemmer, Niebel, Harmon, Nazzaro

RES. NO. 222-21

Authorize Agreement with Forestville Central School for School Resource Officer

By Public Safety and Audit & Control Committees:

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

WHEREAS, the Chautauqua County Sheriff has conferred with the administrators of Forestville Central School and determined that the County and Forestville Central School would benefit from the reinstatement of the School Resource Officer program; and

WHEREAS, Forestville Central School has agreed to compensate the County of Chautauqua for the cost of providing a Deputy Sheriff for the period of October 1, 2021 through June 30, 2022, at a total sum not to exceed \$73,453.50; and

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

WHEREAS, the revenue from this agreement is not included in the 2021 Adopted Budget; now therefore be it

RESOLVED, That the County Executive is hereby authorized and empowered to execute an agreement with Forestville Central School for the School Resource Officer program; and also 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 ACCOUNTS:

A.3110.----.1	Personal Services-Sheriff	\$14,691
A.3110.----.8	Employee Benefits-Sheriff	<u>\$ 9,794</u>
	Total	\$24,485

INCREASE REVENUE ACCOUNT:

A.3110.----.R226.0000	Shared Services-Chrgs: Oth Gov-Pub Safety	\$24,485
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Signed: Whitford, Pavlock, Hemmer, Niebel, Harmon, Nazzaro

CHAUTAUQUA COUNTY LEGISLATURE

10/27/21

RES. NO. 223-21

Authorize Execution of State Interoperability Communications Grant Program FY20

By Public Safety and Audit & Control Committees:

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

WHEREAS, the Chautauqua County Office of the Sheriff received notice that the New York State (NYS) Division of Homeland Security and Emergency Services has approved the application submitted for the Statewide Interoperability Communications Grant (SICG) Program; and

WHEREAS, the State of New York will provide funding for the FY20 grant in the amount of \$611,328, with no local funds, for the performance period of January 1, 2021 through December 31, 2022; and

WHEREAS, this grant is not currently included in the 2021 Adopted Budget and an amendment to the 2022 Tentative Budget was proposed; now therefore be it

RESOLVED, That the County Executive is authorized to execute an agreement with the NYS Division of Homeland Security and Emergency Services to secure the grant funding as set forth above; and also 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:

A.3110.GRNT.4	Contractual – Sheriff, Sheriff Grants	\$404,627
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INCREASE REVENUE ACCOUNT:

A.3110.GRNT.R438.9000	Federal Aid—Other Public Safety	\$404,627
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Signed: Whitford, Pavlock, Hemmer, Niebel, Harmon, Nazzaro

RES. NO. 224-21

Emergency Services 2021 Budget Amendment

By Public Safety and Audit & Control Committees:

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

WHEREAS, Emergency Medical Services' Continuing Medical Education (CME) sub-department budget included a CME Administrator position; and

WHEREAS, a CME Administrator position requires specific credentials, limiting the pool of available candidates; and

WHEREAS, the CME Administrator was not initially hired as an employee, but for the first six (6) months of 2021 the credentialed candidate entered into an Agreement of Service with the County to be paid as an independent contractor; and

WHEREAS, as of July 2021 the CME Administrator position is now filled as an employee, but the EMS appropriations need to be adjusted for the initial CME Administrator expenditures in the first six (6) months of 2021 that were made on a contractual basis; now therefore be it

CHAUTAUQUA COUNTY LEGISLATURE

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

DECREASE APPROPRIATION ACCOUNT:

A.3989.CME.----.1 Personal Services-Emergency Medical Service,
Continuing Medical Education \$ 5,000

INCREASE APPROPRIATION ACCOUNT:

A.3989.CME.----.4 Contractual- Emergency Medical Service,
Continuing Medical Education \$ 5,000

Signed: Whitford, Pavlock, Hemmer, Niebel, Harmon, Nazzaro

RES. NO. 225-21

Amend Emergency Services 2021 Budget for Vehicle Accident Claims

By Public Safety and Audit & Control Committees:

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

WHEREAS, pursuant to Resolution No. 55-21 the 2021 Adopted Budget was amended to include repair expenses and insurance recovery revenue associated with a motor vehicle accident involving the EMS Fly Car known as Medic 74; and

WHEREAS, additional repairs to Medic 74 were required and the EMS Fly Car known as Medic 71 was involved in a separate accident; and

WHEREAS, the Chautauqua County Insurance Department, on behalf of the Office of Emergency Services, submitted claims to New York Municipal Insurance Reciprocal; and

WHEREAS, Chautauqua County has been reimbursed for expenses incurred in the amount of \$3,056.33, and has invoices due for vehicle repairs; 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:

A.3989.EMS.4 Contractual – Emergency Medical Services,
Fly Car & Ambulance Service \$ 3,057

INCREASE REVENUE ACCOUNT:

A.3989.EMS.R268.0000 Sale of Property/Compensa—Insurance Recoveries \$ 3,057

Signed: Whitford, Pavlock, Hemmer, Niebel, Harmon, Nazzaro

CHAUTAUQUA COUNTY LEGISLATURE

10/27/21

RES. NO. 226-21

Authorize Agreement for Early Intervention Services Program Administration

By Human Services Committee:

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

WHEREAS, funding is available to provide Early Intervention Services Program Administration (EISP) to ensure that infants and toddlers with developmental delays or disabilities and their families receive services commensurate with their needs through the provision of case management and individualized family services plans; and

WHEREAS, the Chautauqua County Health Department receives funding from the New York State Department of Health (NYSDOH) on an annual basis to fund this program; now therefore be it

RESOLVED, That the County Executive is hereby authorized to enter into an agreement with the New York State Department of Health (NYSDOH) for administrative funding for the EISP program on an annual basis for so long as the NYSDOH continues to fund this program, with work plans and budgets to be amended and revised on a yearly basis by letters of agreement between the parties; and be it further

RESOLVED, That the County Executive is hereby authorized to enter into agreements with the NYSDOH for program funding for so long as the County Department of Health and Human Services continues to be eligible for program funds; and be it further

RESOLVED, That the County Executive is hereby authorized to execute any additional documentation, amendments, or addenda necessary to effectuate the County's receipt of such funds.

Signed: Whitford, Whitney, Pavlock

RES. NO. 227-21

Amend Chautauqua County Health & Human Services 2021 Adopted Budget for New York State Department of Health Award to Support Nurse Family Partnership

By Human Services and Audit & Control Committees:

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

WHEREAS, the New York State Department of Health (NYSDOH) has awarded funds to the Chautauqua County Department of Health and Human Services to support Nurse Family Partnership program expenses for the period of April 1, 2020 through March 31, 2022 in the amount of \$23,515; and

WHEREAS, 2021 revenue for the Nurse Family Partnership Program is now projected to be higher than the budgeted amount; and

WHEREAS, 2021 expenditures for the Nurse Family Partnership Program are now projected to be in excess of the budgeted amount; now therefore be it

RESOLVED, That A Fund Balance is appropriated as follows:

DECREASE THE USE OF FUND BALANCE:

A.----.----.917.0000 Unassigned Fund Balance—Unassigned Fund Balance \$11,025

CHAUTAUQUA COUNTY LEGISLATURE

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; and be it further

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

INCREASE REVENUE ACCOUNT:

A.4010.NURS R348.9FOU New York State Aid — Other Health: NFP \$23,515

DECREASE REVENUE ACCOUNT:

A.4010.PHSA R340.1000 New York State Aid — Public Health Grant \$ 8,014

INCREASE APPROPRIATION ACCOUNT:

A.4010.NURS.4 Contractual — Public Health Admin-Nursing \$ 4,476

Signed: Whitford, Whitney, Pavlock, Harmon, Niebel, Nazzaro

RES. NO. 228-21

Amend 2021 Budget to Implement the Chautauqua County Agricultural Improvement Plan Project within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan

By Planning & Economic Development 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 Chautauqua County Agricultural Improvement Plan 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 projects; therefore be it

CHAUTAUQUA COUNTY LEGISLATURE

10/27/21

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 Chautauqua County Agricultural Improvement Plan project:

INCREASE APPROPRIATION ACCOUNT:

A.6420.COMC.4	Contractual—Promotion of Industry, Community Contracts	\$232,540
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ESTABLISH & INCREASE REVENUE ACCOUNT:

A. 6420.COMC.R408.9ARP	Federal Aid—Oth Fed Aid: ARPA	\$232,540
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Signed: Harmon, Muldowney, Ward, Penhollow, Starks, Niebel, Nazzaro

RES. NO. 229-21

Amend 2021 Budget for New York State Housing Trust Fund Corporation Community Development Block Grant Award

By Planning & Economic Development and Audit & Control Committees:

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

WHEREAS, the Department of Planning & Development received notice that the New York State Housing Trust Fund Corporation (“HTFC”), represented by the New York State Office of Community Renewal (“OCR”), approved a Community Development Block Grant (“CDBG”) application in the amount of \$450,000 to support the development of the Webb’s Chautauqua Resort project located on Route 394, in Mayville, New York (the “Project”); and

WHEREAS, the State of New York will provide funding for amount of \$450,000, with no County funds, for Contract #222ED964-20 for the performance period of February 9, 2021 through December 9, 2022; and

WHEREAS, pursuant to Resolution 121-20, the County Executive was authorized to execute an agreement to secure the grant funding with the HTFC; and

WHEREAS, revenues and expenditures associated with this grant were not included in the 2021 operating budget; now therefore be it

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

INCREASE APPROPRIATION ACCOUNT:

A.6420.----.4	Contractual—Promotion of Industry	\$450,000
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ESTABLISH AND INCREASE REVENUE ACCOUNT:

A.6420.----.R308.9000	New York State Aid—Other State Aid	\$450,000
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Signed: Harmon, Muldowney, Ward, Penhollow, Starks, Niebel, Nazzaro

CHAUTAUQUA COUNTY LEGISLATURE

10/27/21

RES. NO. 230-21

Amend 2021 Budget to Implement the Workforce Development Initiative Project within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan

By Planning & Economic Development 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 Workforce Development Initiative 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 projects; 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 Workforce Development Initiative project:

INCREASE APPROPRIATION ACCOUNT:

A.6420.COMC.4	Contractual—Promotion of Industry, Community Contracts	\$352,000
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ESTABLISH & INCREASE REVENUE ACCOUNT:

A. 6420.COMC.R408.9ARP	Federal Aid—Oth Fed Aid: ARPA Signed: Signed: Harmon, Muldowney, Ward, Penhollow, Starks, Niebel, Nazzaro	\$352,000
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CHAUTAUQUA COUNTY LEGISLATURE

10/27/21

RES. NO. 231-21

Amend 2021 Occupancy Tax Program Budgets to Include Chautauqua County American Rescue Plan Act (ARPA) Funding

By Planning & Economic Development 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 \$800,000 Occupancy Tax Bolster project, identified as one of the priority projects recommended in the Plan, consists of funding to be apportioned equally between the Chautauqua County Occupancy Tax Program for Tourism Development and the Chautauqua County Occupancy Tax Program for Lakes and Waterways; therefore be it

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

INCREASE APPROPRIATION ACCOUNTS:

A.6420.TOUR.4	Contractual—Promotion of Industry, Tourism	\$400,000
A.8020.WTRS.4	Contractual—Planning, Watershed Administration	\$400,000
	Total	\$800,000

ESTABLISH & INCREASE REVENUE ACCOUNTS:

A.6420.TOUR.R408.9ARP	Federal Aid—Oth Fed Aid: ARPA	\$400,000
A.8020.WTRS.R408.9ARP	Federal Aid—Oth Fed Aid: ARPA	\$400,000
	Total	\$800,000

Signed: Signed: Harmon, Muldowney, Ward, Penhollow, Starks, Niebel, Nazzaro

CHAUTAUQUA COUNTY LEGISLATURE

10/27/21

RES. NO. 232-21

Amend 2021 Budget to Implement the Support for the Jefferson Project at Chautauqua Lake Project within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan

By Planning & Economic Development 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 Support for the Jefferson Project at Chautauqua Lake 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 projects; 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 Support for the Jefferson Project at Chautauqua Lake project.

INCREASE APPROPRIATION ACCOUNT:

A.8020.----.4 Contractual— Planning \$250,000

ESTABLISH & INCREASE REVENUE ACCOUNT:

A.8020.----.R408.9ARP Federal Aid—Oth Fed Aid: ARPA \$250,000

Signed: Harmon, Muldowney, Ward, Penhollow, Starks, Niebel, Nazzaro

CHAUTAUQUA COUNTY LEGISLATURE

10/27/21

RES. NO. 233-21

Amend 2021 Budget to Implement the Chautauqua County Partnership for Economic Growth (CCPEG) Project within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan

By Planning & Economic Development 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 Chautauqua County Partnership for Economic Growth (CCPEG) 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 projects; 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 Chautauqua County Partnership for Economic Growth (CCPEG) project:

INCREASE APPROPRIATION ACCOUNT:

A.6420.COMC.4	Contractual—Promotion of Industry, Community Contracts	\$500,000
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ESTABLISH & INCREASE REVENUE ACCOUNT:

A. 6420.COMC.R408.9ARP	Federal Aid—Oth Fed Aid: ARPA	\$500,000
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Signed: Harmon, Muldowney, Ward, Penhollow, Starks, Niebel, Nazzaro

CHAUTAUQUA COUNTY LEGISLATURE

10/27/21

RES. NO. 234-21

Amend ~~2021~~ 2022 Tentative Budget to Develop a Chautauqua Lake District Work Plan Project Within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan

By Planning & Economic Development 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 Develop a Chautauqua Lake District Work Plan 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 projects; therefore be it

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2022 ~~Adopted~~ Tentative Budget in order to implement the Develop a Chautauqua Lake District Work Plan project:

INCREASE APPROPRIATION ACCOUNT:

A.8020.----.4 Contractual—Planning \$150,000

ESTABLISH & INCREASE REVENUE ACCOUNT:

A.8020.----.R408.9ARP Federal Aid—Oth Fed Aid: ARPA \$150,000

Signed: Harmon, Muldowney, Penhollow, Starks, Niebel, Nazzaro (P.E.D. – Amended with strike through and new language) (P.E.D. – Carried with Legislator Ward voting “No”)

CHAUTAUQUA COUNTY LEGISLATURE

10/27/21

RES. NO. 235-21

Amend 2021 Budget to Implement the Marketing Assistance to Businesses and Not-for-Profits Project within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan

By Planning & Economic Development 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 Marketing Assistance to Businesses and Not-for-Profits 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 projects; 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 Marketing Assistance to Businesses and Not-for-Profits project:

INCREASE APPROPRIATION ACCOUNT:

A.6420.COMC.4	Contractual—Promotion of Industry, Community Contracts	\$400,000
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ESTABLISH & INCREASE REVENUE ACCOUNT:

A. 6420.COMC.R408.9ARP	Federal Aid—Oth Fed Aid: ARPA	\$400,000
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Signed: Harmon, Muldowney, Ward, Penhollow, Starks, Niebel, Nazzaro

CHAUTAUQUA COUNTY LEGISLATURE

10/27/21

RES. NO. 236-21

Amend 2021 Budget to Implement the Chautauqua County Site Acquisition for Shovel Ready Sites Project within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan

By Planning & Economic Development 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 Site Acquisition for Shovel Ready Sites 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 Site Acquisition for Shovel Ready Sites project:

INCREASE APPROPRIATION ACCOUNTS:

H.6420.37008.4	Contractual—Promotion of Industry, Greenfield Development	\$1,400,000
A.9950.----.9	Interfund Transfers—Transfer to Capital	<u>\$1,400,000</u>
	Total	\$2,800,000

INCREASE REVENUE ACCOUNTS:

H.6420.37008.R503.1000	Interfund Transfers – Interfund Transfer	\$1,400,000
A.9950.9999.R408.9ARP	Interfund Transfers – Oth Fed Aid: ARPA	<u>\$1,400,000</u>
	Total	\$2,800,000

and be it further

RESOLVED, That the County Executive is authorized and empowered to enter into all necessary agreements, including with the County of Chautauqua Industrial Development Agency (CCIDA), to implement the project.

Signed: Niebel, Nazzaro, Ward, Starks, Harmon, Muldowney, Penhollow

CHAUTAUQUA COUNTY LEGISLATURE

10/27/21

RES. NO. 237-21

Amend 2021 Budget to Implement the Ag Building Upgrades within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan

By Public Facilities 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 Ag Building Upgrades project, including demolition work, new air handling units, exterior doors, carpet, new gutters, acoustic controls, lighting and electrical work, within the following cost categories: \$40,000 final architectural services; \$550,000 construction services; \$400,000 equipment; \$10,000 furnishings; and \$100,000 project contingency, is 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 Ag Building Upgrade project:

ESTABLISH & INCREASE APPROPRIATION ACCOUNTS:

H.1620.25220.4	Contractual—Buildings & Grounds, Ag Center Upgrades	\$1,100,000
A.9950.----.9	Interfund Transfers----Transfer to Capital	<u>\$1,100,000</u>
	Total	\$2,200,000

ESTABLISH & INCREASE REVENUE ACCOUNTS:

H.1620.25220.R503.1000	Interfund Transfers – Interfund Transfer	\$1,100,000
A.9950.----.R408.9ARP	Interfund Transfers – Oth Fed Aid: ARPA	<u>\$1,100,000</u>
	Total	\$2,200,000

Signed: Nazzaro, Niebel, Hemmer, Gould, Scudder, Davis, Harmon

CHAUTAUQUA COUNTY LEGISLATURE

10/27/21

RES. NO. 238-21

Amend 2021 Budget to Implement the Conewango Dams Project within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan

By Public Facilities 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 Conewango Dams project, including: pre-construction activities and engineering work such as development of construction bid documents and sediment sampling for DEC permitting, that need to be funded prior to full construction funding; replacement of the drain gate valve for each of the four Conewango Dams maintained by the County; and dredging of sediments that have accumulated over the past 50 years, is 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 Conewango Dams project:

INCREASE APPROPRIATION ACCOUNTS:

H.1440.25974.4	Contractual—Engineers,	
	Conew Wtshd Dam 33 Sed Rem (2017)	\$108,342
A.9950.----.9	Interfund Transfers----Transfer to Capital	<u>\$108,342</u>
	Total	\$216,684

ESTABLISH & INCREASE REVENUE ACCOUNTS:

H.1440.25974.R503.1000	Interfund Transfers – Interfund Transfer	\$108,342
A.9950.----.R408.9ARP	Interfund Transfers – Oth Fed Aid: ARPA	<u>\$108,342</u>
	Total	\$216,684

Signed: Niebel, Hemmer, Gould, Scudder, Davis, Harmon, Nazzaro

CHAUTAUQUA COUNTY LEGISLATURE

10/27/21

RES. NO. 239-21

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	

Signed: Starks, Davis, Muldowney, Vanstrom, Scudder

CHAUTAUQUA COUNTY LEGISLATURE

10/27/21

RES. NO. 240-21

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

Signed: Starks, Davis, Muldowney, Harmon, Vanstrom, Scudder, Niebel, Gould, Nazzaro

RES. NO. 241-21

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

CHAUTAUQUA COUNTY LEGISLATURE

10/27/21

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

Signed: Starks, Davis, Muldowney, Vanstrom, Scudder, Harmon, Niebel, Gould, Nazzaro

RES. NO. 242-21

Approving Labor Contract with Chautauqua County Sheriff's Supervisors' Association (CCSSA)

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

WHEREAS, the County's negotiating team and the Chautauqua County Sheriff's Supervisors' Association of Chautauqua County (CCSSA) have negotiated a tentative agreement for terms and conditions of employment from January 1, 2022, through December 31, 2025; and

WHEREAS, pursuant to Section 2.05(g) of the Chautauqua County Charter, the County Legislature must approve all labor contracts; now therefore be it

RESOLVED, That the County Legislature hereby approves the tentative agreement between the County and CCSSA to include modifications to longevity, modifications to employer and employee cost share of the health plan, modifications to the retiree cash-out benefit, the addition of a cell phone stipend of \$50.00 per month, an increase to the clothing allowance, and a change from a three to a four step salary schedule, with Steps 1-4 of the 2022 schedule as follows: Step 1 - \$85,586, Step 2 - \$87,298, Step 3 - \$89,044, and Step 4 \$90,825; thereafter, Steps 1 - 4 increase by 4.36% in 2023, 3.89% in 2024, and 3.89% in 2025; and be it further

RESOLVED, That the County Executive is authorized and empowered to execute all necessary documents and agreements to effectuate a new labor agreement with CCSSA.

Signed: Starks, Davis, Muldowney, Gould, Nazzaro, Vanstrom, Scudder, Whitford, Pavlock, Hemmer, Niebel, Harmon

CHAUTAUQUA COUNTY LEGISLATURE

10/27/21

RES. NO. 243-21

Consider 2022 Tentative Budget, with the Changes Listed Below, and Present Same to the County Executive for His Consideration and Action

By Audit & Control Committee:

At the Request of Audit & Control Committee:

WHEREAS, the Chautauqua County Legislature has received the County Executive's 2022 Tentative Budget and the Audit & Control Committee has reviewed the budget and has recommended changes to the tentative budget; now therefore be it

RESOLVED, that the 2022 Tentative Budget, with the changes listed herein, be presented to the County Executive for his consideration and action:

INCREASE APPROPRIATION ACCOUNTS:

A.1162.1110.1	Personal Services - Unified Court Costs, Court Officers	\$6,127
A.1162.1110.8	Employee Benefits - Unified Court Costs, Court Officers	\$3,665
A.1165.----.1	Personal Services - District Attorney	\$9,044
A.1165.----.2	Equipment - District Attorney	\$27,200
A.1165.----.4	Contractual - District Attorney	\$266,000
A.1165.----.8	Employee Benefits - District Attorney	\$1,483
A.1310.----.4	Contractual - Department of Finance	\$57,000
A.1410.----.8	Employee Benefits - County Clerk	\$12,289
A.1420.----.8	Employee Benefits - County Attorney	\$3,787
A.1430.----.1	Personal Services - Human Resources	\$12,888
A.1430.----.8	Employee Benefits - Human Resources	\$2,113
A.1985.----.4	Contractual - Municipal Sales Tax	\$351,064
A.1990.----.4	Contractual - Contingent Account	\$500,000
A.3110.----.1	Personal Services - Sheriff	\$45,508
A.3110.----.8	Employee Benefits - Sheriff	\$31,702
A.3110.GRNT.4	Contractual - Sheriff, Sheriff Grants	\$206,701
A.3150.----.1	Personal Services - Jail	\$9,728
A.3150.----.8	Employee Benefits - Jail	\$5,135
A.6420.COMC.4	Contractual - Promotion of Industry, Community Contracts	\$50,000
A.8020.----.4	Contractual - Planning	\$150,000
A.9950.----.9	Interfund Transfers - Transfer to Capital	<u>\$28,900</u>
	Total	\$1,780,334

DECREASE APPROPRIATION ACCOUNTS:

A.1430.----.1	Personal Services - Human Resources	\$32,391
A.1430.----.8	Employee Benefits - Human Resources	\$22,445

CHAUTAUQUA COUNTY LEGISLATURE

10/27/21

A.1620.8060.4	Contractual - Buildings & Grounds, Ag Center	\$3,100
	Personal Services - Publ Safety	
A.3020.DISP.1	Communication, Consolidated Dispatching	\$2,347
	Employee Benefits - Publ Safety	
A.3020.DISP.8	Communication, Consolidated Dispatching	\$797
A.3110.----.4	Contractual - Sheriff	\$20,000
	Personal Services - Emergency Medical	
A.3989.EMS.1	Service, Flay Car & ambulance Services	\$36,790
	Employee Benefits - Emergency Medical	
A.3989.EMS.8	Service, Flay Car & ambulance Services	\$6,430
A.6100.----.4	Contractual - Medicaid	\$793,546
A.9730.----.6	Principal - Debt Service	\$150,000
A.9730.----.7	Interest - Debt Service	\$35,000
A.9901.9000.9	Interfund Transfers - Transfer to Other Funds, Trans Co Road Suppl (A-D)	\$89,678
A.9901.9100.9	Interfund Transfers - Transfer to Other Funds, Transfer (A-DM)	\$107,266
D.5110.----.1	Personal Services - Maintenance of Roads	\$73,570
D.5110.----.8	Employee Benefits - Maintenance of Roads	\$16,108
DM.9730.----.6	Principal - Debt Service	\$91,535
DM.9730.----.7	Interest - Debt Service	<u>\$15,731</u>
	Total	\$1,496,734

INCREASE REVENUE ACCOUNTS:

A.1110.1162.R333.0000	New York State Aid-Court Officers	\$9,792
A.1165.----.R308.9000	New York State Aid-Other State Aid	\$419,310
A.1310.9999.R111.0000	Non Property Tax Items-Sales Tax	\$319,149
	Non Property Tax Items-Sales Tax-County	
A.1310.9999.R111.0CTY	Share	\$180,851
	Non Property Tax Items-Sales Tax-Muni	
A.1985.----.R111.0MUN	Make Whole	\$351,064
A.3110.----.R226.0000	Shared Services-Chrgs: Oth Gov-Pub Safety	\$41,518
A.3110.GRNT.R438.9000	Federal Aid-Other Public Safety	\$206,701
A.8020.----.R408.9ARP	Federal Aid-Oth Fed Aid: ARPA	<u>\$150,000</u>
	Total	\$1,678,385

DECREASE REVENUE ACCOUNTS:

A.1310.9999.R100.1000	Real Property Tax-Real Property Tax	\$1,226,741
D.9901.9000.R503.1000	Interfund Transfers-Interfund Transfer	\$89,678
DM.9901.9100.R503.1000	Interfund Transfers-Interfund Transfer	<u>\$107,266</u>
	Total	\$1,423,685

CHAUTAUQUA COUNTY LEGISLATURE

10/27/21

INCREASE THE USE OF FUND BALANCE:

A.-----887.0000 Reserved Fund Balance--Capital Reserve \$28,900

;and be it further

RESOLVED, that exhibits and schedules presented in the 2022 Tentative Budget be modified as necessary to reflect the above amendments; and be it further

RESOLVED, that the following capital projects be removed from the 2022 Tentative Budget because they are included in the American Rescue Plan Act (ARPA) Spending Plan: Mobile Crane, Snowblower, Broadband, and Expand District Attorney Offices; and be it further

RESOLVED, that the federal funding amounts for the following projects be removed from the 2022 Tentative Budget because the funding is included in the American Rescue Plan Act (ARPA) Spending Plan: Vehicle & Heavy Equipment Replacement and Greenfield Development; and be it further

RESOLVED, That the 2022 Tentative Budget as amended above by the Legislature's Audit & Control Committee reflects a Real Property Tax Levy of \$66,912,293 and an estimated Full Value Rate of \$8.10.

Signed: Nazzaro, Niebel, Harmon (A.C. – Amended with strike through and additional text)

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.

CHAUTAUQUA COUNTY
MOTION NO. ____ -21

TITLE: Calling on Elected Officials of the State of New York to Consider Alternatives to Vaccination Mandates for Healthcare Workers

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

WHEREAS, on August 26, 2021, the New York State Department of Health (NYSDOH) adopted an emergency regulation that required most healthcare workers to be vaccinated against COVID-19; and

WHEREAS, the COVID-19 vaccination mandate for healthcare workers adopted by NYSDOH made no accommodation for religious beliefs, personal conscience, or other core beliefs to allow a healthcare worker to opt out of being forced to receive a vaccine; and

WHEREAS, on October 12, 2021, the United States District Court for the Northern District of New York issued a preliminary injunction barring NYSDOH from enforcing the vaccination requirement as to employees that are granted a religious exemption by their employer; and

WHEREAS, receiving the COVID-19 vaccine does not prevent an individual from being infected with the COVID-19 virus, or from transmitting the virus to others; and

WHEREAS, in order to not deprive healthcare workers of their livelihood, alternative preventive procedures against COVID-19 infection and transmission should be considered for those healthcare workers who decline to get vaccinated due to their religious beliefs, personal conscience, or other core beliefs; and

WHEREAS, such alternative preventive procedures might include, but not be limited to, daily rapid COVID-19 testing, aggressive use of personal protective equipment (PPE), enhanced facility ventilation and sterilization techniques, and/or assignment of unvaccinated healthcare workers to less vulnerable patients and clients; therefore

LET IT BE KNOWN, that in order to not deprive healthcare workers of their livelihood, the Chautauqua County Legislature urges the New York State Legislature and the Governor of the State of New York to consider reasonable alternative preventive procedures against COVID-19 transmission and infection for those healthcare workers who decline to get vaccinated due to their religious beliefs, personal conscience, or other core beliefs; 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.