

CHAUTAUQUA COUNTY LEGISLATURE – ORGANIZATIONAL MEETING

01/3/2023

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Chautauqua County Legislature

4:00 P.M.

**CALL TO ORDER
ROLL CALL
PRAYER BY LEGISLATOR RANKIN
PLEDGE OF ALLEGIANCE**

Swearing in New Legislators

**Nominations for Chairman of the Legislature
Seconding of Nominations
Roll Call Vote for Chairman
Clerk Lee Announces Chairman**

ACCEPTANCE SPEECH BY CHAIRMAN

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.

COMMUNICATIONS:

- 1. Letter – Resignation of County Attorney, Steve Abdella**
- 2. Certificate to Fill Vacancy on County Legislature – District 17**
- 3. Certificate of Acceptance to Fill Vacancy – District 17**
- 4. Certificate to Fill Vacancy on County Legislature – District 13**
- 5. Certificate of Acceptance to Fill Vacancy – District 13**
- 6. Letter – Appointment as Acting County Executive – Patrick J. Slagle, Esq**

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(REPUBLICAN) DESIGNATE NEWSPAPER

We, the undersigned members of the Chautauqua County Legislature, and representing the Republican party, one of the two principal parties into which the people of Chautauqua County are divided, do hereby designate for the year 2023 the POST JOURNAL as the Republican newspaper to publish the concurrent resolutions, election notices and official canvas, all pursuant to Section 214, paragraph 1, of the County Law. Signed: Chagnon, Muldowney, Wilfong, Hemmer, Penhollow, Davis, Niebel, Gustafson, Proctor, Scudder, Vanstrom, Rankin

(DEMOCRATIC) DESIGNATE NEWSPAPER

We, the undersigned members of the Chautauqua County Legislature, and representing the Democratic party, one of the two principal parties into which the people of Chautauqua County are divided, do hereby designate for the year 2023 the OBSERVER as the Democratic newspaper to publish the concurrent resolutions, election notices and official canvas, all pursuant to Section 214, paragraph 1, of the County Law. Signed: Bankoski, Parker, Nelson, Torres

APPOINTMENT OF MAJORITY LEADER AND ASSISTANT

We, the undersigned being a Majority of the Republican members of the Chautauqua County Legislature hereby designate Legislator Thomas Harmon as Majority Leader of the Chautauqua County Legislature for the year 2023 in accordance with Local Law No. 6-1969 adopted on the 2nd day of January 1970. And appoint, as Assistant Majority Leader, Legislator Lisa Vanstrom.

Signed: Chagnon, Davis, Wilfong, Hemmer, Penhollow, Muldowney, Niebel, Gustafson, Proctor, Scudder, Vanstrom, Harmon, Rankin

APPOINTMENT OF MINORITY LEADER AND ASSISTANT

We, the undersigned being a Minority of the Democrat members of the Chautauqua County Legislature do hereby designate Legislator Robert Bankoski as the Minority Leader of the Chautauqua County Legislature for the year 2023 in accordance with Local Law No. 6-1969 adopted on the 2nd day of January 1970. And appoint as Assistant Minority Leader, Legislator Susan Parker.

Signed: Bankoski, Parker, Torres, Nelson

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RESOLUTIONS:

- 1-23 Appointment of Travis Heiser as Legislator from District 17, Village of Panama And the Towns of Clymer, French Creek, Harmony and part of Busti**
- 2-23 Appointment of Tom Nelson as Legislator from District 13, City of Jamestown Ward 1, District 1; Ward 2, District 1; Ward 3, District 4; Ward 6, District 2 and Ward 6, District 3**
- 3-23 Appointing Clerk of the Legislature**
- 4-23 Appointing Deputy Clerk/Secretary to the Legislature**
- 5-23 Confirming 2023 Salary of Public Defender**
- 6-23 Designation of Official Newspapers – 2023**
- 7-23 Delegate Authority to Chairman of Legislature to Correct Errors on Tax Rolls and to Provide Refunds and Credits of Taxes Pursuant to Section 554 and 556 of the Real Property Tax Law**
- 8-23 Confirm Appointment – Acting County Executive**

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.

CHAUTAUQUA COUNTY LEGISLATURE

01/03/2023

RES. NO. 1-23

Appointment of Travis Heiser as Legislator from District 17, Village of Panama
And the Towns of Clymer, French Creek, Harmony and part of Busti

At the Request of Chairman Pierre E. Chagnon:

WHEREAS, there exists a vacancy in the Chautauqua County Legislature, because Frank “Jay” Gould , who was elected to the office of County Legislator for District 17 at the general election held November 2, 2021, has resigned as the current Legislator, effective December 31, 2022; and

WHEREAS, a Certificate of Recommendation has been received from the Legislative District 17 Committee, (Village of Panama and the Towns of Clymer, French Creek, Harmony and part of Busti) recommending the appointment of Travis B. Heiser, 7958 Raspas Hill Road, Panama, NY 14767; and

WHEREAS, a Certificate of Acceptance has been received from Travis B. Heiser; now therefore be it

RESOLVED, That in accordance with Section 2.03 of the Chautauqua County Charter, Travis Heiser is hereby appointed County Legislator from District 17, comprised of the Village of Panama and the Towns of Clymer, French Creek, Harmony and part of Busti

Signed: Chagnon

RES. NO. 2-23

Appointment of Tom Nelson as Legislator from District 13, City of Jamestown
Ward 1, District 1; Ward 2, District 1; Ward 3, District 4; Ward 6,
District 2 and Ward 6, District 3

At the Request of Chairman Pierre E. Chagnon:

WHEREAS, there exists a vacancy in the Chautauqua County Legislature, because Paul Whitford, who was elected to the office of County Legislator for District 13 at the general election held November 2, 2021, has resigned as the current Legislator, effective December 31, 2022; and

WHEREAS, a Certificate of Recommendation has been received from the Legislative District 13 Committee, (City of Jamestown Ward 1, District 1; Ward 2, District 1; Ward 3, District 4; Ward 6, District 2 and Ward 6, District 3) recommending the appointment of Tom Nelson, 21 Hunter Street, Jamestown, NY 14701; and

WHEREAS, a Certificate of Acceptance has been received from Tom Nelson; now therefore be it

RESOLVED, That in accordance with Section 2.03 of the Chautauqua County Charter, Tom Nelson is hereby appointed County Legislator from District 13, comprised of the City of Jamestown Ward 1, District 1; Ward 2, District 1; Ward 3, District 4; Ward 6, District 2 and Ward 6, District 3

Signed: Chagnon

CHAUTAUQUA COUNTY LEGISLATURE

01/03/2023

RES. NO. 3-23

Appointing Clerk of the Legislature

At the Request of Chairman Pierre E. Chagnon:

RESOLVED, That Olivia L. Lee, 55 North Main St., Cassadaga, New York, is hereby appointed Clerk of the Chautauqua County Legislature for the year 2023 for 100% time at an annual salary of \$51,866.00, effective January 1, 2023.

Signed: Chagnon, Wilfong, Vanstrom, Gustafson, Proctor, Scudder, Harmon, Muldowney, Rankin, Hemmer, Penhollow, Davis, Niebel

RES. NO. 4-23

Appointing Deputy Clerk/Secretary to the Legislature

At the Request of Chairman Pierre E. Chagnon:

RESOLVED, That Kristi R. Zink, 8213 Griswold Road, Cassadaga, New York 14718, is hereby appointed Secretary to the Chautauqua County Legislature for the year 2023 at a salary of \$20.55 per hour, effective January 1, 2023; and be it further

RESOLVED, That in addition to Secretary to the Legislature, Kristi R. Zink be, and hereby is, appointed Deputy Clerk for the Chautauqua County Legislature for the year 2023, and shall be additionally compensated for her duties as Deputy Clerk at an annual salary of \$4,000, effective January 1, 2023.

Signed: Chagnon, Wilfong, Vanstrom, Gustafson, Proctor, Scudder, Harmon, Muldowney, Rankin, Hemmer, Penhollow, Davis, Niebel

RES. NO. 5-23

Confirming 2023 Salary of Public Defender

At the Request of Chairman Pierre E. Chagnon:

WHEREAS, Pursuant to Resolution 4-22, the County Legislature established the 2023 salary of the Public Defender to be an annual base salary of \$88,710.34, with an additional salary supplement subject to confirmation by the County Legislature to the extent of available grant funds received from the New York State Office of Indigent Legal Services (OILS) with no local share; and

WHEREAS, the County Legislature accepted a grant from OILS pursuant to Resolution 4-22, which contains \$89,973.00 to be utilized for the additional salary supplement for the Public Defender in 2023; and

WHEREAS, the Budget Director has calculated the appropriate allocation of the \$89,973.00 between salary and benefits expense; therefore be it

RESOLVED, That the County Legislature hereby confirms the amount of \$72,582.28 as the additional 2023 salary supplement for the Public Defender to be funded by the grant from OILS referenced above with no local share.

Signed: Chagnon

CHAUTAUQUA COUNTY LEGISLATURE

01/03/2023

RES. NO. 6-23

Designation of Official Newspapers - 2023

At the Request of Chairman Pierre E. Chagnon:

RESOLVED, That the Post Journal, 15 West Second Street, Jamestown, NY and the Observer, 10 East Second Street, Dunkirk, NY be and hereby are designated, pursuant to Section 214, paragraph 2 of the County Law, to be the official newspapers of Chautauqua County during the year 2023 for the publication of all local laws, notices, and other matters required by law to be published.

Signed: Chagnon

RES. NO. 7-23

Delegate Authority to Chairman of Legislature to Correct Errors on Tax Rolls
and to Provide Refunds and Credits of Taxes Pursuant to Section 554
and 556 of the Real Property Tax Law

At the Request of Chairman Pierre E. Chagnon:

WHEREAS, Sections 554 and 556 of the Real Property Tax Law authorize a tax levying body to delegate its authority to correct errors on tax rolls and to provide refunds and credits of taxes where the recommended correction, refund, or credit is Twenty Five Hundred Dollars (\$2,500.00) or less; and

WHEREAS, such delegation would only apply when the County's Director of Real Property Tax Services has investigated an application for correction, refund, or credit and recommended approval based upon that investigation; and

WHEREAS, the delegation of authority would afford the taxpayers of Chautauqua County a mechanism for prompt approval of such applications for correction, refund, or credit; now therefore be it

RESOLVED, That pursuant to Sections 554 and 556 of the Real Property Tax Law, the County Legislature hereby delegates to the Chairman of the Legislature its authority to correct errors on tax rolls and to provide refunds and credits of taxes where the recommended correction, refund, or credit is Twenty Five Hundred Dollars (\$2,500.00) or less; and be it further

RESOLVED, That pursuant to the delegation of authority granted herein, the Chairman of the Legislature is hereby empowered to authorize such correction of errors on tax rolls and to provide refunds and credits of taxes where the recommended correction, refund, or credit is Twenty Five Hundred Dollars (\$2,500.00) or less, without prior audit by the County Legislature; and be it further

RESOLVED, That this resolution will be in effect from this date until December 31, 2023.

Signed: Chagnon

CHAUTAUQUA COUNTY LEGISLATURE
01/03/2023

RES. NO. 8-23
Confirm Appointment – Acting County Executive

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

WHEREAS, pursuant to Section 3.04 of the Chautauqua County Charter, County Executive Paul M. Wendel, Jr. has submitted the appointment of County Attorney Patrick J. Slagle to the position of Acting County Executive effective December 31, 2022; therefore be it

RESOLVED, That the Chautauqua County Legislature does hereby confirm the following appointment to the position of Acting County Executive as follows:

Effective December 31, 2022

Patrick J. Slagle

15 Barker Street

Jamestown, NY 14701

(City of Jamestown)

Signed: Chagnon
