

CHAUTAUQUA COUNTY LEGISLATURE

1/25/2023

To View the Meeting on-line go to

<https://www.youtube.com/@ChautauquaCounty/streams>

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 TORRES

PLEDGE OF ALLEGIANCE

APPROVAL OF THE MINUTES FOR 12/21/22 & 1/3/23

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 12/21/22 & 1/3/23

COMMUNICATIONS:

1. **Report – Finance Director Crow, Re: September, 2022 Investment Report**
 2. **Report – Finance Director Crow, Re: October, 2022 Investment Report**
 3. **Report – Finance Director Crow, Re: November, 2022 Investment Report**
 4. **Affidavit of Publication (2) – Legal Notice - Publication of Local Law 10-22 – (Post Journal and Observer)**
 5. **Affidavit of Publication (2) – Legal Notice - Publication of Local Law 11-22 – (Post Journal and Observer)**
 6. **Affidavit of Publication (2) – Legal Notice - Publication of Local Law 12-22 – (Post Journal and Observer)**
 7. **Affidavit of Publication (2) – Legal Notice - Publication of Local Law Intro 13-22 – (Post Journal and Observer)**
 8. **Affidavit of Publication (2) – Legal Notice - Publication of Local Law Intro 15-22 – (Post Journal and Observer)**
 9. **Affidavit of Publication (2) – Legal Notice - Publication of Local Law Intro 16-22 – (Post Journal and Observer)**
 10. **Letter – County Attorney – Legal Services for County Legislature – 2023**
 11. **Letter – State of Emergency Declaration and Mandatory Evacuation Order – Paul M. Wendel, Jr. – County Executive**
 12. **Minutes – Conewango Watershed Commission – January 11, 2023 Meeting**
 13. **Letter – NYS Department of State – Acknowledgement of Local Law 13-22**
 14. **Affidavit of Publication (2) – Public Hearing Notice – Office Lease – Jamestown Airport – (Post Journal and Observer)**
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6:35 P.M.

Public Hearing

**Regarding Office 46 Lease Agreement at
the Chautauqua County Jamestown Airport**

**LOCAL LAW INTRO. 1-23 – A Local Law Amending Local Law 13-22 Providing For a
Management Salary Plan for County Officers and Employees
(re: Personnel Technician)**

**LOCAL LAW INTRO. 2-23 – A Local Law Amending Local Law 13-22 Providing For a
Management Salary Plan for County Officers and Employees
(re: Media Information Officer)**

RESOLUTIONS:

- 9-23 Confirm Re-Appointments – South & Center Chautauqua Lake Sewer District Board**
- 10-23 Confirm Appointment – Agriculture & Farmland Protection Board**
- 11-23 Confirm Appointment - Chautauqua County Planning Board**
- 12-23 Confirm Re-Appointment - Chautauqua County Food Policy Council**
- 13-23 Confirm Appointment and Re-Appointments- Chautauqua County Land Bank Board of Directors**
- 14-23 Confirm Appointment and Re-Appointments- Chautauqua County Soil and Water Conservation District Board of Directors**
- 15-23 Authorize Agreement with NY State DOT for Performance of Federal-Aid Project PIN 5764.00**
- 16-23 Authorize Federal and State Aid Applications for the Chautauqua County Jamestown Airport Five-Year Capital Improvement Plan (ACIP) for FY 2023-2027**
- 17-23 Authorize Federal and State Aid Applications for the Chautauqua County Dunkirk Airport Five-Year Capital Improvement Plan (ACIP) for FY 2023 2027**
- 18-23 Amend 2022 Capital Project Accounts-Public Facilities**
- 19-23 Close Office for Aging Services Petty Cash Fund**
- 20-23 Amend 2023 Budget to Implement the SWAT Team Bear Cat Project within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan**
- 21-23 Authorize Execution of New York State Governor’s Traffic Safety Committee Grant for the Police Traffic Services Program FY23**
- 22-23 FY2022 State Homeland Security Program (SHSP)**
- 23-23 FY2020 Hazardous Materials Grant Program (FY20 HMGP)**
- 24-23 Confirmation of County’s Independent External Auditor**
- 25-23 Setting Salary for Discovery Expediter**
- 26-23 Authorize Public Hearing on Technical Amendments to Local Law 10-22 Regarding the Reapportionment of County Legislature Districts**

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27-23 Authorize Settlement of Opioid Litigation with Teva Pharmaceutical Industries, Ltd.

MOTION:

A. Honoring Vietnam and Vietnam Era Veterans on the 50th Anniversary of the Signing of the Paris Peace Accords Ending the Vietnam War

MEMORIALS:

Arden Johnson

By

Chairman Pierre Chagnon

John “Jack” A. Glenzer

By

Legislator Terry Niebel

Robert Lee Penharlow

By

Legislator Kevin Muldowney

John Y. Carlson

By

Legislator Lisa Vanstrom

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.

LOCAL LAW
INTRODUCTORY NO. 1-23
CHAUTAUQUA COUNTY

A LOCAL LAW AMENDING LOCAL LAW 13-22 PROVIDING FOR A
MANAGEMENT SALARY PLAN FOR COUNTY OFFICERS AND EMPLOYEES
(re: PERSONNEL TECHNICIAN)

BE IT ENACTED, by the County Legislature of the County of Chautauqua, New York,
as follows:

Section 1. Purpose. This Local Law authorizes the payment of compensation needed to recruit and retain qualified offices and employees for the County of Chautauqua, and Amends Local law 13-22, relating to the Management Salary Plan for County Officers and Employees. Appointing authorities retain the discretion to set salaries within specific ranges established hereunder, based on actual performance and not on the length of employment.

Section 2. Salary Levels. The annual salary level for County officers and employees within the titles specified below shall be in accordance with the following management salary schedule. The maximum level of the salary range shall be a cap on the amount which may be paid for a full year of service.

Range 6 \$57,073-\$87,514

Personnel Technician

Section 3. Severability. In the event any provisions or part of this Local Law shall for any reason be adjudged invalid by a court of competent jurisdiction, such judgment shall not affect, impair or invalidate the remainder of the Local Law.

Section 4. Effective Date. This Local Law shall become effective upon filing with the Secretary of State.

Sponsor: Legislator Scudder

LOCAL LAW
INTRODUCTORY NO. 2-23
CHAUTAUQUA COUNTY

A LOCAL LAW AMENDING LOCAL LAW 13-22 PROVIDING FOR A
MANAGEMENT SALARY PLAN FOR COUNTY OFFICERS AND EMPLOYEES
(re: MEDIA INFORMATION OFFICER)

BE IT ENACTED, by the County Legislature of the County of Chautauqua, New York,
as follows:

Section 1. Purpose.

The purpose of this Local Law is to amend the Management Salary Plan set forth in
Local Law 13-22, and as amended, to set the salary for the Media Information Officer.

Section 2. Salary Levels.

The title of Media Information Officer shall be placed in Range 7 (\$60,475-\$92,778) of
the 2023 Management Salary Plan.

Section 3. Severability.

In the event any provisions or part of this Local Law shall for any reason be adjudged
invalid by a court of competent jurisdiction, such judgment shall not affect, impair or invalidate
the remainder of the Local Law.

Section 4. Effective Date.

This Local Law shall become effective upon filing with the Secretary of State.

Sponsor: Legislator Scudder

CHAUTAUQUA COUNTY LEGISLATURE

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RES. NO. 9-23

Confirm Re-Appointments – South & Center Chautauqua
Lake Sewer District Board

By Public Facilities Committee:

At the Request of Chairman Pierre Chagnon:

WHEREAS, the Board of Directors of the South & Center Chautauqua Lake Sewer District has recommended the following re-appointments; therefore be it

RESOLVED, That the Chautauqua County Legislature confirm the following re-appointments to the South & Center Chautauqua Lake Sewer Districts Board:

Re-Appointment

Robert E. Yates
5148 Stoneledge Road
Ashville, NY 14710
Term Expires: 12/31/28
Signed: Hemmer, Parker, Scudder, Davis

Re-Appointment

Andrea McLean
2836 Chautauqua Ave
Ashville, N.Y. 14710
Term Expires: 12/31/28

RES. NO. 10-23

Confirm Appointment – Agriculture & Farmland Protection Board

By Planning and Economic Development Committee:

At the Request of Chairman Pierre E. Chagnon:

WHEREAS, Chairman Pierre E. Chagnon, has submitted the following appointment for action by the Chautauqua County Legislature; now therefore be it

RESOLVED, That the Chautauqua County Legislature confirms the following appointment to the Agriculture & Farmland Protection Board:

Legislator John Hemmer

7539 E. Route 20

Westfield, N.Y. 14787

Term Expires: 12/31/2024

Signed: Muldowney, Penhollow, Rankin, Harmon, Gustafson, Wilfong

RES. NO. 11-23

Confirm Appointment - Chautauqua County Planning Board

By Planning & Economic Development 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 Planning Board.

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Zachary Dean
8994 Fredonia Stockton Road
Fredonia, NY 14063
Term Expires: 1/25/25
(New Appointment)
Signed: Muldowney, Harmon, Penhollow, Rankin, Gustafson, Wilfong

RES. NO. 12-23

Confirm Re-Appointment - Chautauqua County Food Policy Council

By Planning & Economic Development Committee:

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

WHEREAS, County Executive Paul M. Wendel, Jr. has submitted the following Re-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 Food Policy Council.

Legislator Susan Parker
82 Newton St.
Fredonia, NY 14063
Term Expires: 1/25/23
(Re-Appointment)
Signed: Muldowney, Wilfong, Gustafson, Penhollow, Rankin, Harmon

RES. NO. 13-23

Confirm Appointment and Re-Appointments- Chautauqua
County Land Bank Board of Directors

By Planning & Economic Development 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 and re-appointments to the Chautauqua County Land Bank Board of Directors.

Robert Scudder
248 W. Main Street
Fredonia, NY 14063
Term Expires: 3/31/25
(New Appointment)

John Hemmer
7539 East Route 20
Westfield, NY 14787
Term Expires: 3/31/25
(Re-Appointment)

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Diane E. Hannum
10435 Bay Shore Drive
Dunkirk, NY 14048
Term Expires: 3/31/25
(Re-Appointment)

Bonnie Rae Strickland
8267 Sixth St.
Westfield, NY, 14787
Term Expires: 3/31/25
(Re-Appointment)

Nicole May
120 Lambert Avenue
Fredonia, NY 14063
Term Expires: 3/31/25
(Re-Appointment)

Hugh Butler
36 Hurst Ave.
P.O. Box 615
Chautauqua, NY 14722
Term Expires: 3/31/25
(Re-Appointment)

Taylor Scott
45 E. Summit St.
Lakewood, NY 14750
Term Expires: 3/31/25
(Re-Appointment)

Rebecca Meeder
4811 Route 76
Ripley, NY 14775
Term Expires: 3/31/25
(Re-Appointment)

Charles Cornell
4393 Mahanna Rd.
Bemus Point, N.Y. 14712
Term Expires: 3/31/25
(Re-Appointment)

Louis Drago, Jr.
9 Brook St.
Lakewood, NY 14750
Term Expires: 3/31/25
(Re-Appointment)

Mark Giese
121 Hamlet Street
Fredonia, NY 14063
Term Expires: 3/31/25
(Re-Appointment)

Signed: Muldowney, Penhollow, Rankin, Harmon, Gustafson, Wilfong

RES. NO. 14-23

Confirm Appointment and Re-Appointments- Chautauqua County Soil and
Water Conservation District Board of Directors

By Planning & Economic Development 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 and re-appointments to the Chautauqua County Soil and Water
Conservation District Board of Directors.

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Pierre Chagnon
3714 Westman Road,
Bemus Point, NY 14712
Term Expires: 12/31/23
(New Appointment)

Fred Croscut
7804 Freeman Rd.
Sherman, NY 14781
Term Expires: 12/31/26
(Re-Appointment)

Lisa Vanstrom
55 Plummer Ave.
Jamestown, NY 14701
Term Expires: 12/31/23
(Re-Appointment)

Allen Peterson
3030 Strunk Rd.
Jamestown, NY 14701
Term Expires 12/31/25
(Re-Appointment)

Bruce Kidder
360 Nutt Road
Jamestown, NY 14701
Term Expires 12/31/26
(Re-Appointment)

Signed: Muldowney, Gustafson, Penhollow, Rankin, Harmon, Wilfong
(1/18/23 P.E.D. Amended by including additional reappointments)

RES. NO. 15-23

Authorize Agreement with NY State DOT for Performance of
Federal-Aid Project PIN 5764.00

By Public Facilities and Audit & Control Committees:

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

WHEREAS, the Project for Bridge Painting, BINS 3324160, 3324310, 3325420, and 3325130, is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program, now estimated to be \$360,000, to be borne at the ration of 80% or \$288,000 Federal funds, 15% or \$54,000 State Marchiselli funds, and 5% or \$18,000 Local funds; and

WHEREAS, the County of Chautauqua desires to advance the Project by making a commitment of 100% of the Non-Federal share of the costs of the Project PIN 5764.00; and

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WHEREAS; the local share is currently calculated to be \$18,000 and can be covered with existing funding in account D.5112.390; now therefore be it

RESOLVED, That the County Legislature of the County of Chautauqua hereby approves the above-subject project; and it is further

RESOLVED, That the County Legislature of the County of Chautauqua hereby authorizes the County of Chautauqua to pay in the first instance 100% of the Federal and Non-Federal shares of the cost of the Project or portions thereof; and it is further

RESOLVED, That in the event the full federal and nonfederal share costs of the Project exceeds the amount appropriated above, the County of Chautauqua shall convene its Legislature as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof; and it is further

RESOLVED, That the County Executive of the County of Chautauqua be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid on behalf of the County of Chautauqua with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the Municipality's first instance funding of Project costs and permanent funding of the local share of Federal-Aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible; and it is further

RESOLVED, That a certified copy of this Resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project; and it is further

RESOLVED, That this Resolution shall take effect immediately and that the Director of Finance is directed to make the following changes to the 2023 Adopted Budget:

DECREASE CAPITAL APPROPRIATION ACCOUNT:

D.5112.390.4 Contractual – Capital Improvements, County Bridge Program \$ 18,000

DECREASE REVENUE ACCOUNT:

D.9901. ----.R503.1000 Interfund Transfers—Interfund Transfer \$ 18,000

INCREASE CAPITAL APPROPRIATION ACCOUNT:

D.5112.389.4 Contractual-Capital Improvements, Funded Bridge Program \$360,000

INCREASE CAPITAL REVENUE ACCOUNTS:

D.5112.389.R503.1000 Interfund Transfers-Interfund Transfer \$ 18,000

D.5112.389.R458.9002 Federal Aid-Surface Transp Program \$288,000

D.5112.389.R358.9003 NYS Aid-Marchiselli Funds \$ 54,000

Total \$360,000

Signed: Hemmer, Harmon, Wilfong, Pavlock, Parker, Scudder, Davis, Niebel

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RES. NO. 16-23

Authorize Federal and State Aid Applications for the Chautauqua County Jamestown Airport Five-Year Capital Improvement Plan (ACIP) for FY 2023-2027

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, inclusion in the NPIAS makes the Chautauqua County Jamestown Airport eligible for Federal grant funding under the Airport Capital Improvement Program (“ACIP”), a grant-in-aid program, to assist local airport sponsors to maintain aviation facilities in exchange for certain grant assurances and obligations; and

WHEREAS, these Federal grants and the Bipartisan Infrastructure Law (“BIL”) Funds, to be used through 2026, when combined with New York State Department of Transportation (“NYSDOT”) matching funds provide ninety five percent (95%) of the capital expense necessary to maintain the Chautauqua County Jamestown Airport; and

WHEREAS, the NYSDOT also offers grant funding opportunities separate from Federal grant programs, which may be suitable for some projects and will provide up to ninety percent (90%) of the capital expense necessary for accepted projects; and

WHEREAS, the County of Chautauqua has an established program to annually review and update the federal five-year ACIP to identify essential requirements for maintenance of airport runways, taxiways, and other facilities as outlined in the Airport Master Plan; and

WHEREAS, the Capital Budget of Chautauqua County included appropriations to supply the local share of such grants in the past and may do so in the future; and

WHEREAS, the Airport Commission has reviewed and approved these projects; therefore be it

RESOLVED, That the County Executive be and hereby is authorized to apply for federal and state aid for the following projects at the Chautauqua County Jamestown Airport that are included in the current five-year ACIP plan:

FY 2023	Rehabilitate Airport Perimeter Fence (Construction) CA/CO Phase 2
FY 2023	Appraisal & Pre-Negotiations for Off-Airport Easement Acquisition (Local Incurrence of Cost)
FY 2023	Airport Facility Improvements (renovations to leasable space & hangar heating system) (NYSDOT/Aviation Division funding)
FY 2023	Airport Equipment (Tractor/Mower, Utility Task Vehicle, Crack Sealer) (NYSDOT/Aviation Division funding)
FY 2023	Terminal Building Renovations - Design (BIL funding)
FY 2023	Replace Airfield Guidance Signs - Design (BIL funding)
FY 2024	Purchase ARFF Vehicle
FY 2024	Runway 13/31 Rehabilitation - Design
FY 2024	On & Off Airport Obstruction Removal - Design & Permitting
FY 2024	Terminal Building Renovations - Construction (BIL funding)
FY 2025	Terminal Apron Reconstruction - Design
FY 2025	Replace Airfield Guidance Signs - Construction (BIL funding)

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FY 2026 Runway 13/31 Rehabilitation - Construction
FY 2026 On & Off Airport Obstruction Removal – Construction
FY 2027 Terminal Apron Reconstruction – Construction
Signed: Hemmer, Parker, Scudder, Davis, Harmon, Wilfong, Niebel, Pavlock

RES. NO. 17-23

Authorize Federal and State Aid Applications for the Chautauqua County Dunkirk Airport Five-Year Capital Improvement Plan (ACIP) for FY 2023-2027

By Public Facilities and Audit & Control Committees:

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

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

WHEREAS, inclusion in the NPIAS makes the Chautauqua County Dunkirk Airport eligible for Federal grant funding under the Airport Capital Improvement Program (“ACIP”), a grant-in-aid program, to assist local airport sponsors to maintain aviation facilities in exchange for certain grant assurances and obligations; and

WHEREAS, these Federal grants and the Bipartisan Infrastructure Law (“BIL”) Funds, to be used through 2026, when combined with New York State Department of Transportation (“NYSDOT”) matching funds provide ninety five percent (95%) of the capital expense necessary to maintain the Chautauqua County Dunkirk Airport; and

WHEREAS, the NYSDOT also offers grant funding opportunities separate from Federal grant programs, which may be suitable for some projects and will provide up to ninety percent (90%) of the capital expense necessary for accepted projects; and

WHEREAS, the County of Chautauqua has an established program to annually review and update the federal five-year ACIP to identify essential requirements for maintenance of airport runways, taxiways, and other facilities as outlined in the Airport Master Plan; and

WHEREAS, the Capital Budget of Chautauqua County included appropriations to supply the local share of such grants in the past and may do so in the future; and

WHEREAS, the Airport Commission has reviewed and approved these projects; therefore be it

RESOLVED, That the County Executive be and hereby is authorized to apply for federal and state aid for the following projects at the Chautauqua County Dunkirk Airport that are included in the current five-year ACIP plan:

FY 2023 Land Acquisition and Update Existing Avigation Easements
FY 2023 Rehabilitate Taxiway A East – Construction
FY 2023 Security Gate Upgrades (BIL Funding)
FY 2023 Replace Hangar No. 1 & 2 Overhead Doors (NYSDOT/Aviation Division funding)
FY 2023 Construct New 8-unit T-hangar (NYSDOT/Aviation Division funding)
FY 2024 Runway 06-24 & 15-33 On & Off Airport Obstruction Removal - Design
FY 2024 T-hangar Taxilane – Design (BIL Funding)
FY 2025 Runway 06-24 & 15-33 On & Off Airport Obstruction Removal - Construction
FY 2025 Rehabilitate Taxiway A West - Design

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FY 2025 Runway 15-33 Lighting Improvements (MIRL/PAPI/REIL/Wind Cone) – Design and Construction
FY 2026 Rehabilitate Taxiway A West - Construction
FY 2026 Rehabilitate Taxiway B North – Design
FY 2026 T-hangar Taxilane – Construction (BIL Funding)
FY 2027 Runway 6-24 Rehabilitation – Design
Signed: Hemmer, Parker, Scudder, Davis, Harmon, Wilfong, Niebel, Pavlock

RES. NO. 18-23

Amend 2022 Capital Project Accounts-Public Facilities

By Public Facilities and Audit & Control Committees:

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

WHEREAS, pursuant to Resolution 322-22 funds realized from the sale of surplus equipment were to be used for the continued purchase of Heavy Equipment; and

WHEREAS, funds in the amount of \$33,600 from the sale of a 2017 Ford F350 Super Duty Pickup Truck from the Department of Public Facilities Building and Grounds Division were intended to be applied to Project H.1620.25221 for the Purchase of a Skid Steer, not deposited into the DPF Heavy Equipment Account; and

WHEREAS, the cost for Capital Project H.1620.25221 Skid Steer (2022) have exceed initial budgetary estimates, and the surplus of revenue from the sale of the 2017 Ford F350 will accommodate the completion of this project; now therefore be it

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2022 Amended Budget:

DECREASE APPROPRIATION ACCOUNT

H.5130.626.4 Contractual--Road Machinery, DPF Large Equipment (Annual) \$33,600

DECREASE REVENUE ACCOUNT:

H.5130.626.R266.5000 Sale of Property/Compensa--Sale of Equipment \$33,600

INCREASE APPROPRIATION ACCOUNT:

H.1620.25221.4 Contractual—Buildings & Grounds, Skid Steer (2022) \$33,600

INCREASE REVENUE ACCOUNT:

H.1620.25221.R266.5000 Sale of Property/Compensa--Sale of Equipment \$33,600

Signed: Hemmer, Wilfong, Parker, Scudder, Davis, Harmon, Niebel, Pavlock

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RES. NO. 19-23

Close Office for Aging Services Petty Cash Fund

By Administrative Services and Audit & Control Committees:

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

WHEREAS, Resolution No. 340-74 established a revolving petty cash fund in the amount of \$100.00 to be used for the Nutrition Program for the Elderly, administered through what is currently known as the Chautauqua County Office for Aging Services; and

WHEREAS, Resolution No. 73-15 increased the amount of the petty cash fund from \$100.00 to \$250.00; and

WHEREAS, the petty cash fund established by Resolution No. 340-74 and increased by Resolution No. 73-15 is no longer necessary; now therefore be it

RESOLVED, That the petty cash fund established by Resolution No. 340-74 and increased by Resolution No. 73-15 is hereby abolished; and be it further

RESOLVED, That the Director of Finance is hereby directed to make any and all necessary accounting adjustments to implement this change.

Signed: Scudder, Parker, Vanstrom, Muldowney, Davis, Harmon, Wilfong, Niebel, Pavlock

RES. NO. 20-23

Amend 2023 Budget to Implement the SWAT Team Bear Cat 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 \$24,649,420 in ARPA funding, all of which is available for general county spending based on the Treasury Department's revenue loss formula and other guidance; and

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

WHEREAS, some funds allocated for ARPA projects are no longer needed for the originally designated project(s), and are now available for other projects, and a procedure has been established for the ARPA working group to review new requests for APPA funds and to allocate the available funds; and

WHEREAS, the SWAT Team Bear Cat project fits within the guidelines for ARPA spending and is needed because our current SWAT vehicle is a 1978 International armored vehicle that has been utilized for several years, but the maintenance costs are starting to exceed the vehicles usefulness and new SWAT vehicle will provide improved, more efficient options for our SWAT team, resulting in increased safety and less costly maintenance than the current vehicle; and

WHEREAS, budget amendments are necessary to authorize spending for the project; now therefore be it

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RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2023 Adopted Budget:

INCREASE APPROPRIATION ACCOUNT:

A.3110.----.2	Equipment—Sheriff	\$305,921
		\$400,000

INCREASE REVENUE ACCOUNT:

A.3110.----.R408.9ARP	Federal Aid—Oth Fed Aid ARPA Funds	\$305,921
		\$400,000

Signed: Niebel, Proctor, Hemmer, Harmon, Wilfong, Nelson, Scudder, Pavlock
(1/18/23 P.S. Amended by strikethrough and new text)

RES. NO. 21-23

Authorize Execution of New York State Governor’s Traffic Safety Committee
Grant for the Police Traffic Services Program FY23

By Public Safety and Audit & Control Committees:

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

WHEREAS, the Chautauqua County Sheriff received notice the State of New York Governor’s Traffic Safety Committee has approved the application submitted for the Police Traffic Services Program; and

WHEREAS, the State of New York will provide funding in the amount of \$22,700 with no local funds required for the contract period from October 1, 2022 to September 30, 2023; and

WHEREAS, this grant is included in the 2023 Adopted Budget, therefore no budget amendment is needed; now therefore be it

RESOLVED, The Chautauqua County Executive is authorized to execute the appropriate agreement with the New York State Governor’s Traffic Safety Committee to secure the grant funding as set forth above.

Signed: Niebel, Wilfong, Proctor, Hemmer, Nelson, Harmon, Scudder, Pavlock

RES. NO. 22-23

FY2022 State Homeland Security Program (SHSP)

By Public Safety and Audit & Control Committees:

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

WHEREAS, the Office of Emergency Services was awarded funds from the New York State Division of Homeland Security and Emergency Services in the total amount of \$170,713.00; and

~~WHEREAS, the grant period runs from September 1, 2022 through August 31, 2025, or as may be amended; and~~

WHEREAS, the term of the grant is September 1, 2022 through ~~September 29, 2023~~, and as may be extended; now therefore be it **August 31, 2025**,

RESOLVED, That the County Executive is hereby authorized to execute all necessary agreements to accept the award and subsequent changes to work plans if necessary.

Signed: Niebel, Proctor, Hemmer, Nelson, Harmon, Scudder, Wilfong, Pavlock

CHAUTAUQUA COUNTY LEGISLATURE

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(1/18/23 P.S. Amended by strikethrough and new text)

RES. NO. 23-23

FY2020 Hazardous Materials Grant Program (FY20 HMGP)

By Public Safety and Audit & Control Committees:

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

WHEREAS, the Office of Emergency Services was awarded a Regional Partnership Grant in the amount of \$90,700 under the 2020 Hazmat Grant Program that runs from October 1, 2022 through August 31, 2023; and

WHEREAS, the FY2020 Hazmat Grant is a Regional Partnership Grant that includes Hazmat teams from Chautauqua, Cattaraugus, and Allegany Counties as well as the Seneca Nation of Indians; and

WHEREAS, grant funding will be expended in the 2023 budget year and the funds are included in the 2023 Adopted budget so no budget amendments are needed; now therefore be it

RESOLVED, That the County Executive is hereby authorized to execute all necessary agreements to accept the award and subsequent changes to work plans.

Signed: Niebel, Proctor, Hemmer, Nelson, Harmon, Scudder, Wilfong, Pavlock

RES. NO. 24-23

Confirmation of County's Independent External Auditor

By Audit and Control Committee:

At the Request of Legislative Chairman Chagnon and Legislator Pavlock:

WHEREAS, pursuant to §4.04(2) of the Chautauqua County Charter, as amended by Local Law 4-16, the Audit and Control Committee of the County Legislature selects the County's independent external auditors, subject to confirmation by the County Legislature; and

WHEREAS, the County issued a Request For Proposals (RFP) for audit services for the audit years 2022, 2023 and 2024, and the Audit and Control Committee recommends the firm of Drescher & Malecki, LLP for the provision of such services; therefore be it

RESOLVED, That Drescher & Malecki, LLP, is approved as the County's independent external auditor for the County for the audit years 2022, 2023 and 2024.

Signed: Pavlock, Harmon, Scudder, Wilfong, Niebel

RES. NO. 25-23

Setting Salary for Discovery Expediter

By Public Safety and Audit & Control Committees:

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

WHEREAS, the District Attorney has requested that salary be set for a new position responsible for assisting employees in the District Attorney's office with obtaining discovery from police agencies and assisting attorneys in preparing discovery items to be turned over to the defense; and

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WHEREAS, the Human Resources Department has classified the position as Discovery Expediter and supports the request that the salary be set at CSEA 6300 Grade 12; now therefore be it

RESOLVED, That the title of Discovery Expediter be added to the CSEA 6300 Salary Plan at Grade 12.

Grade 12: (2023: \$21.10 - \$26.75 per hour)

Signed: Niebel, Wilfong, Proctor, Hemmer, Nelson, Harmon, Pavlock

RES. NO. 26-23

Authorize Public Hearing on Technical Amendments to Local Law 10-22 Regarding the Reapportionment of County Legislature Districts

At the Request of Chairman Pierre Chagnon:

WHEREAS, Local Law 10-22 of the County of Chautauqua contains new boundary lines for County Legislature districts reapportioned on the basis of the 2020 Federal Census; and

WHEREAS, Appendix A to Local Law 10-22 contains lists of the United States Census Blocks that make up each legislative district, and the lists of census blocks were generated by a computer software program utilized in the mapping of the new districts; and

WHEREAS, the Chautauqua County Board of Elections has identified that in a few instances, the lists of census blocks generated by the computer software do not adhere to municipal boundary lines that serve as legislative district boundary lines; and

WHEREAS, Local Law 10-22 should be amended to make technical corrections to Appendix A of Local Law 10-22 to conform the lists of census blocks to the municipal boundaries of the districts, and to further confirm that when municipal boundary lines, waterways, shorelines, railroads, and municipal roads or streets are referenced in the written legal descriptions of legislative districts, such references are dispositive of the intended district lines; therefore be it

RESOLVED, That the Chautauqua County Legislature hereby authorizes a public hearing pursuant to Section 10 of the New York State Municipal Home Rule Law to be held on a local law containing technical corrections to Local Law 10-22 of the County of Chautauqua to be prepared and finalized by the County Law Department in consultation with the County's Board of Elections and Department of Planning and Community Development; and be it further

RESOLVED, That the Clerk of the Chautauqua County Legislature is hereby authorized and directed to publish notices of said public hearing in the official newspapers of Chautauqua County upon at least five (5) days' notice as required by the Municipal Home Rule Law; and be it further

RESOLVED, That such notices of public hearings shall specify that the public hearing on the local law containing technical corrections to Local Law 10-22 shall be held at 6:35 PM during the regular meeting of the Chautauqua County Legislature to be held on Wednesday, February 22, 2023.

Signed: Chagnon

CHAUTAUQUA COUNTY
MOTION NO. ____-23

TITLE: Honoring Vietnam and Vietnam Era Veterans on the 50th Anniversary of the Signing of the Paris Peace Accords Ending the Vietnam War

At the Request of: Legislators Terry Niebel, Bankoski

WHEREAS: The Vietnam War was one of the longest wars in United States History; and

WHEREAS: January 27, 2023 marks the 50th Anniversary of the Signing of the Paris Peace Accords, formally ending the Vietnam War; and

WHEREAS: Over 9 million military personnel served on active duty during the Vietnam era, with 2.7 million actually serving in Vietnam; and

WHEREAS: Over 58,000 servicemen and servicewomen died during the Vietnam War, including 51 servicemen from Chautauqua County; and

WHEREAS: Many Veterans have suffered and continue to suffer from physical and mental disabilities attributed to the war; and

WHEREAS: Vietnam and Vietnam era Veterans did not return to a homecoming of parades and celebrations that Veterans of previous wars returned to; and

WHEREAS: Oftentimes these Veterans returned to home indifference, ridicule, or scorn; and

WHEREAS: Vietnam and Vietnam era Veterans served with Honor, Valor, and Distinction; therefore be it

KNOWN: That the Chautauqua County Legislature extends a heartfelt Thank You to all who served; and be it further

KNOWN: That Chautauqua County Legislature offers our gratitude and a belated Welcome Home to these proud Veterans.