

Regular Meeting
Chautauqua County Legislature
Live Streamed on YouTube
Wednesday, April 26, 2023 6:30 p.m.
Mayville, N.Y. 14757

Chairman Chagnon called the meeting to order at 6:30 p.m.

Chairman Chagnon: I will call to order the meeting of the Chautauqua County Legislature on March 22, 2023. Would the clerk please call the roll?

Clerk Lee called the roll and announced a quorum present

Legislator Bankoski delivered the prayer and pledge of allegiance.

MOVED by Legislator Bankoski, SECONDED by Legislator Vanstrom and duly carried the minutes were approved. (3/22/2023)

1st Privilege of the Floor

Chairman Chagnon: That brings us to our first 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 three minutes and comments representing a group shall be limited to five minutes.

Thank you Chairman Chagnon. Good evening, everybody. My name is Jeff Molnar and I'm here representing your fire advisory board. Our job is to advise you on matters regarding the fire service in the County. I know that you have received the letters that I have sent in conjunction with the County Fire Chiefs Association and I know that you've no doubt researched the subject and I thank you in advance for that. I also know that I don't have to tell you the situation that our firefighters and our ambulance workers are in this County, this State and across the Nation. So this is a great initiative in helping us to retain our members and hopefully get some recruitment so that we can help others when they need us most. I particularly want to thank Legislator Niebel and the Public Safety Committee. They worked very hard on this. Terry in his usual fashion, probably knows more about this law than I do. I thank you for passing that and I also thank Legislator Niebel, Scudder, Vanstrom, Parker, Muldowney, Davis, Pavlock, Proctor, Nelson and Hemmer for being sponsors of this and I urge you to pass this. And I'm just going to take this hat off right now. I'm also the Mayor of the Village of Bemus Point and for what it's worth I just want to tell you that the Board of Trustees of the Village of Bemus Point also (*inaudible*) this initiative and we're going to be proposing to pass a local law to do the same thing so thank you very much.

Good evening. Thank you Mr. Chairman. My name is Larry Barter. I'm a member of the Fredonia fire department and I currently serve as Chairman of your EMS Council. Our job is to

advise you on all things concerning EMS and like Jeff, I want to thank you for taking this initiative. The members of the fire service and EMS community need something. This will help us with our recruitment and retention and it's a long time coming and I greatly hope that all of you come together and pass this to help our County and our communities to move forward in this 21st century. I thank you very much.

Yes, my name is Ken Rae(?). I live at 265 East Terrace in Lakewood and I'm here to talk about the lake and the million dollars (*inaudible*). I've been here for 30 years and the lake has just gotten worse and worse and worse. Without the DEC involved, in any of our arguments here in the lake is kind of irrelevant because the New York State owns the lake and I've been trying to put a break wall in for 2 years. Now after my 2 years stint, they want me to take my existing wall out by hand and put my new wall in and before they even give me a permit after 2 years. We need to do something with this lake. It's just unbearable. I have 25 feet of property and they refuse to give me a permit and I'm dealing with Chuck Rosenberg and Joseph Lapelli from the DEC and they refuse. I have an artificial leg and they want me to dig it out by hand and put it back in which is totally crazy because all the weeds, all the stuff that's going to go out exactly how it use to before. I know they have their rules but I already did a break wall exactly the same thing and they refuse to give me another permit for this wall that I'm doing at 271 East Terrace. Thank you.

Good evening. I'm Archie Richie Jr. I'm a full time resident of Lakewood. Thank you for this opportunity. I ask of you to delay or vote against resolution number 136-23, the Jefferson Project Funding. The resolution in its present form is a donation to a major university, RPI as there is no entity the Jefferson Project at Chautauqua Lake. You would be funding RPI with the hope the funding would be used solely for Chautauqua Lake. Please vote "no" and redesign this resolution to be a contract that requires RPI's Jefferson Project to commit to when the funding would be used? What the funds would be specifically used for? Who would do the research? That is to say professors, students, (*inaudible*) volunteers and mandate County ownership of the results with a timeline requisite. Again, please vote "no" tonight on resolution number 136-23 and do so until things are contractual and not an open donation. Thank you.

Hi my name is Anthony Toda. I live at 144 Clifton Avenue in Jamestown and I'm also commenting on the same resolution for the lake. I just want to bring up a few things here in the Post Journal there are 2 articles on April 24th and 25th. One addressed to actual physical (*inaudible*) cutting the other one addressed to the project that was being discussed here as far as the actual research on the lake. As you go through the article, the Jefferson Project, Mr. Kelly states that there's (*inaudible*) of lakes. The question that I had in my mind was when this started with Lake George. If this is going to be one lake applicable to everybody else then why wasn't the project proceeded with at Lake George? Why did it come to Chautauqua County? (*Inaudible*) research I did, there are several other things that happened to lakes to poison them, not just a common (*inaudible*) that we're seeing here with pollution but natural environments causing gases to come up into lakes as in various lakes of (*inaudible*) etc. So you're going to have a variance in the amount of what causes a poisonous everywhere from pollution to natural occurrences, earth quakes etc. so I don't agree with the statement that the fact that he said that

there is a common (*inaudible*) but every lake is a little bit different so what really should be discussed here is what we're seeing is a crises in a lake and as our attorney stated, we have a 2 lake issue here. We have a more of a chemical issue and a physical issue but because the factors – there hasn't been a proper survey. Let's say, 4 years ago I was here when they had a committee on the lake and I asked about surveys and nobody could give me an answer concerning making leech beds or even discharges of fecal material into the lake directly so that hasn't been surveyed. So if you're going to have an analysis and then down the road you're going to come up and say "look well on top of this we're getting microbes that are coming in from the (*inaudible*)" they haven't surveyed yet then we're going to be back to square one when it comes to what's causing the issues with the (*inaudible*). So there are several other issues including daming. There's a beaver dam at the end of the lake. There's also the water dam and I was also told that the lake had to maintain a certain level for tourism so what are you doing? We're contributing to factors where (*inaudible*) the lake and causing the lake to heat up. All these are different factors that once you correct all of these factors plus what's coming into the lake, the (*inaudible*) that are building along the lakeshores where rivers and streams are coming in from the watershed. There are several factors here that (*inaudible*) haven't been considered. When you finally get a determination, you're going to have an indefinite – you're not going to be able to get a proper reliable determination after years of studies (*inaudible*).

Chairman Chagnon: Please wrap it up Mr. Toda, you've exceeded your 3 minutes.

Mr. Today: Okay, just to sum up. Any work right now without physical work to the lake is not going to determine what the problem is. Thank you.

Good evening Mr. Chairman, and members of the Legislature. My name is Jane Conroe and I reside at 4741 Whiteside Parkway in Maple Springs. I'm actually here for 2 purposes this evening and I'll start with concerning resolution number 136-23. We at this time, because I am here representing the Chautauqua, Conewango Consortium, the water keeper affiliate for our Region. Chautauqua Lake included in the Conewango Creek Watershed, we oppose the request that is proposed this evening. We've gone on record to say that we should lead with science and this is one of those occasions. There are many unanswered scientific questions that have been posed to you in a letter that we submitted, actually this afternoon. Here for the minutes of this meeting that letter has been included and it requires the following answers to some questions that we have. In addition to the letter that was written this afternoon, I must add that the freshwater future organization which represents many freshwater areas in the United States and in Canada, have also added their endorsement to these comments. Why would we pay for understanding algae mechanisms that we already have information for? The very comprehensive harmful algal bloom action plan for Chautauqua Lake that we already have has much of this information. California, the southern California coastal water research project has done extensive research along with scripts institution of oceanography. The need for a complete algal DNA reference library has been taken up by this organization. How can genomic data inform our limited algal control choices? And we do not know how the (*inaudible*) can affect those choices. Why would the County pay for that research that cannot at this time be practically utilized? Yes, we should pay for water and current studies in the lake. This is information that we do not have. But we

have not yet seen the data and it needs to be built up for a computer model and that information has not been presented to us. Why would we pay for research when we are still searching for money sources for what we already know needs to be done? The Jefferson Project indicates it is solution based. What specific solutions have been implemented on Lake George? At this time, I do not have any knowledge of which one's have been identified. When will leadership take up the political will to do the hard task of making the long term commitment to stopping the nutrient sources? They are what are fueling the algal blooms. And we also need to move away from the actions that promote those algal blooms. It may seem unrelated that this funding request but an ongoing discussion for this project has been to bring a fresh water institute to our area. Our concerns with this resolutions are based on science and fiscal responsibility.

Chairman Chagnon: Mrs. Conroe, please wrap it up you've exceeded your 3 minutes.

Mrs. Conroe: I'm representing an organization at the same time so I thought I had an extended time.

Chairman Chagnon: Okay, you didn't indicate that at the start, please continue.

Mrs. Conroe: We urge you to research the number of fresh water institutes that already exist and the price tags that are required to keep them in existence. To name a few, Darrin Fresh Water, Great Lakes Center, The Finger Lakes, Great Lakes Water Studies Institute and the list goes on and on. Know that some of the Nation's leading algal research is already being done on the Great Lakes. Several of these facilities have already committed to applying their work to getting to the problem. Please do not misunderstand our message. The Jefferson's project research is respected. Financing it with tax dollars is not justified at this time. ARPA dollars are tax dollars and could they be spent on a more pressing community need. Lead with science and use the science that we already know to reduce the algae's food supply. Focus on the fix and the fix to allow us to drink and to swim and to fish in Chautauqua Lake. And I will take off my (*inaudible*) hat and support the fireman's endeavor's this evening to support the taxing relief that can be given to these volunteers. I am very proud to represent the Maple Springs Fire Department here and support you in your efforts with that taxing relief. Thank you.

Good evening, my name is Dan Smith and I'm a resident of Bemus Point of the Town of Ellery who owns property on Chautauqua Lake (*inaudible*). My comments are made on behalf of myself and several others including Jim Wehrfritz, another Bemus Point resident who cannot be with us tonight. My comments pertain to resolution number 136-23 before you tonight. The County Executive has recommended an additional 1 million dollars be provided for 2023 research activities by the Lake George Jefferson project. This would follow \$250,000 previously provided by the County. Similar to Chautauqua Lake Protection and Rehabilitation, the CLPRA vote in January, we feel the cart is still before the horse. Once again, we ask you to reschedule a vote on this resolution to a later date or if you must vote on it tonight, vote against it. The reasons are (*inaudible*) similar and straight forward. Several things must be in place before such a large commitment of funds or research is justified and just as importantly, appear reasonable to a public which has watched millions of dollars be spent on Chautauqua Lake without the

(inaudible) positive results. This funding of 25%, that's only 1 million of the 4 million which the Jefferson Project said was need for our lake in 2023 is for research project it's uncommon and with a much longer time horizon than in the County experience. The \$250,000 previously provided for the Jefferson Project research is referenced in the resolution as expended; considered complete and closed. The tax payers deserve and need a report describing that work and the resulting data, analysis, results and conclusions. For the proposed 1 million dollars, practical benefits to the County and its tax payers must be clear. Or should we accept it's just another million being spent without a plan? No. That clarity comes from transparent comprehensive detail study plan where the plan works including objectives, progress reporting, cost, schedule estimates and organization staff. Just like any business would do, its due diligence. Although requested and promised several times, there's no such study plan available to tax payers for the Jefferson Project's last 3 year's research on Chautauqua Lake. Using the study plan for the 1 million dollars, we need a commitment to at least a quarterly public status report and a final comprehensive report once that work is complete. Such research is uncommon in the County's experience which needs management skills and experience that's not available within the County organization. To monitor the study plan, we need commitment to an independent 3rd party with the required skills and experience. In summary, we ask that you reschedule a vote on resolution number 136-23 to a later date when a detailed plan is presented for public review and discussion or if you must vote on it tonight, vote against it. Thank you for your consideration of these comments.

Hello my name is Sandra Saunders and I live in Whitney Bay. We're been living here for over 50 years. My question is for 1 million dollars, what do you expect to get for 1 million dollars on Chautauqua Lake that has already been scientifically looked at by many, many researches and their stacks are this high with researches for what to do about our lake? I think that just throwing 1 million dollars into the air and hoping you will get something in return is a foolish thing to do. We have no expectations expect hoping that they'll come up with a cure. There are cures but this is too fast and too quick and too much money on the backs of Chautauqua County for a statewide program or I guess it was said by Mr. Wendel that it could be epic for our local community to come up with something that will cure this problem. I don't think that that's true. I think that if we want to put this much money, we should go for it slowly and I know it's a lot of money and I think that we should take our time and now express it in one evening which nobody really knew this much in this period of time how much money you were going to spend because we thought it was \$250,000 putting towards it and I know the Institute has put money towards it but the Institute is not the whole of Chautauqua Lake. Thank you.

**VETO MESSAGES FROM COUNTY EXECUTIVE WENDEL
NO VETOES FROM 3/22/23**

COMMENDATIONS:

Quinn Bankoski
Coach of the Year – Dunkirk Basketball
By
County Executive Paul M. Wendel, Jr., Legislators Bankoski & Muldowney

Ken Rowe
Coach of the Year – Chautauqua Lake Wrestling
By
County Executive Paul M. Wendel, Jr. & Legislator Proctor

Jordan Joslyn
Wrestling State Champion – Chautauqua Lake
By
County Executive Paul M. Wendel, Jr. & Legislator Proctor

Tavio Hoose
Wrestling State Champion - Southwestern
By
County Executive Paul M. Wendel, Jr. & Legislator Vanstrom

Abbie Derby
Bowling State Champion – Jamestown
By
County Executive Paul M. Wendel, Jr., Legislators Wilfong, Nelson, Rankin and Torres

PROCLAMATION:

Tuberous Sclerosis Complex
Global Awareness Day
By
County Executive Paul M. Wendel, Jr.

Clerk Lee: There are 5 communications listed on the agenda. There are 4 additional communications that were received after the agenda was finalized. #6 is an email from Vince Horrigan regarding his support for Resolutions 133-23 and 136-23 on the agenda. #7 is an email received from Jim Wehrfritz regarding concerns on Resolution 136-23 on the agenda. #8 is

affidavits of publication from the local newspapers regarding the public hearing listen on the agenda. #9 is a letter of support for Local Laws introductory 4-23 and 5-23 from the Chautauqua County EMS Council, Chautauqua County Fire Advisory Board and the Chautauqua County Fire Chief's Association. Are there any items you wish you have read aloud? Please contact our office if you would like a copy of any of these items.

Legislator Rankin: Mr. Chairman, thank you. I'd like to hear the letter from Mr. Vince Horrigan, #6.

Clerk Lee: Dear Chautauqua County Legislators: I am writing to encourage you to support the two resolutions which provide much needed financial support for research and equipment for Chautauqua Lake which are on the agenda for this Wednesday evening's legislature meeting. Over the past decade, I have been deeply involved in the issues regarding Chautauqua Lake organizations, their individual agendas, and most importantly efforts to build consensus to achieve the best water quality possible. I know many of you have done your research and seen the presentations on the Jefferson project which has been conducting water quality research in both the North and South basins over the past several years. The Jefferson project collaboration with IBM Research, Rensselaer Polytechnic Institute, and the Lake George Association brings a professional outside and objective approach which we need right here to find the answers to our HAB water quality problems in Chautauqua lake. Together with the work of the Chautauqua Lake and Watershed management alliance and support from Chautauqua Institution and Chautauqua County Government, this research initiative will deliver the results we have been searching for. Some would lobby for paralysis by analysis when it comes to large Chautauqua Lake funding resolutions such as those on the agenda this Wednesday. Please know that your leadership and support are critical to enhancing the usability and water quality of this all important economic driver and precious natural resource for Chautauqua County. I urge you to pass these resolutions this Wednesday without delay. Sincerely, Vince Horrigan, 225 Lakeside Drive, Bemus point, NY.

COMMUNICATIONS:

- 1. Letter – NYS Department of State – Acknowledgement of Local Law 4-23**
- 2. Letter – Agricultural & Farmland Protection Board, Re: Agricultural Impact – Assessment Form**
- 3. Letter - Chautauqua County Board of Elections, Re: Early Voting Poll Sites**
- 4. Letter – Department of Planning, Re: Chautauqua County Agricultural District 7 8-Year Review**
- 5. Minutes – Conewango Watershed Commission – April 12, 2023 Meeting**
- 6. Email – Vince Horrigan Re: Support for Resolution 133-23 & 136-23**
- 7. Email – Jim Wehrfritz Re: Concerns on Resolution 136-23**
- 8. Affidavit of Publication (2) – Legal Notice – Public Hearing on a Local Law Adopting the Volunteer Firefighter and Volunteer Ambulance Worker Exemption**

9. Letters – Re: Support for Local Laws 4-23 and 5-23 from Chautauqua County Emergency Services Council, Chautauqua County Fire Advisory Board and the Chautauqua County Fire Chief's Association

Public Hearing

(Opened 7:16 p.m.)

Public Hearing on a Local Law Adopting the Volunteer Firefighter and Volunteer Ambulance Worker Exemption

County Executive, Paul M. Wendel, Jr.: *(Inaudible)* I would just like to thank all those who sponsored *(inaudible)*. I am very proud of what we have done here in the steps we have taken to bring this forward. It's a small reduction in property taxes. It does show that we as a County support our volunteer firefighters and EMS. I encourage everyone to pass this unanimously and again, thank you Legislator Niebel and his strong efforts, thank you.

(Closed 7:17 p.m.)

LOCAL LAW INTRO. 4-23 – A Local Law Adopting The Volunteer Firefighter And Volunteer Ambulance Worker Exemption For County Real Property Taxes

Chairman Chagnon: Are there any questions or comments on the Local Law?

Legislator Niebel: Thank you Mr. Chairman. I think we all know what the volunteer firefighters and volunteer ambulance workers do for our communities. Without their services, we could easily be spending millions of dollars. Like most counties in New York State, Chautauqua County is experiencing a serious shortage of volunteers. With the two Local Laws on the agenda this evening, we are offering the best benefit package allowed by the State, a 10% property tax exemption on the assessed value of one's primary residence as opposed to a 5 % exemption in a 2 year waiting period as opposed to 5 year waiting period. Also a 10% exemption on volunteers with 20 or more years of service. These benefits that are extended to unremarried spouses of volunteers killed in the line of duty and unremarried spouses of volunteers having 20 years or more sometimes refers to as life members. These Local Laws won't solve the volunteer shortage problem but I believe they will help. Using the County as an example, I'm hoping other taxing jurisdictions will follow suit. I ask for your consideration on Local Laws 4-23 and 5-23. Thank you.

Chairman Chagnon: Other comments on Local Law Introductory 4-23?

Legislator Rankin: I'm very proud to be able to support this and I thank Legislator Niebel who sponsored this bill. It's a very small way to say thank you to the people who are stepping up to volunteer for their dedication, the sacrifice their time from their families and to their communities. So it's a wonderful thing to sponsor for them. Hopefully it will help with recruitment and retention and to know that you have a grateful community standing behind you.

Chairman Chagnon: Any other questions or comments on the Local Law?

Legislator Bankoski: Yeah, just one comment. Being on the public safety committee with Terry and Tom, we've done a lot of work on this. It wasn't like something that was thought up overnight. We did a lot of research on this and for the reduction and the money that we're going to receive in taxes is really minuscule compared to the large picture out there and I've always said this before, what price do you put on a human's life? Because when you're in need and you call 911 or you call the fire department, they come. So you may not be in that boat today but maybe one day down the road you maybe in that boat and you'll be very thankful for these people who volunteer their time and put their lives in harm's way on a daily basis.

LOCAL LAW INTRO 4-23 - R/C Vote: 19 Yes – 0 No – UNANIMOUSLY ADOPTED

LOCAL LAW INTRO. 5-23 – A Local Law Extending The Volunteer Firefighter And Volunteer Ambulance Worker Exemption For County Real Property Taxes To Certain Eligible Unremarried Spouse

LOCAL LAW INTRO 5-23 - R/C Vote: 19 Yes – 0 No – UNANIMOUSLY ADOPTED

RESOLUTIONS:

MOVED by Legislator Bankoski, SECONDED by Legislator Harmon to block resolutions 116-23 through 122-23 – UNANIMOUSLY CARRIED TO BLOCK

116-23 Confirm Re-Appointment – Parks Commission, by Public Facilities Committee – UNANIMOUSLY ADOPTED

117-23 Confirm Appointments – Landfill Commission, by Public Facilities Committee – ADOPTED with Legislators Bankoski, Parker, Nelson and Torres voting “No”

118-23 Confirm Appointment- Chautauqua County Ethics Board, by Administrative Services Committee – UNANIMOUSLY ADOPTED

119-23 Confirm Appointment- Chautauqua County Fire Advisory Board, by Public Safety Committee – UNANIMOUSLY ADOPTED

120-23 Confirm Appointment- Chautauqua County Youth Board, by Human Services Committee – *UNANIMOUSLY ADOPTED*

121-23 Confirm Appointment – Chautauqua Opportunities Board of Directors, by Human Services Committee – *UNANIMOUSLY ADOPTED*

122-23 Confirm Appointment- Chautauqua County Food Policy Council, by Planning & Economic Development Committee – *UNANIMOUSLY ADOPTED*

Chairman Chagnon: Are there any questions or comments on any of the blocked resolutions?

Legislator Bankoski: Yes, Mr. Chairman, on 117-23 in the past I have voiced my disapproval of the Landfill Commission. Unfortunately we didn't have enough support to vote it down but also in the past since it was established, I have voted in the past to appoint a couple of our County Legislators on the commission. But at this time, I cannot support appointing any business people to this landfill commissions so I will be voting "no" on 117-23.

Chairman Chagnon: Okay, any other questions or comments?

Legislator Parker: I too, will be voting against this. I have had concerns about the Landfill Commission and the presence of business owners on the commissions along with concerns that the Landfill needs to remain public and for our residents to keep the cost lower. So I am going to be voting against this also.

Legislator Nelson: I will also be voting "no" on this really just for the reasons already stated.

Legislator Pavlock: I'd like to speak also to resolution 117-23. I'd like to first off report on some commission work. I'm a member of the Landfill Commission. I welcome anybody to attend a commission meeting. We meet the first Wednesday of every other month and that meeting will take place next month. We've already had 2 meetings and we've done some pretty good work and had some good conversation. We'll actually be putting forward a potential motion next month for consideration. I believe that we've gotten off to a good start and some good decisions and discussion has taken place around the Landfill and its operations. I'm looking forward to having a complete commission if this is accepted tonight. These two people, I see the good potential out of the commission out of years to come and operating the Landfill on the County's behalf, thank you.

Chairman Chagnon: Any other questions or comments on any of the blocked resolutions? Hearing none, I will ask the clerk to call the roll on 117-23 independently, just on 117-23, Confirm Appointments – Landfill Commission.

117-23 Confirm Appointments – Landfill Commission R/C Vote: 15 Yes – 4 No (Bankoski, Nelson, Parker and Torres voting “No”) – ADOPTED

Chairman Chagnon: Now, on the remainder of the blocked resolutions, which are 116, 118, 119, 120, 121 and 122, if there are no other questions or comments, all those in favor please say “aye”, opposed? They are carried.

123-23 Authorize Stop DWI Committee Merger with Traffic Safety Board, by Public Safety Committee – *UNANIMOUSLY ADOPTED*

124-23 Authorize Acceptance of Donated Land at Eggleston Road in the Township Of North Harmony for the Development of a Parking Area along the Westside Overland Trail, by Public Facilities and Audit & Control Committees – *UNANIMOUSLY ADOPTED*

125-23 Amend Capital Appropriations for the Sherman Shop Generator (2021) Project, by Public Facilities and Audit & Control Committees – *UNANIMOUSLY ADOPTED*

126-23 To Consolidate the Home Energy Assistance Program (HEAP) Department A-6141 2023 Budget Into the Social Services Administration A 6010 2023 Budget, by Human Services and Audit & Control Committees – *UNANIMOUSLY ADOPTED*

127-23 Accept Grant Funding from the New York State Department of State for Phase III of the Northern Chautauqua Local Waterfront Revitalization Program and Amend Capital Budget Fund, by Planning and Economic Development and Audit & Control Committees – *UNANIMOUSLY ADOPTED*

128-23 Amend 2022 Budget for Year End Reconciliations – Health Insurance, by Administrative Services and Audit & Control Committees – *UNANIMOUSLY ADOPTED*

129-23 Amend 2022 Budget for Year End Reconciliations – Various Departments, by Administrative Services and Audit & Control Committees – *UNANIMOUSLY ADOPTED*

130-23 Amend 2023 Budget to Implement the Air Service Development Project within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan, by Public Facilities and Audit & Control Committees – *UNANIMOUSLY ADOPTED*

Legislator Wilfong: Thank you Mr. Chairman. On behalf of myself, John Hemmer and Shannon Barnhart, the Airport Manager, we encourage this body to move this market study

forward to make sure that we can get back air service for the City of Jamestown's Airport which we believe is a vital economic tool to bring back the City of Jamestown and it's also very, very important for Chautauqua County, thank you.

Legislator Bankoski: In the past I haven't been a big supporter of spending anymore money on anymore studies for the Airport but since we've had some ARPA money returned to us and I feel that Shannon has done an outstanding job running the Airport, I think we need to vote in favor of this so that she will have the proper tools on how to determine which way to run our Airport in whatever direction. If it's found that we can do commercial service that's fine and if it's not then at least gives her an avenue to how to continue to move our Airport's in a forward direction.

Legislator Nelson: As one of the Legislators from Jamestown, I strongly support this. I want to encourage all of the Legislators to do so. I think it's essential for the City and for the entire County, thank you.

Legislator Rankin: Thank you, Mr. Chairman. If this was just another study to see what we could do, I wouldn't necessarily be in favor of it. But the fact that it's part of a process to try and move forward and support infrastructure with some potential positive results for the City of Jamestown and Chautauqua County, I will be supporting it, thank you.

Legislator Niebel: Thank you, Mr. Chairman. I think it's tough to establish (*inaudible*) service for a smaller airlines for example, at the Erie International Airport, United Airline is ending flight services June 2nd. Delta ended services sometime in 2020 so I will be voting "no" on this resolution.

Legislator Vanstrom: I support trains, boats, busses, carts as (*inaudible*) rural area so I have every intention to vote positively on this and hope that we can have some progress. Move the needle on this. I think that people that live in rural areas, transportation is a bigger challenge than it is in a larger metropolis so I hope my colleagues can see it that way as well, thank you.

Legislator Torres: (*Inaudible*) there and say that she does phenomenal work for the Airport and I totally support the Jamestown Airport and the City of Jamestown on this.

Legislator Wilfong: I'd just like to say that the Airport Commission meeting is the first Wednesday of the month at 9'oclock at the Jamestown Airport if you were so wanted to attend, thank you.

Legislator Parker: I wanted to reinforce what Legislator Bankoski said that the way it was explained to us is that this study is to determine the viability of Airport's service. They are hopefully that that is what they will find out but this is a study to determine the viability and if there is no viable options for the Airport, to find another use of the Airport and its surrounding areas, thank you.

RES. 130-23 – ADOPTED with Legislators Pavlock, Niebel, and Scudder voting "No".

131-23 Amend 2023 Budget to Implement the Turn Out Gear Project, Using Funding from the American Rescue Plan Act (ARPA), by Public Safety and Audit & Control Committees – *UNANIMOUSLY ADOPTED*

132-23 Amend 2023 Budget to Contribute Local Share for the Northern Chautauqua County Local Waterfront Revitalization Plans, Using Funding from the 2% Occupancy Tax Program Reserve, by Planning and Economic Development and Audit & Control Committees – *UNANIMOUSLY ADOPTED*

Legislator Muldowney: Yes, I failed to mention earlier when we passed this but I think Rebecca Wurster, our Planning and Development person, really went over the top for this. She was the Development Director for this City of Dunkirk and worked on this for quite a while and then the State changed their parameters on this grant and she went back – I think there is 9 communities and put this together so it was really a lot of effort on her part and I think this grant started about 10 years ago so it's really a win win for the County and the Northern Chautauqua County so I would just like to thank her for her efforts.

133-23 Amend 2023 Budget to Implement the Acquisition of Lake Maintenance Equipment, Using Funding from the American Rescue Plan Act (ARPA), by Planning and Economic Development and Audit & Control Committees

Legislator Parker: The Legislature is presented today with the expenditure of 2 million dollars of ARPA funding with very little notice. I'm sure I'm not the only Legislator who's spent the last couple of days seeking information on the projects that require expenditures of these monies. I have also been told that while this might be a good use of funds, there are considerable issues because there is no true plan or disclosure of objectives laid out for this Legislature to weigh the true value of these proposed expenditures. I propose that we take the next month to ensure that everyone understands the plans and the objectives and how we will be measuring the appropriateness of these expenditures. I see no harm in taking some additional time to weight the expenditure of these millions as proposed. Therefore, I move to table this resolution and I am making a motion to table it, thank you.

MOVED by Legislator Parker, SECONDED by Legislator Nelson to table 133-23

Chairman Chagnon: Discussion on the motion to table? Hearing none, would the clerk please call the roll on the motion to table resolution 133-23?

RES. 133-23 Motion To Table R/C Vote: 5 Yes – 14 No (Davis, Gustafson, Harmon, Heiser, Hemmer, Muldowney, Pavlock, Penhollow, Proctor, Rankin, Scudder, Vanstrom, Wilfong and Chagnon voting "No") – THE MOTION TO TABLE FAILS

Chairman Chagnon: Okay, then we're back to discussing resolution 133-23.

Legislator Bankoski: I just wanted to make sure that it's clarified that this equipment is not solely for Chautauqua Lake. This equipment that's going to be purchased is for use on all Chautauqua County Lake's. So, I know some municipalities have their own machines but in case of a breakdown or if their weed problem persists, where they need extra help, then all they have to do is reach out to the County DFP and this equipment will be deployed to them and it's not strictly for Chautauqua Lake. It will be housed there but it is also available for everyone.

Legislator Niebel: Mr. Chairman, I'd like to see more ARPA money redirected to worthwhile projects in the Northern part of the County. I think we have in the first round of ARPA funding and some of the ARPA funding that has been redirected, I think we spend an awful lot of money in the Southern part of the County and particularly Chautauqua Lake so I would like to make a motion to have this resolution reduced to \$500,000 and the other \$500,000 roughly, whatever that comes to be, redirected to worthwhile projects in the Northern part of the County, possibly the North County Water District.

MOVED by Legislator Niebel, SECONDED by Legislator Parker to reduce to \$500,000

Chairman Chagnon: Discussion on the motion to amend resolution 133-23? Hearing none, would the clerk please call the roll on the motion to amend resolution 133-23?

RES. 133-23 R/C Vote: 5 Yes – 14 No (Davis, Gustafson, Harmon, Heiser, Muldowney, Nelson, Pavlock, Penhollow, Proctor, Rankin, Scudder, Vanstrom, Wilfong and Chagnon voting "No") – THE MOTION TO AMEND FAILS

Legislator Muldowney: Can I explain my vote?

Chairman Chagnon: Go ahead.

Legislator Muldowney: And first of all, this is the first I've heard of this. And of course I would want funding for the North County but as we asked the question earlier and I agree with Mr. Bankoski's comments about if there's a breakdown, if there's need in the Dunkirk Harbor or wherever the Westfield Harbor that this equipment would be able to be used in those areas. I just feel like the resolution is asking for funding where we need it and not to neglect the North County of course, but I think we have an agreement that it can be used there so unless we have a specific project, I'm going to go with the current resolution.

Chairman Chagnon: And your vote is?

Legislator Muldowney: "No".

Legislator Rankin: I'm sorry to ask, I want to follow up on Legislator Muldowney's question and what Mr. Bankoski said. Is this money to be used anywhere in the County?

(Inaudible)

Legislator Rankin: So it's already specified to be able to be used anywhere in the County.

Legislator Muldowney: That's my understanding.

Chairman Chagnon: That's the intent, yes.

Legislator Rankin: Okay, then I don't think it's necessary to split it up as long as it can get used anywhere so I guess I've voting "no" then.

Chairman Chagnon: So your vote is "no"? Legislator Rankin, please repeat your vote.

Legislator Rankin: "No".

Chairman Chagnon: Okay, we're back to continuing to discuss resolution 133-23. Anymore comments?

Legislator Wilfong: I just want this body to realize what's good for Chautauqua Lake is also good for Chautauqua County whether it be North County or South County. The Lake brings in millions of dollars of sales tax revenue that gets divided up between all the Villages, Towns and Cities. So whatever's good what's going on in Chautauqua Lake is very very important to all aspects of all corners of Chautauqua County, thank you.

Legislator Torres: I believe we just bought an ambulance for \$19,000, a used ambulance that everybody was very thrilled and happy about so I don't see why we couldn't seek good used equipment and maybe take that route with it but that's all I got to say on that one.

Legislator Parker: I just want to make a point of clarification; my understanding is that some of that money is going to be used for boats that are part of the – or at least one boat that's part of the Jefferson Project? Or that is what I was told and I would just like a point of clarification if that's possible?

Chairman Chagnon: Legislator Parker, the information that I saw at the Committee meeting was that a boat will be purchased for the use of the Chautauqua Lake and Watershed Management Alliance and their work on the Lake as well as was mentioned that it could be used for the Jefferson Project as well.

Legislator Parker: Okay, thank you Chairman.

Chairman Chagnon: You're welcome. I hope I had that perfectly correctly but I think I did because I was getting some nods from the back of the room. Any other comments, questions or discussion on resolution 133-23? Hearing none, would the clerk please call the roll?

RES. 133-23 R/C Vote: 17 Yes – 2 No (Niegel and Parker voting "No") – ADOPTED

134-23 Amend Spending Plan and 2023 Budget for Chautauqua County Projects funded by the American Rescue Plan Act (ARPA), by Planning and Economic Development and Audit & Control Committees – *UNANIMOUSLY ADOPTED*

135-23 Amend 2022 & 2023 Budgets due to 2022 Year End Reconciliations – Capital Projects, by Audit & Control Committee – *UNANIMOUSLY ADOPTED*

136-23 Amend 2023 Budget to Increase Funding for the Jefferson Project County Contribution within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan, by Planning and Economic Development and Audit & Control Committees

MOVED by Legislator Harmon, SECONDED by Legislator Bankoski to amend by adding an additional Whereas Clause which would read “Whereas, this additional funding would be used for research and ongoing work in the 2023; and”

Chairman Chagnon: Discussion on the motion to amend resolution 136-23? Any questions?

Legislator Niebel: Mr. Chairman, thank you. (*Inaudible*) voted “no” on resolution 133-23, I view resolution 136-23 a little bit differently. This resolution may get to the root causes of algae and toxins in Chautauqua Lake. So there may be State, National and even International benefits associating with this resolution. So on this resolution I am in favor of it.

Chairman Chagnon: Legislator Niebel, do you have any comments on the motion to amend the resolution?

Legislator Niebel: No. As amended, I’m okay.

Chairman Chagnon: When we get there. Any questions, comments on the motion to amend resolution 136-23?

Legislator Rankin: I’m sorry, can you please repeat how he wants to amend it? I couldn’t hear him.

Chairman Chagnon: Okay, please speak up, Legislator Harmon.

Legislator Harmon: Sure. The additional Whereas would read “this additional funding would be used for research and ongoing work in the 2023; and”.

Chairman Chagnon: So it’s to clarify that the research and work will occur 2023. Any other questions or comments on the motion to amend? Hearing none, all those in favor to the

motion to amend resolution 136-23, please say “aye”. It is amended. Now, onto discussion of resolution 136-23 as amended.

MOVED by Legislator Harmon, SECONDED by Legislator Bankoski to amend Resolution 136-23 – UNANIMOUSLY CARRIED TO AMEND

Legislator Nelson: I would like to make a motion to table this resolution. I think before we spend \$1,000,000 on this project, I would like to know more about it. I would like to know more about previous work that has been done, the data they’ve collected, the analysis of the data, the results, conclusions and expenditures. I think tabling this at this time would be the most prudent thing to do.

MOVED by Legislator Nelson, SECONDED by Legislator Parker to table Resolution 136-23

Motion to Table RES. 136-23 R/C Vote: 5 Yes – 14 No (Davis, Gustafson, Harmon, Heiser, Muldowney, Niebel, Pavlock, Penhollow, Proctor, Rankin, Scudder, Vanstrom, Wilfong and Chagnon voting “No”) – The Motion to Table Fails

Chairman Chagnon: Okay, now onto discussion of resolution 136-23 as amended.

Legislator Bankoski: I support the idea of what this is all about. Most of us like yourself, we’ve been here for 8-10 years now and every year we have a group that says “spray herbicides” the next year we have a group that says “don’t spray herbicides” and then the next year after that they say “cut the weeds” and then they say “don’t cut the weeds” and every year we’ve spent probably \$200,000 every year so we’ve already eclipsed the \$1,000,000 mark I’m sure over the last 8 years on what we’ve spent on all these other ideas and what to do and what not to do. Do I believe that this Jefferson Project is the answer? I truly do believe it in my heart that we need an answer. None of us in this room here are experts on Lake’s. I was a prison guard my whole life so if you want to ask me something about a prison, I could be that expert. But I am not an expert on Lake’s so for me to sit here and say “yeah, let’s go ahead and spend \$250,000 on herbicides and then next year we’ll say well let’s not do it, let’s cut weeds and whatever” I think it is advantageous to us to move forward with this project to give us a definite answer on what to do. I do agree with some of the people that made comments today. I think some of the stuff is very vague and I really, really hope that we have some lock down answers. When they’re done with this project, I want an action plan from them to tell us exactly what to do. (*Inaudible*)- you know this is the last time for a study. We got studies stacked up like cord wood out in the hallway. I think this is going to give us the answer on how to proceed and how we’re going to spend our money so obviously we couldn’t table it to put in some more language into the thing but I’m for – I’m going to vote “yes” to pass this and let’s move on.

Legislator Nelson: I feel like I have to explain my position because I do feel the Jefferson Project looks promising with what research I’ve done and if anyone of you know, I’ve been here

since January so I'm just starting to learn more and more about this so I am planning to support it although I thought another month would be worthwhile to look at.

Legislator Hemmer: I think that there is not enough information about how the money is going to be spent and what's going to be done. I listened to the presentation that was given and it was a lot of talk about testing and research and nowhere in the presentation did they say anything about the solution to the problem being presented at the end of the research and there's not even a timeline for the research it's just going to go on and on. In Chautauqua County, we know we have a problem and we are currently working to try and correct the problems in Chautauqua Lake. We're completing the sewer system around the Lake. We're doing shoreline work, we're doing remediation work in the tributaries all to keep the pollution out of the Lake and that's what we can do. I think that another study is not going to lead us anywhere and they don't even promise that they're going to lead us anywhere so I am going to vote against this.

Legislator Parker: I wanted to read from an email that I got, I think it was yesterday but I wanted to add to what Legislator Hemmer said. I watched the Planning and Economic Development presentation and I've looked on a number of the Chautauqua Lake organizations which I believe there's at least 5 and I know they've considered a number of different ways of raising money and I am not against spending money on Chautauqua Lake but what I really do feel is that as I said previously in the regarding the other resolution on spending money for machinery that I propose that we take more time because like Legislator Hemmer, I don't feel like - there are many questions come up. We don't know - they were discussing, I don't know which tape I watched where 50 million dollars has been spent on Lake George, which my understanding is that Lake George is similar however, does not have many of the same water problems that Chautauqua Lake has and that the reason I think partly they chose Chautauqua Lake was that they want to be able to look at a Lake that is further progressed with this harmful algae blooms and so anyway I don't think we got the answers to the now and future expectations and deliverables and I'm sorry that I don't have the name or I can't pronounce the name of the person who wrote this email but he's from the Chautauqua Lake partnership I believe. He talked about having a comprehensive and detailed written study plan for planned work, objectives, a commitment to regular status reports and also commitment to an independent 3rd party monitoring of this research. I think that based on the fact that so many different organizations as Legislator Bankoski said, I was told that 7 out of 9 communities used herbicides on Chautauqua Lake and then certain organizations don't want to use herbicides. I was told that the herbicides actually target 2 invasive species that cause algae blooms and that using the weed churner actually and leaving behind parts allows the algae to propagate so obviously as Legislator Bankoski said, I'm not an expert but I would like to know more and I would like to know some facts that some provision of a structure and a plan before I go back to my district of Fredonia and tell my residents that we're going to spend a million dollars on something and while my understanding is that the Jefferson Project sounds really qualified, amazing and all the various adjectives, I would like to know more and I really don't think there is any harm in taking some time and considering that. I did not hear in the presentation from Planning and Economic Development that there was any deadline for the decision and so I think it would be prudent to

wait and to spend more time preparing things so that the Legislators can make what I would consider a proper decision on this, thank you.

Legislator Vanstrom: I like all of our Lakes and waterways and I'm a big fan, a very big fan and I have to say how grateful this County was to have had heavy support from (*inaudible*) engineers in the past for 3 North Harbors on Lake Erie. Without that kind of funding I cannot even gather how bad the conditions up there would be but my one word that comes to mind would be impassible, unusable, so I'm grateful for other programs that we've also enjoyed in the past that have helped other waterways in our area, thank you.

Legislator Wilfong: Thank you, Mr. Chairman. I just want the people behind me to realize that weeds are something different than the harmful algae blooms. So we are usually using the herbicide to kill the weeds, the algae blooms are their own beast in themselves and that's what this particular survey is going to target. Certainly the weeds are a nuisance and they get caught in prop and that type of stuff but the algae blooms are always a huge issue for the local beaches, the local recreation that goes on in the Lake and I believe that we've got to do something about that algae bloom, thank you.

Legislator Pavlock: Thank you. I've heard about the Jefferson Project and I saw the presentation and thought jeez that's really good news for Chautauqua County that they're choosing Chautauqua Lake and then I thought a million dollars, yikes. So I had to study it some more. I had to take into consideration what an asset the lake is to our County, what it does to our communities and as it was referred to in another discussion item what the sales tax does to the whole County as a general. And also there may not be an unspoken timeline but there is an unspoken timeline because 2023 is already clicking away. I wouldn't want to table this for another couple of months or prolong the work. I want to see boots on the ground and get to work and we could kick this down the road another year or two and I'd like to see them continue their research so that we are closer to figuring out why these algae blooms are around and what they're doing and how we can maybe start to control them more. Hopefully we'll know more about them.

Legislator Proctor: Thank you, Mr. Chairman. I'd like to echo Mr. Wilfong's statement that this study is about harmful algae blooms and as resident of Findley Lake I'm excited to see the Jefferson Project come and choose Chautauqua Lake to study this because Findley Lake suffers from this as well. To have them come here is exciting and the very real possibility that they could set up shop here and bring their team here as a more permanent fixture to study fresh water and have an institute here is nothing but good news for Chautauqua County and also to reiterate Mr. Pavlock, the timeline of 2023 is ticking after a winter with no ice cover we don't know and that's part of I'm sure the science that they have to get this going right now in order to get the best results and the best data and I'm sure we will have a plan but we got to have data and research to formulate a plan, thank you.

Legislator Bankoski: In leadership today, I did speak with the County Executive about this and he assured me that at the end of this year we should have a somewhat of a report of the

work that the Jefferson Project will do this year and we should have answers by the end of 2024 and we will have an action plan is what I was told today. This is coming sooner than later and I agree with these guys, summer is here. The stuff starts growing now.

Legislator Parker: I just wanted to say that when I was talking to tabling it and I can't speak for Legislator Hemmer but I'm not talking about tabling it for another year. I think that with consideration, a month with consideration, I mean I think it is – I have to say, I found out about this by reading the paper and then I was able to go back to – because it didn't come by any of the committees that I am on and I wasn't notified in anyway but I think that this came really fast and I think it's reasonable to ask for even if you know next month, how about if we get some more information for next month? I don't know exactly the time frame but I've heard a lot of people in the audience also say tabling it for more information and by more information I think we're talking about concrete information like Legislator Bankoski said, an action plan, expectations, what is this – because we didn't get any of this, this all is sort of is presented in a very short time and I think it's a reasonable ask to ask for more information, thank you.

Legislator Wilfong: Thank you, Mr. Chairman. I believe it's everybody's duty to pay attention to what the other committees are up to. If you don't do your homework, you don't need to come here. I'm going to be honest with you. This was presented in front of Audit & Control which I think is the most important committee and also Planning and Economic Development. I actually read what goes on in all of the committees. That is part of your job as a County Legislator to stay informed of what's going on. If you don't do that, how do you vote on what's going on here today? Thank you.

Legislator Vanstrom: I'd like to echo the words of my esteemed colleague, Dave Wilfong. These meetings are very unglamorously put out there on the internet on -

Chairman Chagnon: Excuse me, are we commenting on the resolution?

Legislator Vanstrom: Yes.

Chairman Chagnon: Thank you, proceed.

Legislator Vanstrom: I think we have enough information to proceed on this, thank you.

Chairman Chagnon: Any other comments on the resolution as amended? Hearing none, would the clerk please call the roll?

RES. 136-23 R/C Vote: 17 Yes – 2 No (Hemmer and Parker voting “No”) – ADOPTED

137-23 Designate Chautauqua County as Lead Agency Responsible for State Environmental Quality Review (SEQR) of State Funded Snowmobile Trail Modifications for 2023, by Planning and Economic Development Committee – *UNANIMOUSLY ADOPTED*

138-23 Authorizing Public Hearing Regarding 8-Year Review of Chautauqua County Agricultural District 7, by Planning and Economic Development Committee – *UNANIMOUSLY ADOPTED*

139-23 Close Capital Projects, by Audit & Control Committee – *UNANIMOUSLY ADOPTED*

140-23 Quit Claim Deeds, by Administrative Services and Audit & Control Committees

RES. 140-23 R/C Vote: 19 Yes – 0 No – *UNANIMOUSLY ADOPTED*

ANNOUNCEMENTS

County Executive: Thank you. On May 6th at 11 a.m. we will be having a tribute to the fallen workers in Chautauqua County. It will be at the Erlandson Overlook Park with the continuation of an annual event. We honor those who have died while working both past and recently so I would encourage everyone to please attend. Sponsored by our local labor unions and again Saturday, May 6 at 11 a.m. at the Erlandson Overlook Park, thank you.

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.

Karen Engstrom, Village of Mayville, Town of Chautauqua. This is your April update on Utility Scale Solar. On your desk is a document that looks like this. It's been distributed by the American Chemical Council. It demonstrates what the industry announces. (*Inaudible*) PFAS is part of all wind and solar projects. PFAS or polyfluoroalkyl substances are a very real threat to our drinking water, to our lakes, to our rivers. It's even more of a threat than algae blooms which are very short lived. The EPA verifies that PFAS is present in solar panels and according to the EPA physical scientist, Dr. Mark Strynar, who provided the 39 records for the EPA to identify the applications of PFAS as being part of solar panels and therefore being a danger to our drinking water and to our entire environment. Both the EPA and the DEC have been bringing this to our attention in the last few years. It is only recently that it was discovered that these chemicals can be hazardous to humans. The EPA and I quote them "the current running health risks include increased (*inaudible*) cancer, liver and kidney disease, reproductive issues and (*inaudible*) deficiencies and hormonal disruptions. The EPA will cut out water use when they determine that there are 10 parts per trillion of PFAS within the drinking water. Mayville is a good example. We've all experienced it. Mayor Syper knows all about that. The EPA continues to monitor and it's still a great deal of money that's being expended to clean that up and provide new wells. The Post Journal and the Observer reported that Busti has been sued by a project

developer because they tried to protect their community. The Town of Hanover has also been reported in the Observer as having come to terms with its projects in its area that indicate they do not comply. They are bullying our Town's and we're asking the County Legislature to finally take the data that's been drawn from other communities that have had PFAS contamination such as in North Carolina and Connecticut and in our own Monroe County in New York. The Towns (*inaudible*) Avon have Outlawed PFAS. Solar laws there call for proof that no PFAS be in any solar components to protect our communities and I maintain that the choice for our lake's, for our groundwater for our agriculture is that we either accept solar projects and thereby accept contaminated water or choose clean water and we reject solar projects at least to the degree that we can put in regulations that say "no PFAS, no polyfluoroalkyl substances can be part of solar panels" as the EPA indicates it is a threat to all of our water systems and I have to say when history is written, who will be accountable? Thank you.

Hello my name is Anthony Toda and live at 144 Clifton Avenue in Jamestown New York and I am going to continue some comments that I've made in the past here. I am (*inaudible*) regarding the continue of violations of my own constitutional rights in Chautauqua County (*inaudible*) federal agencies. (*Inaudible*) represent and work with this Legislature, have a duty also to as my representative to protect my rights and to (*inaudible*) however, they are continuing (*inaudible*) to do so. Senator Gillibrand also has refused to help me on some of these issues. I further sought assistance from my former Congressman, Thomas Reed and Joe Sempolinski and from my present Congressman, Nick Langworthy. After I presented substantial evidence to Congressman (*inaudible*) Jamestown office, nothing was done. When my (*inaudible*) Congressman Joe Sempolinski reportedly publicly stated that he would help any constituent, I complained of these federal agency crimes to a Mr. T. (*inaudible*) described to me as the chief of staff of Congressman Sempolinski's Washington D.C.'s office. I stated to Mr. (*inaudible*) that at least he create a foundation on (*inaudible*) matter for upcoming Congressman Langworthy and Mr. (*inaudible*) said he would look into the crimes and get back to me. However, Mr. (*inaudible*) also never got back to me again. Also, during Congressman Sempolinski's term, I spoke in person with (*inaudible*) of the Jamestown office second floor Fenton building in Jamestown where (*inaudible*) Kristine in the Fenton building I was harassed by Mr. (*inaudible*) who stated he was the building maintenance person. Mr. (*inaudible*) stated to me if I didn't leave the building he and Mr. Olson would have me arrested. Upon the beginning of Congressman Langworthy's congressional term, arrangements were made for me to speak to a Mr. Michael Hicks of Congressman Langworthy's Buffalo area office. After detailed conversation, and after I offered to present evidence of a person in FBI headquarters in Washington D.C., lying to me, Mr. Hicks acting for Congressman Langworthy, refused to assist me concerning these terrible crimes being perpetrated upon myself. As vested by the U.S. Constitution, Senators and Congressman that I have stated here tonight, have a duty to listen and act upon the complaints of their constituents. They (*inaudible*) neglect of the duties by these officials. As I have stated here tonight, protects and propitiates crimes by the FBI and other federal agencies upon myself in Chautauqua County and elsewhere. In these deliberate and neglectful acts, by these senators and congressmen, constitute crimes (*inaudible*) by those senators and Congressman. And again, I can't overstate the importance of what's happening in my life and possibly in what's happening in other people lives also, thank you.

Chairman Chagnon: Thank you. Anyone else wishing to address the second privilege of the floor? Anyone else? I will close the second privilege of the floor and I will recognize Legislator Bankoski.

MOVED by Legislator Bankoski, Seconded by Legislator Harmon to go into Executive Session for Consideration of a Motion to enter into executive session, upon an affirmative vote of the majority, pursuant to Section 105(f) of the Open Meetings law to discuss the medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation.

Chairman Chagnon: Any comments on the motion? Hearing none, all those in favor please say “aye” opposed? Carried. We are going to move to an executive session. The Legislators will adjourn to a conference room. We expect this to last about 30 minutes. When we reconvene, we don’t anticipate any further action to come before the Legislature. So we are in executive session.

Entered into Executive Session 8:22 p.m.

MOVED by Legislator Harmon, SECONDED by Legislator Vanstrom to end executive session

Executive Session ended 8:58 p.m.

MOVED by Legislator Scudder, SECONDED by Legislator Davis to adjourn.

Unanimously Carried (8:59 p.m.)

Respectfully submitted and transcribed,
Olivia Lee, Clerk of the Legislature & Kristi Zink, Deputy Clerk