

Regular Meeting  
Chautauqua County Legislature  
**Live Streamed on YouTube**  
Wednesday, May 24, 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 May 24, 2023. Would the clerk please call the roll?

Clerk Lee called the roll and announced a quorum present (Absent: Pavlock & Torres)

Legislator Davis delivered the prayer and pledge of allegiance.

Chairman Chagnon: At this time, at the request of Legislator Pavlock, I would like to request a moment of silence for the passing of Supervisor Chase from the Town of Charlotte.

MOVED by Legislator Bankoski, SECONDED by Legislator Harmon and duly carried the minutes were approved. (4/26/2023)

1<sup>st</sup> 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.

Anthony Toda: Excuse me, does that include communications on this list here?

Chairman Chagnon: Communications? Yes.

Mr. Toda: Okay, thank you. I'm referring to #10 on page 1, the County Executives letter from Mr. Wendel.

Chairman Chagnon: Please introduce yourself.

Mr. Toda: My name is Anthony Toda and I live at 144 Clifton Avenue in Jamestown, New York. I recently (*inaudible*) on articles that appear in the May 19, 2023 local newspaper. I agree with our County Executive and other County Executive's Emergency Declaration that supports Senator Borrello's position on illegal immigration. What has happened is that most types of media are using the words migrant and (*inaudible*) instead of illegals. Further in one article it stated that social service funding is not available for people who are undocumented. While some people actually may seek (*inaudible*), there's no documented proof. Try going to

Canada without proper papers and you will not cross their borders. Further, Governor Cuomo's 217 reported Executive order and the (*inaudible*) policy's violate the U.S. Constitution and its federal statutes because such order and such policies threaten sovereignty, safety and the general welfare of U.S. citizens. The 10<sup>th</sup> Amendment (*inaudible*) states "the powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people." Where's the 10<sup>th</sup> amendment violation here? Constitution sovereignty is delegated to the Federal Government for (*inaudible*) federal immigration statutes and not to the States. That makes state immigration actions unenforceable, illegal (*inaudible*). Governor Kathy Hochul's proposal to house illegals on SUNY campuses (*inaudible*) constitutional equal protection principles by (*inaudible*) housing. The New York State residents have to pay for this housing and also makes Hochul's proposal discriminatory for New York State's students. Senator Charles Schumer and Gillibrand were both complacent with these federal violations (*inaudible*). I believe they're waiting for Joe Biden to come along with emergency funding then jump on the ban wagon to solve everybody's problems. Two days ago, Jamestown Mayor, Eddie Sunquist stated that monies will be coming to Jamestown but did not say for what. Are these violations of the U.S. Constitution (*inaudible*) which are designed to protect American citizens (*inaudible*). It is time to (*inaudible*) illegal activity for all involve, thank you very much.

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**VETO MESSAGES FROM COUNTY EXECUTIVE WENDEL  
NO VETOES FROM 4/26/23**

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**COMMENDATIONS:**

**Kathleen Dennison  
By  
Chairman Pierre E. Chagnon  
And  
County Executive Paul M. Wendel, Jr.**

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Clerk Lee: There are 10 communications listed on the agenda. 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.

**COMMUNICATIONS:**

- 1. Letter – Senator George Borrello – Acknowledgement of Motion 8-23 (Donate Life Month)**
- 2. Report – Health and Human Services – Annual Report**
- 3. Affidavit of Publication (2) – Legal Notice – Local Law Intro 4-23 (Post Journal and Observer)**

4. **Affidavit of Publication (2) – Legal Notice – Local Law Intro 5-23 (Post Journal and Observer)**
5. **Report – NYS Small Business Development Center – Quarterly Report**
6. **Report – NYS Small Business Development Center – Business Permit Center Quarterly Report**
7. **Letter – Assemblyman Andy Goodell – Acknowledgement of Motions 4-23,5-23 and 6-23**
8. **Letter – Chautauqua County Ethics Board – Ethics Trainings**
9. **Letter – NYS Department of Taxation and Finance – 2023 State Equalization Rates**
10. **Letter – County Executive Wendel – Local State of Emergency**

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**LOCAL LAW INTRO. 6-23 – A Local Law Amending Local Law 13-22 Providing for a Management Salary Plan for County Officers and Employees (Re: Payroll Manager for the Department of Finance)**

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

**LOCAL LAW INTRO 6-23 - R/C Vote: 17 Yes; – 0 No; 2 Absent (Pavlock & Torres) – UNANIMOUSLY ADOPTED**

**RESOLUTIONS:**

**141-23 Confirm Appointments – Portland-Pomfret-Dunkirk Sewer District Board, by Public Facilities Committee – *UNANIMOUSLY ADOPTED***

**142-23 Confirm Appointments – Chautauqua County Emergency Medical Services Council, by Public Safety Committee – *UNANIMOUSLY ADOPTED***

**143-23 Confirm Appointments – Chautauqua County Board of Health, by Human Services Committee – *UNANIMOUSLY ADOPTED***

**144-23 Calling a Public Hearing Pursuant to County Law §268 Upon a Proposal to Reduce Infiltration and Inflow in the North Chautauqua Lake Sewer District, by Public Facilities and Audit & Control Committees – *UNANIMOUSLY ADOPTED***

**145-23 Confirming User Charges: South and Center Chautauqua Lake Sewer Districts, by Public Facilities and Audit & Control Committees – *UNANIMOUSLY ADOPTED***

- 146-23 Amend 2023 Budget to Implement the New Courthouse Roof Replacement Project, Using Funding from the American Rescue Plan Act (ARPA), by Public Facilities and Audit & Control Committees – UNANIMOUSLY ADOPTED**
- 147-23 Amend 2023 Budget to Implement the Purchase of B&G Equipment Project, Using Funding from the American Rescue Plan Act (ARPA), by Public Facilities and Audit & Control Committees – UNANIMOUSLY ADOPTED**
- 148-23 Designate Chautauqua County as Lead Agency Responsible for State Environmental Quality Review (SEQR) for the Obstruction Mitigation and Easement Acquisition Project at Chautauqua County Airport – Jamestown, by Public Facilities Committee – UNANIMOUSLY ADOPTED**
- 149-23 Supporting Passage of A.6581A & S.6626-“AN ACT to amend chapter 405 of the laws of 2007, amending the tax law relating to increasing hotel/motel taxes in Chautauqua County, in relation to extending the expiration of such provisions; to repeal certain provisions of the tax law relating thereto; and providing for the repeal of certain provisions upon expiration thereof.”, by Administrative Services and Audit & Control Committees**

Legislator Parker: Thank you Chairman. I am making a motion to make an amendment to that resolution. I support the extension of the 5% occupancy tax and I support removing the strict expenditures requirements proposed by Assemblymen Goodell and Senator Borrello. This amendment will allow the County Legislature to allocate occupancy tax money at its discretion as I think it should at that level without the dictate of New York State. This amendment is on everyone's desk so I don't have to read it do I? Or do you want me to read it?

Chairman Chagnon: No, that's fine.

Legislator Parker: Okay, so I am making a motion to amend it as is indicated on the amendment that is before you related to this resolution.

*MOVED by Legislator Parker, SECONDED by Legislator Bankoski to amend resolution 149-23*

Chairman Chagnon: Any discussion on the motion to amend the resolution?

Legislator Bankoski: Mr. Chairman, my one thought on this was that last month we just allocated a lot of money to the Jefferson Project to go into a study on how to address the algae bloom issue in the lake and I think that by narrowing ourselves down that we need to spend this amount of money and maybe more money or less money or whatever. I just think that we are locking ourselves into that if we amend the resolution as Mrs. Parker suggested, it leaves the Legislature some leeway on how to move forward with the recommendations of the Jefferson Project that we all agreed on that we would adhere to their recommendations.

Chairman Chagnon: Okay, thank you. Any other comments, questions on the motion to amend the resolution?

Legislator Rankin: Thank you, Mr. Chairman. Ever since this was first put into place with the occupancy tax by Bill (*inaudible*), the State has had a say in how this money is spent and what the percentages were. This is not unusual for them to do that and the State absolutely has the right to suggest how this money is spent. It's without them and without the support we would not have the occupancy tax. It's just like the fact that if we want to increase our sales tax by 1%, we have to have the State's support so I do not agree with this amendment. I think that it still leaves when you get the percent's of the money and you divvy it up, the State or the County still has the discretion to spend the money that's left in the way that they see fit but what it takes is prioritization of how it's going to go and that might be part of the problem with this but I think that it's good the way it stands and I will not support the amendment, thank you.

Chairman Chagnon: Thank you. Any other questions or comments on the motion to amend?

Legislator Scudder: Thank you Mr. Chairman. I have 3 points that I'd like to state here. First of all, I'm okay with the conditions set forth in the resolution as presented. Secondly, we are already following in general, the guidelines being set in the resolution that was reported to us that the spending was pretty much in line with what this was asking for and third and this is with all due respect, I feel like some of the motivation for this amendment is political theatre. For those reasons I will be voting against amending the resolution, thank you.

Chairman Chagnon: Okay, any other questions or comments on the motion to amend?

Legislator Niebel: Mr. Chairman, I think that the key thing here for me is that our State representative has indicated that there is not time to make a change to the resolution so therefore, I will be voting against the amendment this evening.

Chairman Chagnon: Okay, any other questions or comments on the motion to amend?

*MOTION TO AMEND RES. NO. 149-23 - R/C Vote: 3 Yes; – 14 No; 2 Absent (Pavlock & Torres) – Motion to Amend Fails*

Chairman Chagnon: Okay, now onto the resolution as originally presented. Is there any discussion, questions or comments on the resolution as presented?

Legislator Parker: I would just like to say that I feel that I must vote for it because we do want the 5% occupancy tax. I did in fact think that the amendment was the right way to go. I don't make my decisions based on political theatre but I will be voting for this resolution.

Chairman Chagnon: Any other discussion on the resolution?

*RES. NO. 149-23 - R/C Vote: 17 Yes; – 0 No; 2 Absent (Pavlock & Torres) – UNANIMOUSLY ADOPTED*

- 150-23 Supporting Passage of A.6692 & S.6206-“AN ACT to amend the tax law, in relation to extending the authorization for Chautauqua County to impose an additional one percent rate of sales and compensating use taxes.”**, by Administrative Services and Audit & Control Committees – R/C Vote: 17 Yes; – 0 No; 2 Absent (Pavlock & Torres) – UNANIMOUSLY ADOPTED
- 151-23 Authorize Agreement with Various School Districts for School Resource Officer Services 2023-2024**, by Public Safety and Audit & Control Committees – UNANIMOUSLY ADOPTED
- 152-23 Amend 2023 Budget to Implement the UTV Tracked Emergency Response Vehicle Project, Using Funding from the American Rescue Plan Act(ARPA)**, by Public Safety and Audit & Control Committees – UNANIMOUSLY ADOPTED
- 153-23 Amend 2023 Budget to Implement the Class B Foam Project for County Fire Departments, Using Funding from the American Rescue Plan Act (ARPA)**, by Public Safety and Audit & Control Committees – UNANIMOUSLY ADOPTED
- 154-23 Amend 2023 Budget to Implement the Dive Truck Replacement Project, Using Funding from the American Rescue Plan Act (ARPA)**, by Public Safety and Audit & Control Committees – UNANIMOUSLY ADOPTED
- 155-23 Amend 2023 Budget to Implement the Building Emergency Alert System Project, Using Funding from the American Rescue Plan Act (ARPA)**, by Public Safety and Audit & Control Committees – UNANIMOUSLY ADOPTED
- 156-23 To Accept New York State Department of Health Strengthening Infrastructure, Workforce, & Data Systems Grant**, by Human Services and Audit & Control Committees – UNANIMOUSLY ADOPTED
- 157-23 To Authorize “Chautauqua County Health Department Mobile Health Vehicle(s)” Agreements with Chautauqua County Municipalities and other Governmental Entities**, by Human Services Committee

Legislator Rankin: It’s a great opportunity for the County Health Department to reach out to underserved populations or area of the County to provide some services that they desperately need with the Health Department so we’re looking forward to being able to mark at these programs and the mobile health vehicle and I commend the County Health Department for getting this going, thank you.

Chairman Chagnon: Well said. Any other questions on the resolution?

*RES. NO. 157-23 – UNANIMOUSLY ADOPTED*

**158-23 Amend 2023 Adopted Budget Due to Office Relocations in the City of Dunkirk**, by Human Services and Audit & Control Committees – UNANIMOUSLY ADOPTED

**159-23 Amend 2023 Budget to Accommodate Acquisition of Near-shore Cleanup Equipment**, by Planning and Economic Development and Audit & Control Committees – UNANIMOUSLY ADOPTED

**160-23 Authorizing Public Hearing Regarding a Potential Application for 2023 Community Development Block Grant Funding through the New York State Office of Community Renewal and the Uses of Said Funding**, by Planning and Economic Development Committee – UNANIMOUSLY ADOPTED

*MOVED by Legislator Bankoski, SECONDED by Legislator Harmon to Block resolutions 161-23 through 167-23 – UNANIMOUSLY CARRIED to Block Resolutions 161-23 to 167-23*

**161-23 Accept State Environmental Quality Review (SEQR) Determination for the New York State Snowmobile Trail Grant-in-Aid Program for Cherry Creek Sno-Goers, Inc. Trail C1 GPS Update**, by Planning and Economic Development Committee – UNANIMOUSLY ADOPTED

**162-23 Accept State Environmental Quality Review (SEQR) Determination for the New York State Snowmobile Trail Grant-in-Aid Program for Ellery Sno-Cruisers, Inc. Trail C4A GPS Update**, by Planning and Economic Development Committee – UNANIMOUSLY ADOPTED

**163-23 Accept State Environmental Quality Review (SEQR) Determination for the New York State Snowmobile Trail Grant-in-Aid Program for Chautauqua Lake Snowmobile Club, Inc. Trail C4B GPS Update**, by Planning and Economic Development Committee – UNANIMOUSLY ADOPTED

**164-23 Accept State Environmental Quality Review (SEQR) Determination for the New York State Snowmobile Trail Grant-in-Aid Program for Cherry Creek Sno-Goers, Inc. Trail S12 GPS Update**, by Planning and Economic Development Committee – UNANIMOUSLY ADOPTED

**165-23 Accept State Environmental Quality Review (SEQR) Determination for the New York State Snowmobile Trail Grant-in-Aid Program for Cherry Creek**

**Sno-Goers, Inc. Trail S11A GPS Correction**, by Planning and Economic Development Committee – UNANIMOUSLY ADOPTED

**166-23 Accept State Environmental Quality Review (SEQR) Determination for the New York State Snowmobile Trail Grant-in-Aid Program for Cherry Creek Sno-Goers, Inc. Trail C4 GPS Update**, by Planning and Economic Development Committee – UNANIMOUSLY ADOPTED

**167-23 Accept State Environmental Quality Review (SEQR) Determination for the New York State Snowmobile Trail Grant-in-Aid Program for Cherry Creek Sno-Goers, Inc. Trail C1A GPS Update**, by Planning and Economic Development Committee – UNANIMOUSLY ADOPTED

Chairman Chagnon: Are there any questions or comments on any of the 7 blocked resolutions?

Legislator Rankin: I just want to thank everybody who's worked so hard on the snowmobile trails. Just an acknowledgement of what the snowmobile clubs and these trails do for the local economy during the winter, thank you.

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

**168-23 Confirm Reappointment – Director of Human Resources**, by Administrative Services and Audit & Control Committees – *R/C Vote: 17 Yes; – 0 No; 2 Absent (Pavlock & Torres) – UNANIMOUSLY ADOPTED*

Chairman Chagnon: Well-deserved unanimous confirmation, Debbie, thank you.

**169-23 Amend 2023 Budget for Chief Medical Officer**, by Human Services and Audit & Control Committees – UNANIMOUSLY ADOPTED

**170-23 Setting Salary for Internship Positions**, by Administrative Services and Audit & Control Committees – *R/C Vote: 17 Yes; – 0 No; 2 Absent (Pavlock & Torres)*  
UNANIMOUSLY ADOPTED

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**MOTIONS:**

Clerk Lee: The first motion on the agenda has received the required amount of signatures to bring to the floor.



**A. Proclaiming May Older Americans Month**

Chairman Chagnon: Are there any comments or any discussion on the motion?

UNANIMOUSLY ADOPTED

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Clerk Lee: Motion B on the agenda has received the required amount of signatures to bring to the floor.

**B. Support of Essential Caregivers Act**

Chairman Chagnon: Are there any comments or any discussion on the motion?

Legislator Parker: In reading the motion, it says here, WHEREAS the bill – first of all, I haven't seen the bill from Congressman Claudia Tenne so without seeing it I can't vote on it. WHEREAS the bill – but it says here WHEREAS the bill allowed essential caregivers access to long-term care facilities to provide care and support to a facility resident during any public health emergency and as a registered nurse, there can be no public health emergency. There can't be an absolute 100% any health emergency provision for caregivers to be allowed in a healthcare facility. So on that basis, I am voting against it, thank you.

Chairman Chagnon: Okay, are there any other comments or any questions on the motion?

ADOPTED (Legislators Nelson and Parker voting "No")

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Clerk Lee: Motion C on the agenda has received the required amount of signatures to bring to the floor.

**C. Proclaiming June 19, 2023 as JUNETEENTH in Chautauqua County**

Chairman Chagnon: Are there any comments or any discussion on the motion?

UNANIMOUSLY ADOPTED

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Clerk Lee: Motion D on the agenda has received the required amount of signatures to bring to the floor.

**D. Opposing Waste Disposal Surcharges and Requesting an Exemption for Planning Units**

Chairman Chagnon: Are there any comments or any discussion on the motion?

## UNANIMOUSLY ADOPTED

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Legislator Niebel: Mr. Chairman, at this time I would like to introduce an emergency motion. The title of the motion is “A Motion in Support of Chautauqua County’s Declaration of a State of Emergency”.

Chairman Chagnon: Okay, we have a request for an emergency motion to be introduced to the floor.

*MOVED by Legislator Niebel, SECONDED by Legislator Bankoski to introduce an Emergency Resolution to the floor*

Chairman Chagnon: At this time, we will have a discussion on whether the body is in favor of accepting an emergency motion to the floor to be discussed and voted upon. So is there any discussion on the motion to bring the emergency motion to the floor?

Legislator Niebel: The reason this motion is needed is because things are moving quite rapidly within New York State. Every day we read about more illegal immigrants being relocated to Upstate Counties. The problem with this is that if some of these folks are relocated to Chautauqua County, we’re just not adequately equipped to take care of 500 or perhaps 1,000 new immigrants. In my opinion, the Legislature needs to support the County Executive’s declaration of a State of Emergency and this is the reason for the motion.

Chairman Chagnon: Okay, thank you for the explanation. Is there any other discussion on the request to bring an emergency motion to the floor?

*Unanimously Carried to bring the Emergency Motion on the floor.*

**E. Motion in Support of Chautauqua County’s Declaration of a State of Emergency**

Chairman Chagnon: Legislator Niebel, would you like to discuss your proposed motion any further?

Legislator Niebel: Mr. Chairman, I think that all of us here are compassionate. We feel for people that have less than we do but at the same time we’re Legislators. We have to protect the people here in Chautauqua County. We have veterans, we have disabled persons and we even have homeless persons and I think we need to be concerned about the services that we provide to these folks as well, thank you.

Chairman Chagnon: Are there any further discussion on the motion that’s on the floor?

Legislator Rankin: Like Legislator Niebel said, people here are compassionate and have an understanding of the need and I know that for example, in the City of Jamestown, father Luke

and St. Luke's Church have worked really hard to try and help all the migrants and I look at all the great work that they're doing to provide them language studies and supplies for their homes and there are a lot of other agencies that are working hard. What I would hate to see, is that we continue to bring people into the point where we leave them hanging in the wind and we can't take care of them. That would be the worst thing is to come here to Chautauqua County and then we don't have the services for them. That would break my heart so we have to be careful about that. That's my biggest concern on top of that fact that we have, we do have people who are not getting the services they need but don't invite somebody in if you can't take care of them.

Legislator Parker: I would just like to say I spoke to the County Executive the other day and I know he has been working very hard communicating with the White House, communicating with the State, with the Mayor of New York City, been in a lot of meeting and I know that he has to represent the Counties best interest as do the Legislators but I find this motion, the language of the motion and also the provision where it sounds like we're talking about not – sort of like prohibiting anyone from coming here. We need to understand that those 70 asylum seekers who came here did not come here. They were not sent here from New York City, they came on their own. I think that Governor Hochul and Mayor Adams called for expedited work authorization. I think that we really in Chautauqua County and as many other Counties have decided we need to slow this process down in order to as Legislator Rankin said to allow we have to have the infrastructure and all of the services and we can't bankrupt the County in the process. But, my belief is that the ultimate goal could indeed be to allow with the infrastructure – these people are coming, their eager to work, they want to work, they're in search of work and we need workers. Many of them are skilled workers. I think it should be completely slowed down but I don't think that there is really a constructive discussion going on when you completely close the door. I do understand that this State of Emergency I believe lasts for 30 days and can be renewed and I'm in favor of some of that delay to make sure there is infrastructure but I can't support this based on these other factors I mentioned, thank you.

Legislator Nelson: Mr. Chairman, this motion I believe sends the wrong message but the message is not new. We've had anti-immigrant attitudes in Legislation since even before the Country was established. 10 years before the Declaration of Independence was signed, Ben Franklin was warning us of the German immigration problem here. In the 1840's there were signs in store windows and businesses that said "NINA", No Irish Need Apply. In 1882 we passed the Chinese Exclusion Act just after they finished building the western portion of the transcontinental railroad, we decided that these people who were hard working and peaceful were now dangerous and we had to stop allowing them into the Country. In the 1920's, 1921, 1924, we passed the Emergency Quota Act which drastically limited the number of immigrants from Southern, Eastern Europe, Italy, Greece, Turkey, and Poland. In 1929 we passed the National Origins Act which further limited immigrants from Southern and Eastern Europe and Asia. All of these, this should seem somewhat ironic because we are a nation of immigrants and I would best most of us have immigrant ancestors that probably came through Ellis Island. 4 out of 10 Americans can trace one ancestor through Ellis Island right next to one of our most important national symbols which is the Statue of Liberty. I bring this up just because and I can't support this but if nothing else I hope you think about how history will judge this, thank you.

Legislator Rankin: Listening to Legislator Nelson, I think about the fact that my parents came through Ellis Island from Sweden and the Swede's were not welcome even when they came and they were discriminated against but what happened was that there was communities of people that welcomed them and helped them and I think that the same with the Italians in Jamestown and a lot of the other communities. I think that what's hard is that we've lost that sense of community in a lot of different areas and so when we see – I know I keep mentioning St. Luke's and I know there are other places around that are trying to develop a sense of community that the problem is when you feel like the Government is sending these people and they're not giving us support. Part of the problem is we'd love to see the funding come from the State from the federal government to say "here is some funding, you help immigrant, you help these migrants, you help these asylum seekers, we're going to give you the money for it" and that may not necessarily be possible so I'd like to see more (*inaudible*) movements and communities come up and say "we're a community that's going to welcome you". So I'm torn about this because I think as far as putting a strain and a drain on our local resources is really difficult so you just never know though whether this passes or not. I'd like to see more people step up community wise and say "let's help these people" because somehow or another they're going to be contributing to our society and they will help tell the future of what our community is all about.

Legislator Niebel: My Chairman, I appreciate the history lesson that was given a little while ago but we're a nation of legal immigrants. What we're talking about here is illegal immigrants that for the most part, went to New York City, a sanctuary City and New York City is trying to relocate these people in Upstate County's and the fact of the matter is that we're just not set up. We can't provide the services to adequately take care of these folks. The comment that was made earlier that these people are coming here to work, that may be true but legally they cannot work. They cannot even collect Medicaid so eventually the services that are going to have to be provided to these folks are going to have to be provided by Chautauqua County and our tax payers and that's why we need to support the County Executive's Declaration of a State of Emergency, thank you.

Legislator Wilfong: I'm 100% against letting illegal aliens even come into this Country. When veterans who've supported our Country sleep on the streets. Have you ever been to the VA hospital in Buffalo? We have funding for that. We have funding for illegal aliens. Where is the funding for our own soldiers when they get old and they get tired and have to go nursing homes? I don't know if you've ever been there but you should stop in and see it sometime. It's pathetic that we have people sleeping on the streets who fought for this Country but we open the door and bring all of these people in. I'm 100% against it and I always will be, thank you.

Chairman Chagnon: Any of comments, questions or discussion on the motion?

MOTION E. – R/C Vote: 15 Yes; – 2 No (Nelson and Parker voting "No"); 2 Absent (Pavlock & Torres) – ADOPTED

## ANNOUNCEMENTS

Legislator Bankoski: On behalf of myself and Legislator Muldowney, we'd like to welcome you down to Dunkirk's Memorial Park on Monday at 10 o'clock for our annual Memorial Day service and basically a salute to our veterans and then stay upon and enjoy our Memorial Day parade.

Legislator Harmon: June 3<sup>rd</sup>, the Village of Silver Creek and the (*inaudible*) Club of Silver Creek are hosting a children's fair. The hours are between 10 and 2. There are bounce houses, vendors, hot dogs and it's a great day and an inexpensive day for a lot of family fun so it's June 3<sup>rd</sup>.

Legislator Vanstrom: I would just like to invite everybody to Jamestown Veterans Park on Saturday at 10 a.m. It's going to be hosted by the Goldstar Mother's and it's a memorial event. They are going to have some very sentimental and important messages to share to keep us in check with why America is the greatest Country in the entire world.

Legislator Wilfong: We'd like to bring everybody down for June and July to the Jamestown Tarp Skunks games. Reserved seats are \$14, grand stand seats are \$9 and bleachers are \$6. Opening night will be June 1<sup>st</sup>. It's going to be a free tailgate concert. There's also opportunities for food and it is a family friendly event and that's both June and July.

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## 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.

Good evening. My name is Susan Baldwin and I live in Villenova. I've been here a few times before. Last time I was here a couple months ago I showed you this sign. This is up at my house because my water has been poisoned by directional drilling and dynamite. Now I see right out our living room window, big window, a giant 600 foot turbine. It isn't turning yet but it sure does take every single corner of my window when I look. I'd like to also point out that I have organized a class action law suit against Northland Power, Ball Hill Wind, the representatives of Villenova because on May 11<sup>th</sup>, 2022 there was a dynamite like explosion on Bentley Hill Road. Several firetrucks showed up. I do believe I mentioned this to you last time and they also sent 5 firetrucks to my house just in case I wanted to complain later about it. I had no fire but that was really wrong of them to take 5 trucks from a real fire to send them to my house. I asked who did it and they said "false alarm, we don't know". So I have to do a freedom of information thing. Anyways, what I really wanted to tell you was there's 661 people affected in the Town of South Dayton. Now this Village of South Dayton letter has been sent to tell everyone in Town that there's excessive amount of iron and (*inaudible*). I have actually tested that water and sent it to

the EPA because I own a house right in that Village also and it was full of strontium, chromium, barium, lead, arsenic. All these chemicals that are in fracking water and that is what they done on Bentley Road and that is also under a foil but the lawyer said we could get a lot of money from the gas and oil industry because they don't want to let anyone know that they're actually using permits. Oh I got several permit pictures and construction pictures that I've also turned over to the lawyer. So, wish me luck. I might be a millionaire. Have a great day but I'll be a sick millionaire because I drink my water. Have a great day guys.

I'm Doug Champ and I live at 225 (*inaudible*) Street. I don't know how many times that I have been in front of this Legislature. Some of you are old and new but that's okay because this is old folks (*inaudible*) and I'm an old folk so you have to listen to what I have to say. I'm here tonight to give a brief chemistry lesson. I was trained as an environmental biologist with a lot of engineering. That doesn't make me any better than anybody here. It just makes me able to understand how things work and what happens when they don't. There's a book out and I want Pierre Chagnon with his immense wealth and philanthropic ability to buy this book for all of the Legislators. It's called the Devil's Element. What is a Devil's Element? Phosphorus. #15 on the periodic table but phosphorus isn't the problem. What's the problem is what phosphorus becomes. Now, I'm going to hand out, if I may, exhibits. These are 3 types of fertilizers. You can feel them and you can smell them and you tell me out of which one do you think has more phosphorus? (*Inaudible*) you recently awarded and justifiably saw (*inaudible*) to Chautauqua Institution 1 million dollars to study a lake. I grew up in the lake some 77 years ago and I studied it, became enamored by what was in it and how it all worked. The issue though is not about more data. The issue is phosphorus at its conversions to phosphates. How does that happen? Many ways. It happens because that particular element is both diabolical and absolutely necessary for life on this planet. You are made up of phosphorus. All the mammals, all the plants and then when they die, they become elementary phosphorus and that's why bone alley in Florida is the greatest unknown reservoir of phosphorus. All the mammals that were on the peninsula that turned into Florida are harvest and it's made in fertilizer. In reality, the United States is running out of phosphorus. This book will tell you that. By the end of the century or before Morocco will control 80 some percent of all phosphorus in the world. Why? It's in the Sahara Desert. All (*inaudible*) particular (*inaudible*) that blows all over the world. Some good some bad but my point is this; those items I gave you are all made up of phosphorus. The worst one

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

Mr. Champ: Well you see I know but you guys always tell people to stop talking and I will meet with anyone here to explain that you need to know more about what you're doing. 3 minutes is not enough but there's no convey way to sit up here and talk. This is about all of you and all your children.

Chairman Chagnon: Okay Doug, that's enough.

Mr. Champ: So this book, The Devil's Element done by Dan Egan who also wrote The Life and Death of the Great Lakes who talked at Chautauqua 2 years ago.

Chairman Chagnon: Thank you. Anyone else wishing to address the second privilege of the floor?

Jim Quattrone, Chautauqua County Sheriff. Two things, first of all I just want to comment and thank you all for voting in favor of the School Resource Officers. I wanted to point out that it's a valuable resource that we have and we focus on the word resource but the recent article that said we denied a school, I wanted to point out, not because of staffing but because of adequate staffing and because of appropriate staffing. We have the proper amount of deputies for patrol but we don't have deputies that have an interest in working in a school or have the time on the job and the experience in the job to go into the school because it's such a valuable spot, we don't want to put a brand new deputy in there. So I just want to again, thank you for that and make sure that the Legislators know that we appreciate the staffing we have on the road while we are still searching for Correctional Officers but that's not your fault, that's the communities fault I guess. Better news, I did want thank Dr. Faulk and his team from the Department of Health and our nursing staff. For those of you who don't know, the medical staff in our jail whether it's (*inaudible*) nurses, the mental health provided by the Department of Mental Hygiene in the Department of Health, we recently in the beginning of May got notified that we received the State's accreditation from the National Commission out of Correctional Healthcare. This is a huge undertaking we're one of under 5 Counties in New York State to have that accreditation and that is really a big lift. I had suggested along with Christine Schuyler – something I've suggested and I stepped back and watched all the hard being done so thanks to Dr. Faulk, Kathy Burgess, the RN as well as Allison (*inaudible*) and their staff in the jail worked as well as the mental health staff worked tirelessly to get this accreditation and they really did it in record time so credit to them and please extend your thanks to all of those that really provide an awesome service. Sometimes I wish I could go to some of the staff and jail for my medical services. Dr. (*inaudible*) I love you but we have a great service in the jail that has provided to our incarcerated individuals. Thank you.

Anthony Toda, 144 Clifton Avenue Jamestown, New York. I'm just wondering if I can continue speaking concerning this immigration issue that we're having?

Chairman Chagnon: You can speak on any subject.

Mr. Toda: First of all, if you're a democrat, there's going to be people that are crossing the borders due to democratic policies and those people are obviously are obviously going to vote democrat. So what we're doing here, concerning immigration is to load up the Democratic Party and stop the 2 party system in this Country and that's a reality people need to think about. Secondly, why weren't the people (*inaudible*) when they got off the bus in New York City? New York City (*inaudible*) immigration (*inaudible*) talking about Ellis Island which (*inaudible*) it required constitutional law so people could go through the process of becoming a citizen. Now why would people (*inaudible*) the constitution promotes this type of a law and these types of a procedures. (*Inaudible*) to permit (*inaudible*) that we're going through on the border. To permit the massive amount of fentanyl that's crossing the border along with these immigrants and to

permit criminals that are crossing the border. Now everybody talks about the crime or the drug issue that we have in this Country today but does anybody consider or willing to say what the cause of that drug issue is today? Why it is higher under this administration, the Biden administration than it was under the Trump administration? Those things are realities, those are facts. People are flooding across the border illegally, bringing drugs in illegally and it's a direct responsibility (*inaudible*) democratic principles, policies, the Biden administration, the Senators in our own state who are allowing this to happen. Now we have a social assistant that's being promoted that needs to stop because eventually we're going to run out of money. Look at what the Biden administration has done to the national debt. So we'll run out of money and who's going to pay for all of this? We had this problem under Andrew Cuomo with Medicare when he was I believe 6 – some ridiculous amount of figure in the hole prior to the virus (*inaudible*) and magically the state recovered from that so there are some terrible issues here, none of them are legal. None of them are constitutional and none of them protect our rights of our citizenship that our 4 fathers died for. The sovereignty of this Country, protection from invasion, individual rights and not a burden on citizens to pay for people who should not be coming who are being brought here through extortionist (*inaudible*) their own money up and maybe some of that money should be considered being (*inaudible*) to democrats in the senate and the house to leave the door open. That's something that should be considered, thank you very much.

Ben Shank, French Creek Township. This whole emergency thing can be broken down to the bedrock of our society, our families. We care about our children and the welfare of our families and when somebody barges into your home and demands that you take care of them, you have a responsibility to your family. You have a responsibility to your citizens. A safer, nicer America or a free America. Which do you want? A safer, nicer America or a free America. We can't have both with Jesus Christ crowned king. A safer, nicer America where we cherish safety and niceness about Jesus is an America that is controlled by regulation. Where the common sense God has created us with is no longer necessary. Where God is no longer necessary. He's replaced by the State telling us what we can and cannot do. Slavery to the State, unending new regulations, freedoms lost. We're witnessing the end game of a safer, nicer America that does not hold Jesus as king. To me, it is very troubling. All common sense is gone. People looking to the State for answers. Willingly surrendering freedom, not knowing that the answers to our problems are found only in Jesus Christ. We all long for safety and we desire people to be nice to one another. This is a good part of the nature God created us with but where do we find it? We find it by faith and Jesus like mother hen protecting her chicks. Safety and niceness come through Gods protecting wings. Our founding fathers wrote to the America and her freedoms will no longer exist if we reject Jesus Christ and disregard and distain the teaching from scriptures. They have (*inaudible*) a beautiful system of government that honors Jesus Christ to us. This generation that enables every man to be free as his creator intended him to be. The past generations have let freedom (*inaudible*). What do we do? Our loving God allows judgement to follow us when the decisions we make fall contrary to His nature. The scriptures teach us as nature. We are in America today experiencing God's loving judgement. In conclusion, I refer to the scriptures Galatians 5:1, it is for freedom that Christ has set us free. Stand firm, then, and do not let yourselves be burdened again by a yoke of slavery. Second Corinthians 3:17, where the Spirit of the Lord is, there is freedom. Thank you.



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MOVED by Legislator Bankoski, SECONDED by Legislator Gustafson to adjourn.

*Unanimously Carried (7:42 p.m.)*

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