

Agenda

Public Facilities Committee

July 17, 2023, 4:00 p.m., Legislative Chambers

Livestreamed on YouTube

Gerace Office Building, Mayville, NY

- A. Call to Order
 - B. Approval of Minutes (6/20/23)
 - C. Privilege of the Floor
1. Tabled Resolution – Modification of Membership of North Chautauqua County Water District Administrative Board
 2. Proposed Resolution – Amend 2023 Budget for Portland-Pomfret-Dunkirk Sewer District Design Phase of I & I Study
 3. Discussion – Re-Organization of Finance Department – Kitty Crow
 4. Other -

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

TITLE: Modification of Membership of North Chautauqua County Water District
Administrative Board

BY: Public Facilities and Audit & Control Committees:

AT THE REQUEST OF: County Executive Paul M. Wendel, Jr. and Chairman Pierre
Chagnon:

WHEREAS, the Chautauqua County Legislature has erected and established the North Chautauqua County Water District (hereinafter referred to as District) pursuant to Article 5-A of the County Law, and

WHEREAS, in its Report recommending the formation of the District, the Chautauqua County Water Agency recommended that the administrative body of the District consist of nine members with the mayor of the Village of Brocton and the supervisors of the Towns of Portland, Pomfret, Dunkirk and Sheridan being ex officio members with the remaining members appointed by the Chautauqua County Legislature, and

WHEREAS, upon the Chautauqua County Water Agency recommendation, the Chautauqua County Legislature Established the Administrative Body for the District pursuant to Resolution 40-16 which consisted of the Mayor of the Village of Brocton and the Supervisors of the Towns of Sheridan, Dunkirk, Pomfret and Portland and the Chairman of the North County Industrial Water District No. 1 and 3 additional members to be appointed by the Chautauqua County Legislature, and

WHEREAS, the Chautauqua County Legislature desires to improve the oversight and efficiency of the District operation and remove any potential conflict of interest with the District customer CBI Water Works, and

WHEREAS, New York County Law §261 provides that a member of the county legislative body may be appointed as a member of a county district administrative body, and in furtherance of the County Legislature's oversight role, it would be advantageous to appoint county legislators to be members of the District board; and

WHEREAS, county districts established under Article 5-A of New York County Law are county agencies and not separate legal entities, and pursuant to numerous provisions of New York law, the County Legislature has extensive ongoing responsibility for the oversight of all county districts, including, but not limited to the following:

1. Designates the administrative head and their tenure – can be an officer, board, or other body;
2. Approves all district budgets and amendments, including capital projects;
3. Approves all financing/bonding of district projects, which are guaranteed by the full faith and credit of the County;
4. Approves all user charges and assessments;
5. Approves all employee compensation and benefits, including the management salary plan and collective bargaining agreements governing district employees pursuant to the Taylor Law;
6. Provides for all general liability insurance and defense of district officers and employees, including the administrative head;
7. Provides workers' compensation coverage and administration for all County agencies, including the districts;
8. Approves all policies (including procurement policies) applicable to County agencies, including the districts;

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

9. Adopts the Code of Ethics governing district officers and employees, including the administrative head;
10. Authorizes the delegation of contract approval to the district administrative heads;
11. Approves rules and regulations for the operation of county districts, including the manner of making connections and the construction of the facilities; now therefore be it

RESOLVED, That the District Board shall consist of seven (7) members with five (5) members being the county legislators from Districts 1, 2, 3, 5, and 7, and that the following two (2) persons are appointed as members of the administrative board of the District, to serve at the pleasure of the County Legislature:

1. David Hazelton, 133 West Main Street, Brocton NY 14716
Term to expire 12/31/2027
2. Richard Lascola, 265 Liberty Street, Fredonia NY 14063
Term to expire 12/31/2027

and be it further

RESOLVED, That members of the administrative board of the District shall receive no compensation for acting as such members, and be it further

RESOLVED, That the chairman and vice-chairman of the administrative body of the District shall be elected by and shall serve at the pleasure of the members of such board, and be it further

RESOLVED, That said administrative board shall have full power and authority to cause the project described in the District formation Map, Plan and Report to be constructed within the maximum amount authorized to be expended of \$11,750,000 and to operate and maintain the improvements constructed consistent with the November 17, 2015 Water Purchase/Water Supply Agreement among the County of Chautauqua, City of Dunkirk, Town of Portland, Village of Brocton, Town of Pomfret, Town of Dunkirk, Town of Sheridan and North County Industrial Water District No. 1, and be it further

RESOLVED, That said administrative board may enter into contracts as authorized by County Law Article 5-A within the scope of the District formation Map, Plan and Report and further authorizations which may be provided by the County Legislature with municipal corporations and other entities or individuals, and be it further

RESOLVED, That the chairman of the administrative board as authorized by the administrative board be and hereby is authorized and empowered to execute all necessary contracts, vouchers and legal instruments under the authority of the County Legislature and Article 5-A of the County Law.

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

REQUEST FOR LEGISLATION AND MEMORANDUM IN SUPPORT

TO CLERK OF THE LEGISLATURE

DATE 06/05/2023
MONTH DAY YEAR

TITLE OF PROPOSED RESOLUTION OR LOCAL LAW: Modification of Membership of North Chautauqua County Water District Administrative Board

DEPARTMENT OR AGENCY REQUESTING LEGISLATION: Legislature

CONTACT PERSON: Kathy Tampio TEL: 4546

PURPOSE OF LEGISLATION: Same as title

IS EMERGENCY ACTION REQUIRED? YES NO

STATE THE EMERGENCY NATURE OF THE PROPOSED LEGISLATION: _____

FISCAL IMPLICATIONS

IS A TRANSFER* OF FUNDS NECESSARY? YES NO
IF YES, ARE THE FUNDS BEING TRANSFERRED WITHIN THE SAME DEPARTMENT/AGENCY? YES NO
IF YES, IS TRANSFER FROM .8 ACCOUNT? YES NO
IS A NEW ACCOUNT BEING ESTABLISHED? YES NO

*NOTE: ADDING TO, OR SUBTRACTING FROM, EXISTING BUDGET CLASSIFICATIONS OR ACCOUNTS IS **NOT** A TRANSFER. MOVING FUNDS **BETWEEN** NEW OR EXISTING CLASSIFICATIONS OR ACCOUNTS **IS** A TRANSFER.

SOURCE OF FUNDS

LOCAL FEDERAL STATE OTHER

LEGISLATIVE HISTORY

OFFICE USE ONLY
COMMITTEE(S) ASSIGNMENT

DATE RECEIVED 6/6/23
FROM County Executive

ADMINISTRATIVE SERVICES PLANNING & ECONOMIC DEVELOPMENT
AUDIT & CONTROL PUBLIC FACILITIES
HUMAN SERVICES PUBLIC SAFETY

DATE OF INITIAL COMMITTEE CONSIDERATION P.F. 6/20/23

TIME AND LOCATION OF COMMITTEE MEETING 4:00 p.m. Legislative Chambers

DEPARTMENT HEAD REQUESTED TO ATTEND YES NO

ACTION REQUIRED BY ANOTHER COMMITTEE YES NO

2ND COMMITTEE AND DATE OF MEETING A.C. 6/22/23

TIME AND LOCATION OF COMMITTEE MEETING 8:35 a.m. Legislative Chambers

DEPARTMENT HEAD REQUESTED TO ATTEND YES NO

COMMITTEE ACTION

PRE-FILE AS A RESOLUTION FOR NEXT REGULAR MEETING
PRE-FILE AS A MOTION FOR NEXT REGULAR MEETING
APPROVED - REFER TO OTHER COMMITTEE
REJECTED - NOTIFY SPONSOR
TABLED - PENDING INFORMATION
TABLED OR REFERRED

CHAUTAUQUA COUNTY
RESOLUTION NO. _____

TITLE: Amend 2023 Budget for Portland-Pomfret-Dunkirk Sewer District Design Phase of I & I Study

BY: Public Facilities and Audit & Control Committees:

AT THE REQUEST OF: County Executive Paul M. Wendel, Jr. and
Legislature Chairman Pierre E. Chagnon:

WHEREAS, the Portland-Pomfret-Dunkirk Sewer District Board has voted to begin the engineering design phase of their Infiltration and Inflow reduction Project; and

WHEREAS, use of the ESP Fund Balance is needed to cover the expenditure because it was not included in the 2023 Adopted Budget; now therefore be it

RESOLVED, That the A Fund Balance is appropriated as follows:

INCREASE THE USE OF FUND BALANCE:

ESP.-----924.0000 Unassigned Fund Balance—	
Nets Assets—Unrestricted (Deficit)	\$92,400.00

;and be it further

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

INCREASE APPROPRIATION ACCOUNT:

ESP.8130.30001.4 Contractual-Portland, Pomfret, Dunkirk Sewer	\$92,400.00
---	-------------

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

REQUEST FOR LEGISLATION AND MEMORANDUM IN SUPPORT

TO CLERK OF THE LEGISLATURE

DATE 7/7/23
MONTH DAY YEAR

TITLE OF PROPOSED RESOLUTION OR LOCAL LAW: Amend 2023 Budget for Portland-Pomfret-Dunkirk Sewer District Design Phase of I & I Study

DEPARTMENT OR AGENCY REQUESTING LEGISLATION: County Executive Paul M. Wendel Jr.

CONTACT PERSON: Mathew Oehlbeck TEL: 716-753-4715

PURPOSE OF LEGISLATION: Amend Budget – ESP use of fund balance

IS EMERGENCY ACTION REQUIRED? YES NO

STATE THE EMERGENCY NATURE OF THE PROPOSED LEGISLATION: _____

FISCAL IMPLICATIONS

IS A TRANSFER* OF FUNDS NECESSARY? YES NO

IF YES, ARE THE FUNDS BEING TRANSFERRED WITHIN THE SAME DEPARTMENT/AGENCY? YES NO

IF YES, IS TRANSFER FROM .8 ACCOUNT? YES NO

IS A NEW ACCOUNT BEING ESTABLISHED? YES NO

*NOTE: ADDING TO, OR SUBTRACTING FROM, EXISTING BUDGET CLASSIFICATIONS OR ACCOUNTS IS **NOT** A TRANSFER. MOVING FUNDS **BETWEEN** NEW OR EXISTING CLASSIFICATIONS OR ACCOUNTS **IS** A TRANSFER.

SOURCE OF FUNDS

LOCAL FEDERAL STATE OTHER

LEGISLATIVE HISTORY

OFFICE USE ONLY
COMMITTEE(S) ASSIGNMENT

DATE RECEIVED 7-11-23
FROM County Executive

ADMINISTRATIVE SERVICES PLANNING & ECONOMIC DEVELOPMENT
AUDIT & CONTROL PUBLIC FACILITIES
HUMAN SERVICES PUBLIC SAFETY

DATE OF INITIAL COMMITTEE CONSIDERATION P.F. 7-17-23

TIME AND LOCATION OF COMMITTEE MEETING 4:00 p.m. Legislative Chambers

DEPARTMENT HEAD REQUESTED TO ATTEND YES NO

ACTION REQUIRED BY ANOTHER COMMITTEE YES NO

2ND COMMITTEE AND DATE OF MEETING A.C. 7-20-23

TIME AND LOCATION OF COMMITTEE MEETING 8:35 a.m. Legislative Chambers

DEPARTMENT HEAD REQUESTED TO ATTEND YES NO

COMMITTEE ACTION

PRE-FILE AS A RESOLUTION FOR NEXT REGULAR MEETING
PRE-FILE AS A MOTION FOR NEXT REGULAR MEETING
APPROVED - REFER TO OTHER COMMITTEE
REJECTED - NOTIFY SPONSOR
TABLED - PENDING INFORMATION
TABLED OR REFERRED