

Agenda

Public Facilities Committee

August 14, 2023, 4:00 p.m., Legislative Chambers

Livestreamed on YouTube

Gerace Office Building, Mayville, NY

- A. Call to Order
- B. Approval of Minutes (7/17/23)
- C. Privilege of the Floor
- 1. Proposed Resolution – Modification of Membership of North Chautauqua County Water District Administrative Board
- 2. Proposed Resolution – Amend 2023 Budget for CARTS Bus Tablets (2019) Project
- 3. Proposed Resolution – Authorize Agreement with NY State DOT for Performance of Federal-Aid Project PIN 5764.60
- 4. Proposed Resolution – Accept FAA and NYSDOT Funds for the Aviation Capital Project Rehabilitate Airport Perimeter Fence Phase 2 – Construction
- 5. 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;

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VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

8. Approves all policies (including procurement policies) applicable to County agencies, including the districts;
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 be increased to eleven (11) members by the addition of two (2) Legislators from Legislative Districts 2 and 7, 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

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

TITLE: Amend 2023 Budget for CARTS Bus Tablets (2019) Project

BY: Public Facilities and Audit & Control Committees:

AT THE REQUEST OF: County Executive Paul M. Wendel, Jr.:

WHEREAS, pursuant to Resolution 257-20 Chautauqua County accepted grant funds from the New York state Department of Transportation pursuant to Section 5311, Title 49 of the United States Code; and

WHEREAS, the grant award included \$15,000 for replacement of tablets and hardware; and

WHEREAS, funding for the replacement tablets and hardware is shared at the rate of 80% Federal, 10% State and 10% local dollars; and

WHEREAS, revenues and expenditures for this program were not previously included in the County's budget; and

WHEREAS, CARTS plans to purchase the tablets and hardware in 2023; now therefore be it

RESOLVED, That the County Executive is authorized to sign all necessary documents and agreements with the State of New York to receive the grant funding, and be it further

RESOLVED, That the Reserve for Capital is appropriated as follows:

INCREASE THE USE OF FUND BALANCE

A. ----.878.0000	Fund Balance-Reserve for Capital	\$1,500
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; and be it further

RESOLVED, That the Director of Finance is hereby directed to make the following budgetary changes:

INCREASE APPROPRIATION ACCOUNT:

H.5630.25012.4699.0000	Contractual-Tablets (2019)	\$15,000
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INCREASE REVENUE ACCOUNTS:

H.5630.25012.R459.7000	Federal Aid-Transp Capital	\$12,000
H.5630.25012.R359.7000	New York State Aid-Transp Capital	\$ 1,500
H.5630.25012.R503.1000	Interfund Transfer-Interfund transfer	<u>\$ 1,500</u>
	Total	\$15,000

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

CHAUTAUQUA COUNTY
RESOLUTION NO. _____

TITLE: Authorize Agreement with NY State DOT for Performance of Federal-Aid Project
PIN 5764.60

BY: Public Facilities and Audit & Control Committees:

AT THE REQUEST OF: County Executive Paul M. Wendel, Jr.:

WHEREAS, the Replacement of the County Bridge 830, Cartwright Road Bridge over Brokenstraw Creek, BIN 3324890, in the Town of Harmony, Chautauqua County, PIN 5764.60 (the Project) is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program, now estimated to be \$330,000 to be borne at the ratio of 80% Federal funds, 15% State Funds and 5% County funds; and

WHEREAS, the County of Chautauqua will design, let and construct the Project; and

WHEREAS, the County of Chautauqua desires to advance the Project by making a commitment of 100% of the Non-Federal share of the costs of the Project; now therefore be it

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

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

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

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

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

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

INCREASE THE USE OF FUND BALANCE:

A. ----. ----.878.0000	Reserved Fund Balance--Reserve for Capital	\$ 16,500
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; and be it further

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

INCREASE APPROPRIATION ACCOUNT:

A.9950. ----.9	Interfund Transfers-Transfer to Capital	\$ 16,500
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VETOES (VETO MESSAGE ATTACHED)

County Executive

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INCREASE CAPITAL APPROPRIATION ACCOUNT:

D.5112.389.4 Contractual – Capital Imp, Funded Bridge Program \$330,000

INCREASE CAPITAL REVENUE ACCOUNTS:

D.5112.389.R458.9002 Federal Aid – Surface Transp Program \$ 264,000

D.5112.389.R503.1000 Interfund Transfers-Interfund Transfer \$ 16,500

D.5112.389.R358.9002 NYS Aid-Marchiselli Funds \$ 49,500

Total \$330,000

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

TITLE: Accept FAA and NYSDOT Funds for the Aviation Capital Project Rehabilitate Airport Perimeter Fence Phase 2 – Construction.

BY: Public Facilities and Audit & Control Committees:

AT THE REQUEST OF: County Executive Paul M. Wendel, Jr.:

WHEREAS, Chautauqua County submitted to the Federal Aviation Administration (“FAA”) a project application to pay 90% of the allowable costs incurred in accomplishing the following project at the Chautauqua County/Jamestown Airport: Rehabilitate Airport Perimeter Fence Phase 2 – Construction FAA AIP Project No. 3-36-0048-0XX-2023 (“Project”) with a 5% local share and 5% provided by the New York State Department of Transportation; and

WHEREAS, Chautauqua County has received a grant from the Federal Aviation Administration to pay 90% of the allowable costs incurred in accomplishing the following project at Chautauqua County/Jamestown Airport:

Rehabilitate Airport Perimeter Fence Phase 2 – Construction FAA AIP Project No. 3-36-0048-0XX-2023 NYSPIN XXXX.XX

WHEREAS, the New York State Department of Transportation is offering a matching grant to the federal grant for 50% of the non-federal share of eligible costs (5% of total costs.)

WHEREAS, Chautauqua County has committed funds for the local share of project costs. Funding shares for project costs are as follows:

Federal	\$	1,906,849
State	\$	105,937
Local	\$	<u>105,936</u>
Total Project Cost	\$	2,118,722

WHEREAS, if Chautauqua County and/or the FAA notifies the NYSDOT that Chautauqua County has requested and received an increase in federal funding for the project based on increased eligible costs, and has authorized the proportionate increase in local funding, the New York State share noted above shall be increased proportionately up to a maximum increase of 15%.

NOW, THEREFORE, BE IT RESOLVED, That Chautauqua County authorizes acceptance of the grants and entering into agreements with the United States (FAA) and State of New York (NYSDOT) for financial assistance for the project described above for Chautauqua County/Jamestown Airport;

RESOLVED, That the County Executive of Chautauqua County be authorized to execute all necessary documents on behalf of Chautauqua County with the United States and New York State in connection with the project; and be it further

RESOLVED, That a certified copy of this resolution be filed with the Federal Aviation Administration and New York State Commissioner of Transportation by attaching it to any necessary documents in connection with the project.

RESOLVED, That A Fund Balance is appropriated as follows:

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

INCREASE THE USE OF FUND BALANCE:

A.-----917.0000	Fund Balance, Unassigned Balance— Unassigned Fund Balance	\$ 105,937
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; 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:

A.9950.-----9	Interfund Transfers—Transfer to Capital	\$ 105,936
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ESTABLISH & INCREASE CAPITAL APPROPRIATION ACCOUNT:

H.5610.25296.4	Contractual—Chautauqua County Airport, Airport Perimeter Fence PH2- Construction (2023)	\$2,118,722
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ESTABLISH & INCREASE CAPITAL REVENUE ACCOUNTS:

H.5610.25296.R503.1000	Interfund Transfer – Interfund Transfer	\$ 105,936
H.5610.25296.R359.7001	NYS Aid – Airport Capital Grants	\$ 105,937
H.5610.25296.R459.2000	Federal Aid – Airport Federal Capital Grants	<u>\$1,906,849</u>
	Total	<u>\$2,118,722</u>

APPROVED

VETOES (VETO MESSAGE ATTACHED)

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