

Regular Meeting
Chautauqua County Legislature
Live Streamed on YouTube
Wednesday, August 23, 2023 6:30 p.m.
Mayville, N.Y. 14757

Chairman Chagnon called the meeting to order at 6:31 p.m.

Chairman Chagnon: I will call to order the meeting of the Chautauqua County Legislature on August 23, 2023. Would the clerk please call the roll?

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

Legislator Heiser delivered the prayer and pledge of allegiance.

MOVED by Legislator Bankoski, SECONDED by Legislator Harmon and duly carried the minutes were approved. (7/26/2023)

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.

Hi, Anthony Toda and I live at 144 Clifton Avenue, Jamestown, New York. I just got a question here on resolution 238-23. Wasn't that voted down as far as hotel tax a few months ago or was this just (*inaudible*) the existing tax is going to be extended or (*inaudible*) that's going to be applied to hotels?

County Attorney Slagle: Thank you. This is actually in relation to the additional 1% sales tax, the implementation of that. This is the 3rd of 3 resolutions. The first one was asking the State to allow the County to continue that, the second resolution was actually voted on to support the State in passing that and this is a resolution to actually implement that additional 1% sales tax.

Chairman Chagnon: Continuing it.

County Attorney: Continuing it, correct.

Mr. Toda: Okay, continue it so this is not over and above what you had already (*inaudible*)?

County Attorney: Correct. It's just continuing because the current one expires at the end of November.

Mr. Toda: Thank you.

PROCLAMATIONS:

**Declaring the Month of September as
"Childhood Cancer Awareness Month"**

By

**Chairman Pierre E. Chagnon,
Legislators Martin Proctor,
John Davis,
Elisabeth Rankin**

and

County Executive Paul M. Wendel, Jr.

**Recognizing September 17, 2023 through
September 23, 2023 as Sheriffs' Week
In Chautauqua County**

By

**Chairman Pierre E. Chagnon,
Legislator Terry Niebel**

and

County Executive Paul M. Wendel, Jr.

**VETO MESSAGES FROM COUNTY EXECUTIVE WENDEL
NO VETOES FROM 07/26/2023**

Clerk Lee: There are 6 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. Affidavit of Publication (2) – Legal Notice – Public Hearing re: CDBG Microenterprise Assistance Program (Post Journal and Observer)**
- 2. Affidavit of Publication (2) – Legal Notice – Notice of Estoppel re: NCLSD Infiltration and Inflow Reduction Project (Post Journal and Observer)**
- 3. Affidavit of Publication (2) – Legal Notice - Publication of Local Law Intro 7-23 (Post Journal and Observer)**

4. **Letter – Richard Ball, Commissioner NYS Agriculture and Markets re: Res. No. 198-23**
 5. **Minutes – Conewango Watershed Commission – August 9, 2023 Meeting**
 6. **Letter – Invitation re: Western Regional Off-Track Betting Corporation**
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Chairman Chagnon: Okay, that brings us to our public hearing on the agenda. A Public Hearing Regarding the Implementation of a Community Development Block Grant-Funded Microenterprise Assistance Program and the clerk has a description for us.

Opened
6:56 P.M.

PUBLIC HEARING

A Public Hearing Regarding the Implementation of a Community Development Block Grant-Funded Microenterprise Assistance Program

Clerk Lee: Chautauqua County utilized \$200,000 in Community Development Block Grant funds to establish and implement the Chautauqua County Microenterprise Assistance Program which provided entrepreneurial training and funding to eligible microenterprise businesses within Chautauqua County outside of the entitlement communities of Jamestown and Dunkirk. The Program was implemented by Chautauqua Opportunities for Development, Inc. (CODI) under a Grant Agreement with the County. CODI provided the entrepreneurial training to successful applicants. The first grant awards were approved on March 9, 2022, with subsequent approvals issued periodically as applications were received and reviewed. A total of \$170,000 in grant funds were awarded to 9 microenterprises, including 4 start-up businesses. The balance of the grant funds were used for administrative costs of CODI associated with the program. Six full-time equivalent jobs were created as a result of the program.

Chairman Chagnon: Is there anyone wishing to address the public hearing? Seeing no one, I will close the public hearing.

Closed
6:58 P.M.

LOCAL LAW INTRO. 8-23 – A Local Law Amending Local Law 13-22 Providing for a Management Salary Plan for County Officers and Employees (re: Attorney Positions)

Chairman Chagnon: Are there any questions, comments or any discussion on local law introductory 8-23?

Legislator Rankin: Mr. Chairman, I'd like approval to abstain from voting on this due to a conflict of interest.

Chairman Chagnon: Okay, Legislator Rankin has requested to abstain from voting because of a conflict of interest. Is there any discussion on her request? Seeing none, all those in favor of granting the request to abstain please say aye, opposed? You can abstain.

Unanimously Carried to Abstain

Chairman Chagnon: Are there any other questions, comments or discussion on the local law? Hearing none, would the clerk please call the roll?

LOCAL LAW INTRO 8-23 - R/C Vote: 17 Yes – 0 No – 1 Abstaining (Rankin) – 1 Absent (Pavlock) – UNANIMOUSLY ADOPTED

LOCAL LAW INTRO. 9-23 – A Local Law Amending Local Law 13-22 Providing for a Management Salary Plan for County Officers and Employees (re: Clerk of the Legislature and Secretary to the Legislature)

Chairman Chagnon: Are there any other questions, comments or discussion on local law introductory 9-23? Hearing none, would the clerk please call the roll?

LOCAL LAW INTRO 9-23 - R/C Vote: 18 Yes – 0 No – 1 Absent (Pavlock) – UNANIMOUSLY ADOPTED

RESOLUTIONS:

219-23 Modification of Membership of North Chautauqua County Water District Administrative Board, by Public Facilities and Audit & Control Committees – UNANIMOUSLY ADOPTED

220-23 Amend 2023 Budget for CARTS Bus Tablets (2019) Project, by Public Facilities and Audit & Control Committees – UNANIMOUSLY ADOPTED

221-23 Authorize Agreement with NY State DOT for Performance of Federal-Aid Project PIN 5764.60, by Public Facilities and Audit & Control Committees – UNANIMOUSLY ADOPTED

222-23 Accept FAA and NYSDOT Funds for the Aviation Capital Project Rehabilitate Airport Perimeter Fence Phase 2 – Construction, by Public Facilities and Audit & Control Committee – *Adopted with Legislator Scudder Voting “No”*

223-23 Amend 2023 Budget to Implement the IT Upgrades for Public Health Project within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan, by Administrative Services, Human Services and Audit & Control Committees – UNANIMOUSLY ADOPTED

- 224-23 Amend 2023 Budget for Law Department**, by Administrative Services and Audit & Control Committees – UNANIMOUSLY ADOPTED
- 225-23 Adjust Law Department Account**, by Administrative Services and Audit & Control Committees – UNANIMOUSLY ADOPTED
- 226-23 Amend 2023 Budget for Office of the Sheriff**, by Public Safety and Audit & Control Committees – UNANIMOUSLY ADOPTED
- 227-23 Authorize Execution of Lease Renewal with Federal Bureau of Investigation for Tower Space 10/1/2023- 9/30/2033**, by Public Safety and Audit & Control Committees – UNANIMOUSLY ADOPTED
- 228-23 FY2022 Hazardous Materials Emergency Preparedness (HMEP) Grant Program**, by Public Safety and Audit & Control Committees – UNANIMOUSLY ADOPTED
- 229-23 Authorize Acceptance of Indigent Legal Services Grant for the period of July 1, 2020 to June 30, 2023**, by Public Safety and Audit & Control Committees – UNANIMOUSLY ADOPTED
- 230-23 Amend 2023 Budget to Implement the PPE Replenishment Project within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan**, by Human Services and Audit & Control Committees – UNANIMOUSLY ADOPTED
- 231-23 Amend 2023 Budget to Implement the Lead Hazard Reduction Project within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan**, by Human Services and Audit & Control Committees – UNANIMOUSLY ADOPTED
- 232-23 Amend 2023 Budget for Chautauqua Lake Collaborative Lake Maintenance Services, Using Funding from the 2% Occupancy Tax Program Reserve**, by Planning and Economic Development and Audit & Control Committees – UNANIMOUSLY ADOPTED
- 233-23 Amend 2023 Budget to Implement Chadakoin River Streambank Stabilization at Deming Drive, Using Funding from the American Rescue Plan Act (ARPA)**, by Planning and Economic Development and Audit & Control Committees – UNANIMOUSLY ADOPTED

Legislator Vanstrom: I think this is an eminent project and I hope it moves forward and I hope we can get this done this season as well or the damages could be much more expensive, costly and painful, thank you.

234-23 Amend 2023 Budget for Feasibility Study for Proposed Chautauqua County Water District, Using Funding from the American Rescue Plan Act (ARPA), by Planning and Economic Development and Audit & Control Committees – UNANIMOUSLY ADOPTED

235-23 Amend Spending Plan and 2023 Budget for Chautauqua County Projects funded by the American Rescue Plan Act (ARPA), by Audit & Control Committee – UNANIMOUSLY ADOPTED

236-23 Standard Workday and Reporting Resolution, by Administrative Services Committee – UNANIMOUSLY ADOPTED

237-23 Authorize Settlement of Insurance Coverage Claim, by Administrative Services and Audit & Control Committees – UNANIMOUSLY ADOPTED

238-23 Resolution of the County Legislature of the County of Chautauqua extending the additional rate of taxes on sales and uses of tangible personal property and of certain services, on occupancy of hotel rooms and on amusement charges pursuant to Article 29 of the Tax Law of the State of New York, by Administrative Services and Audit & Control Committees – R/C Vote: 18 Yes; 0 No; 1 Absent (Pavlock) – UNANIMOUSLY ADOPTED

239-23 Quit Claim Deeds, by Administrative Services and Audit & Control Committees – R/C Vote: 18 Yes; 0 No; 1 Absent (Pavlock) – UNANIMOUSLY ADOPTED

240-23 Setting Salary for Chaplain, by Administrative Services, Public Safety, and Audit & Control Committees – R/C Vote: 18 Yes; 0 No; 1 Absent (Pavlock) – UNANIMOUSLY ADOPTED

MOTION:

Clerk Lee: The motion on the agenda has received the required amount of signatures to bring to the floor. Motion A. Urging Governor Hochul to Veto Election Law A.04282B-S.3505B.

A. Urging Governor Hochul to Veto Election Law A.04282B-S.3505B

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

Legislator Proctor: Thank you. I just wanted to say that I will be supporting this motion. I feel strongly that if passed and not vetoed, it would diminish the importance of our local elections, our Towns, our Villages, our County and lumping them in with federal and state, it would diminish the issues that face many of our residents and we still would have elections on a local level because our Cities and Villages are exempt. There are a few offices County wide, the

Sheriff, the DA's, the County Clerk, our judges, it not going to save us money. This bill passed through legislation in the middle of the night and the fact of the matter is that local municipalities could have changed their terms of elections if they wanted to, they just haven't so I will strongly support this motion.

Legislator Rankin: I'd like to thank Legislator Proctor for bringing this forward and I absolutely agree with him that this has the potential to dilute our local elections without saving any money on the overall level so I do sincerely hope that Governor Hochul veto's this. I don't know all the reasons behind it but I don't think it's going to achieve what they say the purpose is so thank you Mr. Proctor.

Legislator Niebel: Yes, Mr. Chairman. In addition to what Mr. Proctor and Mrs. Rankin has stated, I think it's important to understand that legislation changing the local elections to even number of years it's not going to save any money in fact it's going to cost counties more money for example, by combining local elections with State and National elections, you are going to have more absentee applications to process, you are going to have more absentee ballots to send out. All of this will result in increased personnel cost. In Chautauqua County, our Board of Elections prints their ballots in house and thus, they save our tax payers between \$60,000 and \$75,000 per year. With a much larger ballot, it's doubtful that Chautauqua County and the other 4 counties in New York State will be able to print ballots in house. Finally, as Marty mentioned earlier, you are never going to be able to eliminate odd year elections. There is always going to be vacancies that occur, there is the constitutional offices like Sherriff, County Clerk and DA's, some of which occurred in odd numbered years. I've seen some dumb legislation come out of Albany and this is among the dumbest I've ever seen, thank you.

Legislator Nelson: Thank you, Mr. Chairman. In the first line of the motion it says "Whereas the County Legislature believes that increasing the participation in the election process" you know, that's the purpose of this and that's exactly what the law is trying to do, is increase participation and reduce cost and I respect the opinions of the Legislators who questioned the cost. But, increasing the participation, I think is a valid reason to support this. Voter turnout can fluctuate based on many thing but there is a persistent pattern of low participation in local elections. Across the Country, only about 15% to 27% of eligible voters turn out for local elections. In Chautauqua County, it is a little bit higher, it's about 33%. So in local elections, about 33% turn out but in the presidential election and the last election, 67% turned out so twice as many are turning out in those years. So it's shown, that moving local elections to even numbered years, increases voter turnout and I think that's a good thing and when you look at young voters in Chautauqua County, in the last local election, only 2% of 18-24 years olds voted. By contrast, in the general election in 2020, 48% of 18-24 year olds voted. To me, it seems that it's a good thing to get more people voting. I can't think of why anybody would be afraid of having more people vote.

Legislator Niebel: I would just like to respond to that. Increasing voter participation I think is a worthwhile goal, but I don't think there is any indication that this change will do that. In fact, studies have shown that the larger the ballot, the more ballot fatigue you have as you go

across the ballot, more people drop off and don't vote for positions toward the end of ballot so while the goal is worthwhile, practically speaking this is not going to do it, thank you.

Legislator Vanstrom: (*Inaudible*) of my colleague Mr. Niebel, he was a long standing election commissioner in this County so when he says it will cause ballot fatigue, he's not just guessing that will happen, he knows it will happen, it's already happened and I think the true voters that care about their taxes, care about their community, have (*inaudible*) property, property taxes, a real stake here with their children attending our public schools or home schooling, however they choose, will choose to vote as they value it. They are welcome to vote every year, thank you.

Legislator Parker: I just wanted to add to Legislator Nelson that this is not a new initiative. Republicans have long fought back against the measure claiming that the election alignment is designed to boost voting and they understand that it's for boosting voting. So I think based on the information that I have read that the participation in the general elections more than justifies the difference in the voting as Legislator Nelson said, 1.5% or 2% of 18 to 24 year old are voting at our local elections and voting is one of our most important – the things that we do participatory democracy and we won't always be here to vote and it's really important that we bring younger people and other people into the voting process, thank you.

Legislator Nelson: I would just like to add that in cities that transition from odd to even numbered year mayoral elections turn out immediately increased drastically and remain high in the following election cycles. For example, in Phoenix Arizona, Austin Texas, Baltimore Maryland, turn out rates in those cities increased by more than 240% so that might also help to account for and I understand the issue of ballot fatigue, but still more votes were accounted in those elections, thank you.

Legislator Niebel: Last comment Mr. Chairman, I promise. If one of the goals is voter participation, that's fine but if one of the reasons for this legislation is that it's going to save money, it absolutely is not going to save money, that's a falsity. Thank you.

Chairman Chagnon: Any other comments or discussion on the motion? Hearing none, would the clerk please call the roll?

Motion A. – Urging Governor Hochul to Veto Election Law A.04282B-S.3505B – R/C Vote: 14 Yes – 4 No (Bankoski, Nelson, Parker, Torres) – 1 Absent (Pavlock) – ADOPTED

ANNOUNCEMENTS

Legislator Gustafson: I'd like to just say that the Town of Busti is wrapping up their Bicentennial celebration that they have been having since April. The final events will be concerts and carnivals between September 21st and 22nd and then they will end the celebration on the 23rd

with a 10 a.m. parade. The concert and carnival is from 1:00 p.m. to 10:00 p.m. and then fireworks to celebrate the Bicentennial at 10 p.m. So we'd like to have you all come to Busti for the end of the Bicentennial celebration, thank you.

Legislator Parker: I would just like to announce that this weekend is the Fredonia Farm Festival which is a large celebration of music, crafts, there is all kinds of contests, a parade on Sunday at 2 o'clock and it's very well attended and we welcome everyone to come there, thank you.

Legislator Hemmer: On September 2nd in Westfield, there is going to be a grape and wine festival and it will be held in the park and also at the Grape Discovery Center and there's just a lot of events going on.

Legislator Proctor: I would just like to say that summer is over. School is going to be starting very soon and we all need to be aware of our school bus and stopping for school busses and being aware of kids running around so that's what I was going for.

Legislator Rankin: On Sunday, of Labor Day weekend Jamestown is having their festival at Bergman Park. Please come and have a good time with fireworks ending of the evening.

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, thank you Mr. Chairman, my name is Jim Jaroszynski and I am the Mayor of the Village of Falconer and I am here once again tonight on behalf of my Village residents and our businesses. I want to remind this body that our small Village that we all know and love has 2,200 people in it located within approximately 1 square mile to put my next comments into prospective. Since coming here last month and reporting to you, that the Village of Falconer has a problem involving transitional housing and code blue recipients being placed at the motel in Falconer, I've heard absolutely nothing from County officials. I personally took it upon myself to appear before the Human Services and Public Safety Committee of the Legislature to ask for assistance in this matter. I also filed a request (*inaudible*) Chautauqua County to see how much has been paid to this motel in Falconer for these services by the County since comments were made after my last appearance before this body (*inaudible*) it was the first time anyone knew this was happening in our community. Of those figures, in 2018, the Budget Inn received \$230,527 for temporary housing. In 2019, for code blue, it was given \$13,395 and temporary housing was given \$167,438.39. In 2020, code blue was \$34,125 and temporary housing was \$205,475.34. In 2021, for code blue, was \$26,100 and for temporary housing it was \$222,438 and in 2022 for code blue it was given \$28,090 and for housing it was given \$290,112.97 in last year in 2022. That's adds up to nearly 1 and ¼ million dollars. I reported to

the Legislature last meeting that Falconer is a Village in the middle of a revitalization that was devastated by 2 fires. Our community has been coming together and working toward a common goal, to rebuild our Village that we love. We restarted our Falconer Business Association/Chamber of Commerce. We have major investments from private business owners and this past Monday we had an open house as a result of a grant award from Chautauqua County Partnership for Economic Growth for our downtown revitalization. This open house is very well attended by the community but it all over shadowed by the overwhelming (*inaudible*) this body is ignoring our (*inaudible*) for assistance and a better solution for transitional housing and code blue for our County. We are simply too small and without resources to help these individuals. Dumping these individuals off in (*inaudible*) within reach or assistance to meet their needs is disgraceful. My question to this body is whether this hotel even meets the State standard for this type of housing? When am I or the Village going to hear from a County official? Why are these issues we raised being ignored? It seems there could be more cost effective and appropriate ways to spend 1 and ¼ million dollars of the tax payers money. Code blue season is fast approaching. When is this body going to help the Village of Falconer? Thank you very much.

Hi, I'm Nikki Peirce. I also appeared last month at the meeting on July 26th. I just wanted to give everyone an update on what's been going on in the Village of Falconer since I was last here. The first thing I would do would be to point anyone to read the article in the Post Journal today which the Mayor was just referencing. Detailing all of the funds that have gone to the private owners of the Budget Inn, who have received a lot of money over the past several years, it makes me wonder how much of that money could have been used to help the entire community versus one local business owner who quite honestly isn't really helping the community very much. I just want to detail 3 updates. The first one is the laundry mat which is in the plaza which the Budget Inn is also in. The owner of this laundry mat doesn't even live here, he lives I believe either several hours away maybe even in Pennsylvania. He has dedicated himself to trying to help our community by doing the following things; he has reduced the hours of the laundry mat to no longer being open 24 hours a day. It is now locked and closed between 10 p.m. and 6 a.m. This has been a tremendous improvement. Additionally, he moved the benches that were outside that often times vagrants were congregating on making life quite miserable for those trying to enjoy life in the Village. So those are gone now so that's a positive. The second thing, since I've spoke at the last meeting I was shockingly approached by many, many people telling me they were so happy that we're doing this. They're voicing their support, they are voicing their enthusiasm for the community improvements going on as well as their own safety concerns to me. We've requested that people write us emails and I have I think 6 or 7 here. The majority of the emails, they were all written by community members but they all have the same concerns most of them which are mostly drug (*inaudible*) people walking on their private property, walking up on their porches, banging on their doors in the middle of the night asking for money, food, medical care, whatever and not leaving when asked to leave their private property. Also additionally, people stealing, trying to steal things on their private property, looking in windows, looking in garages, just generally being a nuisance on their private property. The third thing I would like to do is point out a new Facebook page enacted by a community member who's here tonight, it's called "Falconer New York Neighborhood Watch" Facebook page. It's growing very

rapidly, it's become very popular and it's creating a lot of positivity in the Village and allowing people I think to feel like they have an ability to do something even if they aren't willing to come to meetings, or they can't come to meetings or write letters. They can at least get on this page and be up to date on what's going on in the community, faces to be looking for, faces to be watching out for and how to help each other have a safer community generally speaking. The last thing I would say, as the Mayor said, we would ask for these positive things to continue going forward. We would ask the County government to support and assist us in any way possible. These don't have to be financial assistance, in my opinion. This can be people coming down and talking to us, talking to business owners, walking around, seeing what's going on in the day and even at night. So that's what I would request, I would request to everyone to come down. I have a very nice bakery called PersNikkity Pies. We have fresh, locally brewed coffee and we have yummy treats. You guys can come down and we'll walk you around and we'll show you around and let you see what's going on down there so thank you so much for your time.

Legislator Bankoski: I just had 2 comments to make about 3 weeks ago, myself and Legislator Nelson, we went to the 911 center in downtown Jamestown in the Windstream building that has been totally remodeled down there. It's all state of the art and we had a tour by dispatcher Marv Cummings. He showed us the workings of this and it was very impressive. It's just amazing the things that they monitor there between the State Police, the Jamestown Police, and Fire. It made my head spin I couldn't believe how amazing it was. Marv is a friend of mine and I do tend to bust his chops a little bit that he doesn't do enough for the County but I apologized to him that day and Tom can attest that it's just a whirlwind that's going on there right now and the new center in our Mayville office is getting remodeled now and I encourage all of the Legislators if you have the time to get a tour of the new one. If you are from Jamestown, go see that one or wait to see the new one here in Mayville but it was just amazing. I couldn't say enough and the people that work there, some of the calls that they get. We're just sitting there listening to this stuff coming in - like somebody's cat stuck in a tree and they don't know what to do and they have to find out which one is dire emergency compared to something and how do you send a police officer to go to certain calls and stuff but it was very impressive and I encourage everyone to get a tour of either the Jamestown one or the Mayville one, once it's completed. And my last other thing, being the Highway Superintendent in the Village of Silver Creek, we had a site visit by Rebecca Wurster and her office staff from the Planning office and they're making a tour throughout Chautauqua County and we've been the eighth municipality that they've visited and they basically sat down with myself and Mayor Hornburg and explained everything, all the services that they provide to the Village and I took them for a tour around the Village and showed them some of the projects that we're working on and there's couple of the projects that their eyes popped out of their heads and said "well we can help you, let us help you design this or let me help you do this". So again, another very impressive - another one of our departments that are doing great things that don't get recognized so I just wanted to compliment both of them for the great work that they are doing for us.

Legislator Vanstrom: Good evening, thank you Chairman. I just want to give a whole hearted thank you to our jail warden and our Sheriff. They run an extremely well operated jail. Our correction officers are definitely putting themselves out there every day and I think Mr.

Bankoski knows what I am talking about. So I just want to say thank you to all of them for their dedication and their duties that they conduct every day and sometimes it's not the most favorable circumstances, thank you.

Hello, my name is Danielle Mara, a business and home owner in the Village of Falconer. I was here last month so thank you again for a few more minutes of your time. They kind of took a lot of my talking points but I guess that's a good thing because it shows that we are all trying to rally together for the common good. But, I just want to give you a brief summary of my week so far aside taking 2 of my children away to college which has been exhausting all in itself. Then comes the Village of Falconer where Monday evening, I attended a presentation at the Village Hall as the Mayor had mentioned regarding the potential development of the Village of Falconer. We are hoping to apply for the New York Forward Grant application which would be amazing considering we need someone, at least 1% of our traffic flow to stop through the busiest intersection of – or second busiest intersection of the County. Tuesday evening I attended the all sports booster meeting for Maple Grove. As Maple Grove, Cassadaga Valley and Falconer have combined one or more of their athletic programs. Homecoming is scheduled October 12th and 13th which will include all 3 schools, the students, educators, parents as well as other various community members. And a parade will proudly march down Main Street in Falconer leading up to Falconer Central School and all of its gorgeous new improvements with multiple school ed events will occur over those 2 days. Wednesday, here I am in front of you and I could go on and say the same things that they said but I will spare you on that I guess. Thursday is also, as Nikki has stated, that we have our newly formed Facebook neighborhood watch in effort to bring our community together that won't come here and speak awkwardly in front of all of you, because we don't do this very often. We have that meeting that is scheduled tomorrow at 6 p.m. at our Falconer Library which I strongly encourage any and all of you to come and just hear our villagers speak. Unfortunately, I have to throw a negative in here because last week I was inappropriately exposed to a repeat offender that has been charged with public nudity at least 4 times that I am aware of within the last 18 months. During the 2 most recent occurrences, he was a Budget Inn resident. Due to bail reform of course, I had to put a stay away order on this man so that he would be taken to here in Mayville so that I could freely go home. Otherwise he would have just been released into Ellicott from their holding cell then I don't know, would he have followed me home? Could he have found my car that was sitting out front? That was a risk I didn't want to take. Unfortunately, he was released by like noon, I'm not sure, the next day. But I do want to applaud the Ellicott Police Department because they know that I work in that building nonstop and they drive by numerous times as well as the Sheriff's Department for all of my dispatch calls that I have to keep doing, thank you.

My name is Carrie Chase and I am a resident of Falconer. I have been a resident of Falconer for 48 years of my life. I reside in Falconer and I work in Falconer with my husband and my family. Over the last few years I have seen how our community has deteriorated and I realize that instead of complaining about it, it was time to take action. So I decided to do the research and create a neighborhood watch program. You will see these everywhere in Falconer now. We are beating the streets. I am talking to people, I am going into businesses and I have decided that it is time to take action. We need to see some change in Falconer. Falconer is going

places. You heard the Mayor talk tonight about the revitalization program and everybody else. We have new businesses. We have Nikki's, we have all of these things coming into our Village of Falconer and we can no longer be crippled by what is coming into these motels. We don't feel safe in our community to walk down our streets alone. We don't want to send our children out and we are not that kind of Village. That is not the Village that we grew up in. So, we have created this neighborhood watch program. We have put lawn signs up, we have put decals in businesses. We have talked to everybody. We have created a meeting that we are going to be having our Village residents attend. Again, tomorrow night at the Falconer public library at 6:00 p.m. We will be summarizing all of the notifications we have received from our residents. Since the onset of this on July 23rd we have 894 concerned members in our community and I have learned more about what's been going on that I think I wanted to know. I don't want that to cover the good things that are going in Falconer and that is why I am here tonight. These are real things that we are facing on a day to day basis. We have pictures, we have videos. We have lived in this now with these motels in our community for 4 to 5 years. We as a Village do not feel safe and this is costing our Village a ton of money. Our resources between the Sheriff's Department, the Police officers, and the theft in the stores that is increasing. This is costing us. We are being held as hostages in our own Village because of these residents coming in, well they are not residents because they should not be staying there for more than 30 days. This is not fair to place the burden of these programs on our small Village of 2,263 people. We lack the resources to give these people to help them thrive. Our watch group is making a stand and I'm not going away. I've promised the Village residents that we're going to stay here, we're going to fight with them and I know I speak for all of them. So I feel that we have done our due diligence as Falconer. We have served it, we have had them here for 4 or 5 years and we want to grow into something different now so I don't want these motels to continue to cripple our growth. So I am asking for your support in making alternative opportunities for these residents and not only support our group, our residents but also our mayor and our decisions so thank you for your time.

Jim Quattrone, Chautauqua County Sheriff. So first of all, thank you Mr. Bankoski and to the rest of the Legislative body. That week of September 17th to the 23rd we are going to have some open houses so the Mayville Center should be complete. We also would love to have you all take a tour of the jail and see some of the services that we do there. But, I am not from Falconer. I did teach (*inaudible*) there. I am a Southwestern grad for those of you that are from Falconer are afraid of this, my rival school. Transitional housing is an issue. It's been an issue for many years. It's probably our biggest issue when we're releasing people from the Chautauqua County jail, where they're going to go, where they're going to live. Many times they are coming back to the jail because they have no place to live. But it's not just a Chautauqua County Legislative body problem. This is every municipality in Chautauqua County needs to be involved. We need to get the mayor's involved, the Town Supervisors involved and find ways and find places for individuals to stay. Some of you who know me personally, know my bedtime is about 9 p.m. and Monday night at 11, which is way past my bedtime, we spent several hours trying to find some place for a mother and a 15 month old child to spend the night which was not fun. We tried as many hotels as we could. There wasn't funding for them so somebody paid out of their personal credit card to get them housing, probably because of the 15 month old. But it is an issue. It's not going to go away until we can all put our minds together. The neighborhood

watch is a great idea. Nosey neighbors, some people consider a pain but they are our best security that are out there and we need to watch out for each other and report that but be smart about it. So I am hoping for those who are involved in the neighborhood watch, get some training and that there are some joint training around the County for that, thank you.

Hi, Anthony Toda, 144 Clifton Avenue, Jamestown, New York. Over the years (*inaudible*) vehicle and traffic criminal and civil actions. Last year I was involved in a vehicle and traffic incident in Jamestown that I subsequently appealed to the Chautauqua County court (*inaudible*). I appealed because a Jamestown City Court Judge, George Panebianco, made an illegal ruling in the case as Judge Panebianco had been disqualified from hearing any of my cases. Judge Foley, who previously ordered transfers of my other cases from a biased Jamestown Court now ruled that I had no right to appeal Judge Panebianco's illegal ruling. Further during my appeal process, Judge Foley's law clerk, Mrs. Beckerink, altered deadlines and closed procedures in the appeal prematurely which resulted in the denial of my right to be heard concerning errors made by Judge Panebianco during this appeal. I explained my objections in this appeal that Judge Panebianco's illegal ruling closed the case and resulted in the protection of (*inaudible*) statements made by witnesses in last year's incident. Judge Panebianco's ruling also protects the Jamestown Police who (*inaudible*) depositions when I asked for them. Judge Foley's acclimation of the illegal order by Judge Panebianco stopped my opportunity to transfer this case to achieve a fair disposition. I have evidence that the (*inaudible*) federal agencies like the FBI, Jamestown, Buffalo and (*inaudible*) headquarters who's agents have made statements to me of threatening to shoot me, tampering with my brand new truck and telling me that there are no agents in FBI headquarters in Washington D.C.. Senator Schumer and Gillibrand and Congressman (*inaudible*) and Langworthy have refused to review this evidence. I am confident that there is a connection between the (*inaudible*) statement of witnesses over last year's incident and these federal perpetrators. Now the (*inaudible*) of 2 judges, George Panebianco of the local court and Chautauqua County court Judge, David Foley, (*inaudible*) of protecting these (*inaudible*) witnesses. Thank you very much, I appreciate it.

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

Unanimously Carried (7:50 p.m.)

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