

CHAUTAUQUA COUNTY LEGISLATURE

09/27/2023

To View the Meeting on-line go to

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This meeting is open to the public and subject to all current COVID-19 guidelines.

Chautauqua County Legislature

6:30 p.m.

CALL TO ORDER

ROLL CALL

PRAYER BY LEGISLATOR HEMMER

PLEDGE OF ALLEGIANCE

APPROVAL OF THE MINUTES FOR 08/23/2023

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 3 minutes and comments representing a group shall be limited to 5 minutes.

COMMENDATION:

Dave Rowley

By

Legislators Bob Bankoski,

Tom Harmon and Kevin Muldowney

PRESENTATION:

**2024 CHAUTAUQUA COUNTY
TENTATIVE BUDGET**

By

COUNTY EXECUTIVE PAUL M. WENDEL, JR.

**VETO MESSAGES FROM COUNTY EXECUTIVE WENDEL
NO VETOES FROM 08/23/2023**

COMMUNICATIONS:

- 1. Letter – NYS Department of State – Acknowledgement of Local Law 8-23**
- 2. Affidavit of Publication (2) – Legal Notice – Local Law Intro 8-23 (Post Journal and Observer)**
- 3. Affidavit of Publication (2) – Legal Notice – Local Law Intro 9-23 (Post Journal and Observer)**
- 4. Letter – Certificate of County Equalization Rates for 2023 Assessment Rolls for Municipalities in Chautauqua County**

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- 5. Resolution No. 390 - Fulton County, Clerk of the Board of Supervisors- Support For Senate Bill S7645**
 - 6. Minutes – Conewango Watershed Commission – September 13, 2023 Meeting**
 - 7. Letter - Chautauqua County Ethics Board – Re: Financial Disclosures**
-

RESOLUTIONS:

- 241-23 Confirm Re-Appointments - Chautauqua Opportunities Board of Directors**
 - 242-23 Authorize Purchase of Real Property in the Town of Chautauqua**
 - 243-23 Authorize Agreement with County of Cattaraugus to Extend Term of the Conewango Watershed Commission**
 - 244-23 Amend 2023 Budget for Tenant Work for Jury Room Alterations In the Chautauqua County Courthouse**
 - 245-23 Amend 2023 Budget to Implement the Gerace Office Building Carpet Tiles Project, Using Funding from the American Rescue Plan Act (ARPA)**
 - 246-23 Adjust Capital Project Accounts-Road Machinery**
 - 247-23 Authorize Agreement for Purchase and Removal of County Owned Timber from the Dinsbier Landfill Property on Dinsbier Rd. in the Town of Chautauqua**
 - 248-23 Authorize Agreement with Town of Hanover for Enhanced Police Protection Services FY24**
 - 249-23 Amend 2023 Emergency Services Budget for FY2019 Hazard Materials Grant Program (HM19)**
 - 250-23 Amend 2023 Emergency Services Budget for FY2020 SHSP Grant Expenses**
 - 251-23 Authorize Acceptance of Aging and Disability Vaccination Collaborative Funding for Chautauqua County**
 - 252-23 Amend Chautauqua County Department of Mental Hygiene and Social Services 2023 Budget for Increased Emergency Aid for Adults Costs**
 - 253-23 Amend Chautauqua County Department of Mental Hygiene and Social Services 2023 Budget for Increased Services for Recipients Costs**
 - 254-23 Lake Erie Management Commission Authorization to Approve and Fund Projects**
 - 255-23 Environmental Assessment of Projects for 2024 2% Occupancy Tax Grant Program**
 - 256-23 Authorize Clerk of the Legislature to Publish Notices – Re: Public Hearings On 2024 Tentative Budget & Maximum Salary of Members of the Chautauqua County Legislature and its Chairman**
 - 257-23 Quit Claim Deeds**
-

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MOTIONS:

- A. Proclaiming September 15, 2023 – October 15, 2023 Hispanic Heritage Month**

- B. Proclaiming October 1-7, 2023 as 4-H Week in Chautauqua County**

ANNOUNCEMENTS

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.

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RES. NO. 241-23

Confirm Re-Appointments - Chautauqua
Opportunities Board of Directors

By Human Services Committee:

At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, Paul M. Wendel Jr., County Executive, has submitted the following re-appointments for action by the Chautauqua County Legislature; therefore be it

RESOLVED, That the Chautauqua County Legislature does hereby confirm the following re-appointments to the Chautauqua Opportunities Board of Directors.

Rebecca Brumagin
10606 Route 430
Findley Lake, NY 14736
Term Expires: 6/30/24

Marie Carrubba
19 Widrig Ave.
Jamestown, NY 14701
Term Expires: 6/30/24

Kevin Whitaker
197 Martin Rd.
Jamestown, NY 14701
Term Expires: 6/30/24

Robert Bankoski
407 Lake Shore Drive East
Dunkirk, NY 14048
Term Expires: 6/30/24

Natalie Luczkowiak
46 East Front Street
Dunkirk, NY 14048
Term Expires: 6/30/24
Signed: Proctor, Pavlock, Torres, Gustafson, Rankin

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RES. NO. 242-23

Authorize Purchase of Real Property in the Town of Chautauqua

By Public Facilities and Audit & Control Committees:

At the Request of County Executive Paul M. Wendel, Jr. and Legislative Chairman Pierre E. Chagnon:

WHEREAS, the South Chautauqua Lake Sewer District (District) of the County of Chautauqua is preparing for the construction of Phase 2 of a District extension on the west side of Chautauqua Lake (the Project); and

WHEREAS, the Project includes installation of a sewage pumping station which will require permanent use of approximately 0.10 acres of real property within the bounds of the Project site; and

WHEREAS, approximately 0.10 acres of real property located in the Town of Chautauqua, being part of the parcel described on the Chautauqua County Tax Map as SBL 314.12-2-34, is owned by Adrienne Ploss and available for the purchase price of \$7,500.00; and

WHEREAS, Project engineer GHD Consulting Services, Inc. has recommended this property for the construction of the sewage pumping station; and

WHEREAS, by Chautauqua County Resolution No. 147-16 as Renewed and Amended October 25, 2017, titled "Approve SEQRA Findings in Relation to Proposed Sewer Extension for West Side of Chautauqua Lake," the County Legislature found in accordance with Article 8 of New York State Environmental Conservation Law that the requirements of 6 NYCRR Part 617 had been met and that implementation of the proposed action, which included the Project, would not result in any significant adverse environmental impacts, and issued a Negative Declaration; and

WHEREAS, there is sufficient funding available for this purchase in the District's budget, therefore, a budget amendment is not needed; now therefore be it

RESOLVED, That the Chairperson of the South and Center Chautauqua Lake Sewer Districts' Administrative Board is hereby authorized and empowered to execute all necessary documents for the acquisition by the District from Adrienne Ploss of the real property being part of the parcel described on the Chautauqua County Tax Map as SBL 314.12-2-34 and located in the Town of Chautauqua, for the purchase price of \$7,500.00.

Signed: Hemmer, Parker, Davis, Heiser, Scudder, Chagnon, Wilfong, Pavlock

RES. NO. 243-23

Authorize Agreement with County of Cattaraugus to
Extend Term of the Conewango Watershed Commission

By Public Facilities and Audit & Control Committees:

At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, pursuant to Resolution 218-18, the County Legislature authorized an agreement with the County of Cattaraugus to extend the term of the Conewango Watershed Commission until December 31, 2023 to manage the flood control structures in the Conewango Creek Watershed and to manage the 12.5 mile New York State Drainage Ditch, otherwise known as the Dredge; and

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WHEREAS, the Conewango Watershed Commission and the County of Cattaraugus wish to extend the term of the Conewango Watershed Commission to continue its management of the watershed infrastructure; therefore be it

RESOLVED, That the County Executive is authorized and empowered to enter into an extension agreement with the County of Cattaraugus as described above to extend the term of the Conewango Watershed Commission to December 31, 2028 upon the following terms and conditions:

1. Term: January 1, 2024 to December 31, 2028.
2. Operation, Cleanup and Maintenance Expense: Subject to appropriation, to be shared equally by the counties for both Conewango Watershed Protection Projects and the Dredge. Each County agrees to continue to budget \$7,500.00 per year for Commission work.
3. Capital Expense: Subject to appropriation, counties are each responsible for capital improvements located within their borders.
4. Termination. Upon ninety (90) days' written notice.
5. Other. As negotiated by the County Executive

Signed: Hemmer, Scudder, Davis, Heiser, Parker, Chagnon, Wilfong, Pavlock

RES. NO. 244-23

Amend 2023 Budget for Tenant Work for Jury Room
Alterations In the Chautauqua County Courthouse

By Public Facilities and Audit & Control Committees:

At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, the County currently has a lease agreement with the State of New York Unified Court System Eighth Judicial Court District for courtroom and court staff office space on the second floors of the Gerace Office Building and the County Courthouse; and

WHEREAS, the State of New York Unified Court System Eighth Judicial Court District has made a tenant improvement request to have alterations done to the Jury Room to create a new office area in the County Courthouse; and

WHEREAS, the total projected cost to complete the alterations is \$24,105.00; and

WHEREAS, under the current lease agreement the State of New York Unified Court System Eighth Judicial Court District provides full reimbursement to the County for tenant improvement expenses; therefore be it

RESOLVED, That the County Finance Director is hereby authorized to make the following changes to the 2023 Budget:

INCREASE APPROPRIATION ACCOUNT:

A.1162.9999.4 Contractual – Unified Court Costs – Misc. \$24,105

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INCREASE REVENUE ACCOUNT:

A.1162.9999.R302.1000 NYS Aid – Court Facilities \$24,105

Signed: Hemmer, Scudder, Davis, Heiser, Parker, Chagnon, Wilfong, Pavlock

RES. NO. 245-23

Amend 2023 Budget to Implement the Gerace Office Building Carpet Tiles Project, Using Funding from the American Rescue Plan Act (ARPA)

By Public Facilities and Audit & Control Committees:

At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, President Biden signed into law the American Rescue Plan Act (ARPA) on March 11, 2021, and this legislation contains a wide array of stimulus and recovery funding designed to ensure the nation's swift economic and public health recovery from COVID-19; and

WHEREAS, Chautauqua County received an award of \$24,649,420 in ARPA funding, all of which is available for general county spending based on the Treasury Department's revenue loss formula and other guidance; and

WHEREAS, an ARPA Spending Plan was thoroughly reviewed by an ARPA working group, the County Executive, and the County Legislature, and was adopted pursuant to Resolution No. 202-21; and

WHEREAS, some funds allocated in the ARPA Spending Plan are no longer needed for the originally designated project(s), and are now available for other projects, and a procedure has been established for the ARPA working group to review new requests for APPA funds and to allocate the available funds; and

WHEREAS, the Gerace Office Building Carpet Tiles project fits within the guidelines for ARPA spending, and is needed to bring continuity to the appearance of the Gerace Office Building, to provide safer surfaces for employees and visitors thereby potentially reducing liability claims, as well as to complete the professional look of the building, and budget amendments are necessary to authorize spending for the project; now therefore be it

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

ESTABLISH & INCREASE APPROPRIATION ACCOUNT:

A.1620.5060.4 Contractual—GOB Carpet Tiles \$ 50,000

ESTABLISH & INCREASE REVENUE ACCOUNT:

A.1620.5060.R408.9ARP Federal Aid—Oth Fed Aid ARPA Funds \$ 50,000

Signed: Hemmer, Davis, Heiser, Scudder, Parker, Chagnon, Wilfong, Pavlock

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RES. NO. 246-23

Adjust Capital Project Accounts-Road Machinery

By Public Facilities and Audit & Control Committees:

At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, pursuant to Resolution 126-21 the Chautauqua County Legislature approved a project for the Sheridan Shop Fuel System (2021) Project H.5130.25217; and

WHEREAS, all costs for the Sheridan Shop Fuel System (2021) Project H.5130.25217 have been recorded and the project can be closed: and

WHEREAS, the Chautauqua County Department of Public Facilities (DPF) has funding for the Sherman Shop Fuel System (2017) Project H.5130.25977 to upgrade the fuel system located at the DPF Sherman Shop; and

WHEREAS, the Chautauqua County Finance Department received bids to complete the fuel system upgrades at the DPF Sherman Shop and all quotes received exceeded the anticipated budget due to rising costs for the project; and

WHEREAS, DPF would like to transfer funds from capital project H.5130.25217 (Sheridan Shop Fuel System) to H.5130.25977 (Sherman Shop Fuel System) to complete the Sherman Shop Fuel System Project; now therefore be it

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

INCREASE APPROPRIATION ACCOUNT:

H.5130.25977.4	Contractual—Road Machinery, Sherman Shop Fuel System (2017)	\$55,865
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INCREASE REVENUE ACCOUNT:

H.5130.25977.R503.1000	Interfund transfers-Interfund Transfer	\$55,865
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DECREASE APPROPRIATION ACCOUNT:

H.5130.25217.4	Contractual—Road Machinery, Sheridan Shop Fuel System (2021)	\$55,865
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DECREASE REVENUE ACCOUNT:

H.5130.25217.R503.1000	Interfund Transfers--Interfund Transfer	\$55,865
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Signed: Hemmer, Scudder, Davis, Heiser, Parker, Chagnon, Wilfong, Pavlock

RES. NO. 247-23

Authorize Agreement for Purchase and Removal of County
Owned Timber from the Dinsbier Landfill Property
on Dinsbier Rd. in the Town of Chautauqua

By Public Facilities and Audit & Control Committees:

At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, the County of Chautauqua solicited competitive bids to sell approximately 183,333 board feet of marked hard and softwood sawtimber located on County owned property

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in the Town of Chautauqua, and designated on the Chautauqua County Tax Map for the Town of Chautauqua as Section Block and Lot numbers 278.00-2-5, 278.00-2-6, 278.00-2-7, 279.00-1-27, and 279.00-1-2 (Dinsbier Landfill); and

WHEREAS, bid invitations were sent to reliable bidders and two bids were received in response thereto; and

WHEREAS, Gutchess Lumber Company Inc., headquartered at 890 McLean Rd, Cortland, NY 13045 submitted the highest bid for Reforestation Parcel #11 with a bid in the amount of \$111,570; and

WHEREAS, the total sale amount payable to Chautauqua County is \$111,570 and pursuant to Resolution 164-02, revenue from the sale of timber rights will be dedicated to capital improvements to the County parks system; and

WHEREAS, it is appropriate to accept the bid submitted by Gutchess Lumber Company, Inc., as the offered prices exceed the fair market appraisal; now, therefore, be it

RESOLVED, That the County Executive is hereby authorized and empowered to execute agreements with Gutchess Lumber Company, Inc for the sale and removal of sawtimber on the above-noted property at the above-stated price, with proceeds placed in the Parks Capital account; and be it further

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

INCREASE CAPITAL APPROPRIATION ACCOUNT:

H.7110.25002.4 Contractual—Parks-Parks Capital Improvements \$111,570

INCREASE CAPITAL REVENUE ACCOUNT:

H.7110.25002.R265.2000 Sale of Property/Compensa—Sale of Forest Products \$111,570

Signed: Hemmer, Scudder, Davis, Heiser, Parker, Chagnon, Wilfong, Pavlock

RES. NO. 248-23

Authorize Agreement with Town of Hanover for
Enhanced Police Protection Services FY24

By Public Safety and Audit & Control Committees:

At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, the Town of Hanover and the Village of Silver Creek have requested the Chautauqua County Office of the Sheriff provide enhanced police protection services within the geographical boundaries of the Town of Hanover and the Village of Silver Creek for the 2024 calendar year; and

WHEREAS, the Chautauqua County Office of the Sheriff has negotiated a tentative agreement with the Town of Hanover and the Village of Silver Creek for the period from January 1, 2024 through December 31, 2024 for an estimated cost not to exceed \$626,513; and

WHEREAS, this revenue is included in the 2024 Budget so no budget amendments are needed; now therefore be it

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RESOLVED, That the County Executive is hereby authorized to and empowered to execute an agreement with the Town of Hanover for enhanced police protection services as set forth above with revenue to be credited to account A.3110.R226.0000.

Signed: Niebel, Proctor, Nelson, Hemmer, Bankoski, Chagnon, Wilfong, Pavlock

RES. NO. 249-23

Amend 2023 Emergency Services Budget for FY2019
Hazard Materials Grant Program (HM19)

By Public Safety and Audit & Control Committees:

At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, the Office of Emergency Services was awarded a Regional Partnership Grant in the amount of \$94,000 under the 2019 Hazmat Grant Program; and

WHEREAS, pursuant to Resolution 108-21, the County Executive was authorized to execute an agreement to secure the grant funding with the NYS Division of Homeland Security and Emergency Services; and

WHEREAS, the term of the grant is September 1, 2020 through August 31, 2023, and

WHEREAS, \$12,335 in unused revenue and in unused expenditures associated with this grant were not included in the 2023 operating budget; now therefore be it

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

INCREASE APPROPRIATION ACCOUNT:

A.3640.----.2	Equipment – Hazardous Materials	\$12,335
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INCREASE REVENUE ACCOUNT:

A.3640.----.R430.5004	Federal Aid – Homeland Security	\$12,335
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Signed: Niebel, Proctor, Nelson, Hemmer, Bankoski, Chagnon, Wilfong, Pavlock

RES. NO. 250-23

Amend 2023 Emergency Services Budget for
FY2020 SHSP Grant Expenses

By Public Safety and Audit & Control Committees:

At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, the Office of Emergency Services was awarded funds of \$139,194 under the FY2020 State Homeland Security Program (SHSP), and

WHEREAS, pursuant to Resolution 194-20, the County Executive was authorized to execute an agreement to secure the grant funding with the NYS Division of Homeland Security and Emergency Services; and

WHEREAS, the term of the grant is September 1, 2020 through February 29, 2024, and

WHEREAS, the remaining balance of \$23,693 needs to be included in the 2023 operating budget to close out the grant; now therefore be it

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

INCREASE APPROPRIATION ACCOUNTS:

A.3010.----.2	Equipment – Emergency Services	\$22,954
A.3010.----.4	Contractual - Emergency Services	\$ 739
	Total:	\$23,693

INCREASE REVENUE ACCOUNT:

A.3010.----.R430.5004	Emergency Mgt Assistance- Homeland Security	\$23,693
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Signed: Niebel, Proctor, Nelson, Hemmer, Bankoski, Chagnon, Wilfong, Pavlock

RES. NO. 251-23

Authorize Acceptance of Aging and Disability Vaccination
Collaborative Funding for Chautauqua County

By Human Services and Audit & Control Committees:

At the Request of County Executive Paul M. Wendel Jr.:

WHEREAS, Chautauqua County Office for Aging Services (OFAS) has been awarded new grant funding from USAging and the Administration for Community Living under the Aging and Disability Vaccination Collaborative to vaccinate people of any age against COVID, Flu, Shingles and Pneumonia; and

WHEREAS, such funds are to be utilized to cover all costs related to vaccine delivery, including advertising and incentives; and

WHEREAS, OFAS will be working with the county departments of Health and Mental Hygiene, and community partners like the Chautauqua Center, Housing Service Coordinators, and the United Ways to deliver vaccines and outreach to community underserved populations; and

WHEREAS, Chautauqua County OFAS will receive up to \$286,500.00 in funding to be utilized from 8/20/2023 until 4/15/2024, all with no local share requirement; and

WHEREAS, such funds have not been included in the 2023 budget; now therefore be it
RESOLVED, That the County Executive be and hereby is authorized to accept said funding; and be it further

RESOLVED, That the Director of Finance is authorized to establish the appropriate accounts and directed to make the following change to the 2023 Adopted Budget:

INCREASE REVENUE ACCOUNT:

A.6772.----.R477.2000	Federal Aid – OFA Programs	\$286,500
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INCREASE APPROPRIATION ACCOUNT:

A.6772 ----.1	Personal Services - Office for Aging Services	\$ 20,000
A.6772 ----.4	Contractual - Office for Aging Services	\$254,000
A.6772 ----.8	Employee Benefits - Office for Aging Services	\$ 12,500
	Total	\$286,500

Signed: Proctor, Gustafson, Torres, Rankin, Pavlock, Chagnon, Wilfong

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RES. NO. 252-23

Amend Chautauqua County Department of Mental Hygiene and Social Services 2023 Budget for Increased Emergency Aid for Adults Costs

By Human Services and Audit & Control Committees:

At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, 2023 Expenditures for Emergency Aid for Adults are now projected to be in excess of the budgeted amount; and

WHEREAS, 2023 contractual expenditures for Medicaid weekly shares are now projected to be lower than the budgeted amount; and

WHEREAS, Emergency Aid for Adults costs are funded at 50% by the State of New York; now therefore be it

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

INCREASE APPROPRIATION ACCOUNT:

A.6142. ----.4	Contractual-Emergency Aid for Adults	\$85,000
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DECREASE APPROPRIATION ACCOUNTS:

A.6010. ----.4	Contractual-Social Services Admin	\$42,500
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INCREASE REVENUE ACCOUNT:

A.6142. ----.R364.2000	NYS Aid-Emerg Assist for Adults	\$42,500
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Signed: Proctor, Pavlock, Gustafson, Torres, Rankin, Chagnon, Wilfong

RES. NO. 253-23

Amend Chautauqua County Department of Mental Hygiene and Social Services 2023 Budget for Increased Services for Recipients Costs

By Human Services and Audit & Control Committees:

At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, 2023 Expenditures for Service for Recipients costs related to Non TA Residential Domestic Violence are now projected to be in excess of the budgeted amount; and

WHEREAS, Services for Recipients costs related to Non TA Residential Domestic Violence are not funded by the Federal Government or the State of New York; and

WHEREAS, 2023 contractual expenditures for Medicaid weekly shares are now projected to be lower than the budgeted amount; now therefore be it

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

INCREASE APPROPRIATION ACCOUNT:

A.6070. ----.4	Contractual-Service for Recipients	\$75,000
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DECREASE APPROPRIATION ACCOUNTS:

A.6100. ----.4	Contractual-Medicaid	\$75,000
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Signed: Proctor, Pavlock, Gustafson, Torres, Rankin, Chagnon, Wilfong

RES. NO. 254-23

Lake Erie Management Commission Authorization
to Approve and Fund Projects

By Planning and Economic Development and Audit & Control Committees:

At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, Chautauqua County established the Lake Erie Management Commission (“LEMC”) in 2011 by Resolution 187-11, and

WHEREAS, the mission of the Lake Erie Management Commission (LEMC) shall be to identify, prioritize, and recommend projects for the protection and enhancement of water related resources that promote a safe and healthy environment for all within the Chautauqua County Lake Erie Watershed, and

WHEREAS, following such identification, prioritization and recommendation, Chautauqua County will often contract with municipalities in the watershed using specialized funding for projects to enhance safety and environmental health, and

WHEREAS, the size and scope of the projects may vary, but are typically in the range of \$1,000 to \$26,000 dollars; now therefore be it

RESOLVED, That the County Executive is authorized to enter into inter-municipal agreements with municipalities in the Lake Erie Watershed for LEMC projects.

Signed: Muldowney, Gustafson, Rankin, Wilfong, Chagnon, Pavlock

RES. NO. 255-23

Environmental Assessment of Projects for 2024
2% Occupancy Tax Grant Program

By Planning and Economic Development and Audit & Control Committees:

At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, the Chautauqua County Legislature requested by Resolution No. 200-23 that the Chautauqua County Department of Planning and Development (“CCDPD”) conduct a review under the New York State Environmental Quality Review Act (“SEQRA”) for the projects approved by the Waterways Panel for funding in 2024 as set forth below and provide a report and recommendations to the County Legislature; and

WHEREAS, CCDPD and the various involved agencies have reviewed the projects consistent with SEQRA and applicable state regulations; and

WHEREAS, the CCDPD recommends that the projects that are ranked as numbers 1 through 10 on the Waterways Panel list provided below be classified as Unlisted Actions under 6 N.Y.C.R.R. Part 617.2 of the regulations of the Department of Environmental Conservation; and

WHEREAS, the County has caused the attached Short Environmental Assessment Forms (SEAF) to be prepared for all projects recommended to be classified as Unlisted Actions; and

WHEREAS, the County has reviewed and analyzed the SEAF for each project, and considered any relevant areas of environmental concern and probable environmental impacts of

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the Actions to determine if the Actions may have any significant adverse environmental effects; now, therefore be it

RESOLVED, That the County hereby finds and determines that Actions listed and identified below will not have a significant adverse environmental impact in accordance with New York State Environmental Quality Review Act, Article 8 of the New York Environmental Conservation Law, and pursuant to the implementing regulations found at 6 N.Y.C.R.R. Part 617, and accordingly, is issuing a negative declaration.

Project/Agency or Organization	Rank	Amount Requested
Fairmount Stormwater Basin and Watershed Improvement Project	1	\$40,000.00
Town of Ellicott Sediment Traps	2	\$12,250.00
Jurkowski Detention Project	3	\$24,885.00
Kyser Shoreline Stabilization	4	\$11,300.00
Henige Stream Restoration	5	\$7,326.00
Soon Stabilization Project	6	\$40,000.00
Sheridan Bay Park Climate Resiliency	7	\$40,000.00
Wadin Stabilization Project	8	\$18,425.00
Wilson Streambank Stabilization	9	\$36,530.00
Hilmey Stabilization Project	10	\$20,000.00
Total		\$250,716.00

Signed: Muldowney, Wilfong, Gustafson, Rankin, Chagnon, Pavlock

RES. NO. 256-23

Authorize Clerk of the Legislature to Publish Notices – Re: Public Hearings
On 2024 Tentative Budget & Maximum Salary of Members of the
Chautauqua County Legislature and its Chairman

By Audit & Control Committee:

At the Request of Chairman Pierre E. Chagnon:

WHEREAS, Pursuant to Sections 359 and 271 of the County Law public hearings must be held on the Tentative Budget, with statement of maximum salary of members of County Legislature included in notice; and

WHEREAS, Such notice shall state the time, place and purpose of the public hearing on the Tentative Budget and that copies of the budget will be available for distribution and inspection and specify therein the maximum salary that may be fixed and payable to members of the Legislature and Chairman thereof during the ensuing year; therefore be it

RESOLVED, That the Clerk of the Legislature be and hereby is authorized and empowered to advise in such publications that a public hearing will be held on the 2024

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Tentative Budget on Wednesday, October 25, 2023 at 6:35 P.M. in the Legislative Chambers, Gerace Office Building, Mayville, New York; and be it further

RESOLVED, That the Clerk of the Legislature be and hereby is authorized and empowered to advise in notice of public hearing on Tentative Budget that the 2024 salary of each Legislator shall be no more than \$9,000, that the Chairman of the Legislature shall be paid no more than \$8,000 in addition to his Legislator’s salary and that the following positions be additionally compensated no more than the amounts indicated nor for more than one of the positions listed, over and above the basic Legislator’s salary.

Majority Leader	\$1000.00
Minority Leader	\$1000.00
(1) Assistant Majority Leader	\$ 500.00
(1) Assistant Minority Leader	\$ 500.00
Each Committee Chairman	\$1000.00
Ranking Members	\$ 250.00

Signed: Pavlock, Chagnon, Wilfong

RES. NO. 257-23
Quit Claim Deeds

By Administrative Services and Audit & Control Committees:

At the Request of County Executive Paul M. Wendel Jr.:

WHEREAS, the Administrative Services Committee of the County Legislature has received and hereby recommends acceptance, pursuant to Section 1166 of the Real Property Tax Law, the following offers for the County's Tax Liens as detailed on the original papers on file in the office of the Director of Finance; and

WHEREAS, that unless otherwise noted, the County Tax Enforcement Officer has confirmed that the offers received are in compliance with the County's policy regarding tax foreclosure as set forth in Resolution No. 110-17; now therefore be it

RESOLVED, That the County Executive and Chairman of this Legislature be hereby authorized to execute Quitclaim Deeds conveying to the offeror herein mentioned, the interest of Chautauqua County in said properties under said tax sale certificates; and be it further

RESOLVED, That the Director of Finance of Chautauqua County be hereby authorized to cancel any outstanding taxes, fees, interest and other charges. In adopting this resolution, the Legislature intends to adopt each transaction separately, in the usual form of Resolution, and the failure of any particular transaction to be completed shall in no manner affect the validity of any of the others.

Offer Number	Municipality	S/B/L	Purchaser	Foreclosed Owner	Offer Amount	Taxes Owning
QC-137-2023	Westfield	067201-192.20-2-4	Northeast Property Partners LLC	Northeast Property Partners LLC	\$1,906.43	\$1,906.43

Signed: Pavlock, Chagnon, Wilfong

CHAUTAUQUA COUNTY
MOTION NO. _____

TITLE: Proclaiming September 15, 2023 – October 15, 2023 Hispanic Heritage Month

AT THE REQUEST OF: Legislators Harmon, Vanstrom, Rankin, Parker, and Bankoski:

WHEREAS, the idea to celebrate Hispanic Heritage Month, in order to recognize the achievements and contributions of Hispanic Americans, began in 1968 under President Lyndon B. Johnson and was expanded by President Ronald Reagan to cover a 30-day period and subsequently enacted into law on August 17, 1988; and

WHEREAS, Hispanic Heritage Month is a time to celebrate the heritage, history, traditions, and cultural diversity of Hispanic Americans whose heritage is rooted in 20 countries and territories including: Spain, Mexico, Guatemala, Honduras, El Salvador, Nicaragua, Costa Rica, Panama, Colombia, Venezuela, Ecuador, Peru, Bolivia, Paraguay, Chile, Argentina, Uruguay, Cuba, Puerto Rico, and the Dominican Republic; and

WHEREAS, in 2023 over 60 million people in the United States identified as Hispanic or Latino, representing roughly 19 percent of the civilian population; and

WHEREAS, Hispanic Americans have contributed to the development of America and Chautauqua County as doctors, engineers, artists and entrepreneurs, business leaders, government employees, elected officials, and in the military; and

WHEREAS, the observance of Hispanic Heritage Month affords the special opportunity to become more knowledgeable concerning our Hispanic heritage in this County and our country, and to honor the many Hispanic leaders who have contributed to the progress of our nation; and

WHEREAS, the knowledge and awareness of the many and varied contributions of Hispanic men and women can strengthen the insight of all our citizens regarding the issues of human rights, the great strides that have been made in the crusade to eliminate the barriers to equality for minority groups, and the continuing struggle against racial discrimination and poverty; therefore be it

KNOWN, The Chautauqua County Legislature, with great pride, hereby proclaims September 15, 2023 through October 15, 2023 Hispanic Heritage Month in Chautauqua County; and let it be

MOVED, The County Legislature urges all residents to familiarize themselves with the significant contributions made by Hispanic Americans in the field of science, industry, religion, entertainment, and others, and to join together to make this a period when all of us rededicate ourselves to the principles of justice and equality for all people.

CHAUTAUQUA COUNTY
MOTION NO. _____

TITLE: Proclaiming October 1-7, 2023 as 4-H Week in Chautauqua County

AT THE REQUEST OF: Legislators Hemmer, Nelson, Rankin, Parker, Bankoski, and Vanstrom:

WHEREAS, an annual celebration of 4-H is held the first full week of October; and

WHEREAS, Cornell Cooperative Extension of Chautauqua County 4-H will use National 4-H week to showcase the great things that 4-H offers young people and highlight the incredible 4-H youth in the community who work each day to make a positive impact on their community; and

WHEREAS, research has proven that participation in 4-H has a significant positive impact on young people; and

WHEREAS, 4-H, the nation's largest youth development and empowerment organization, cultivates confident kids who tackle the issues that matter most in their communities; and

WHEREAS, the 4-H program provides youths in Chautauqua County opportunities to learn, experience and grow in a safe and friendly environment; and

WHEREAS, 4-H in Chautauqua County includes over 120 registered adult volunteers that currently work with 250 youth members, and over 1500 nonmember youth at special interest programming; now therefore be it; and

KNOWN, That the Chautauqua County Legislature does hereby proclaim October 1-7, 2023 to be:

4-H Week
In
Chautauqua County

And encourages all our citizens to recognize and celebrate the positive impact of the 4-H program on the youth of our county.