

Agenda

Public Facilities Committee

March 17, 2025, 4:00 p.m., Legislative Chambers

Livestreamed on YouTube

Gerace Office Building, Mayville, NY

- A. Call to Order
- B. Approval of Minutes (2/18/25)
- C. Privilege of the Floor
 1. Renew and Amend Resolution 128-24 – Authorize Agreement with NY State DOT for Performance of Federal-Aid Project PIN 5764.84
 2. Tabled Resolution – Authorize Lease Agreement with Jamestown’s Rental Properties, LLC
 3. Proposed Resolution – Reallocating Salary Grades for Storekeeper I, Storekeeper II and Storekeeper III
 4. Proposed Resolution – Calling a Public Hearing Pursuant to County Law §268 Upon a Proposal to Upgrade Wastewater Treatment Plant Infrastructure in the North Chautauqua Lake Sewer District
 5. Proposed Resolution – Determinations in Relation to the Extension of Center Chautauqua Lake Sewer District Bounds from Midway State Park through Point Chautauqua on the East Side of Chautauqua Lake
 6. Proposed Resolution – Establishment of Capital Accounts for Center Chautauqua Lake Sewer District (CCLSD) Extension Phase 3
 7. Proposed Resolution – A Resolution Authorizing the Issuance of \$35,590,000 Bonds of the County of Chautauqua, New York, to Pay the Cost of the Design and Construction of an Extension of the Center Chautauqua Lake Sewer District in and for said County
 8. Proposed Resolution – Authorize County to Apply for Grants on Behalf of the Center Chautauqua Lake Sewer District to Extend District Bounds from Midway State Park through Point Chautauqua on the East Side of Chautauqua Lake
 9. Other –
 - Late Proposed Resolution – Authorization for the County to Apply for Grants on Behalf of the South and Center Chautauqua Lake Sewer Districts for Review of Wastewater Treatment Plant Capacity

RENEW AND AMEND
CHAUTAUQUA COUNTY
RESOLUTION NO. 128-24

TITLE: Authorize Agreement with NY State DOT for Performance of Federal-Aid Project
PIN 5764.84

BY: Public Facilities and Audit & Control Committees:

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

WHEREAS, the Project for the Replacement of the Kiantone Road County Bridge 994 over Stillwater Creek, BIN 3325090, in the Town of Kiantone, Chautauqua County, PIN 5764.84 (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 \$375,000 to be borne at the ratio of 95% Federal 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 PIN 5764.84; and

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

RESOLVED, That in the event the full federal and nonfederal share costs of the Project exceeds 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 it is further

RESOLVED, That pursuant to the State's requirement, the County of Chautauqua hereby agrees that construction of the Project shall begin no later than twenty-four (24) months after award and the construction phase of the Project shall be completed within thirty (30) months; and be it further

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

*Resolution No. 128-24 Originally Adopted – May 22, 2024 (Unanimously Carried)
(Potential changes to be renewed and amended at the March 26, 2025 Legislature Meeting are shown underlined)*

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 it is 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 it is 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	\$ 18,750
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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 CAPITAL APPROPRIATION ACCOUNT:

D.5112.389.4	Contractual – Capital Improvements, Funded Bridge Program	\$375,000
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INCREASE CAPITAL REVENUE ACCOUNT:

D.5112.389.R458.9002	Federal Aid – Surface Transp Program	\$356,250
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APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

*Resolution No. 128-24 Originally Adopted – May 22, 2024 (Unanimously Carried)
(Potential changes to be renewed and amended at the March 26, 2025 Legislature Meeting are shown underlined)*

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

TITLE: Authorize Lease Agreement with Jamestown’s Rental Properties, LLC

BY: Public Facilities, Administrative Services and Audit & Control Committees:

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

WHEREAS, the Chautauqua County Law Department has been operating with a shortage of staff due to lack of sufficient office space to house additional employees; and

WHEREAS, it has been determined that Law Department staff will be co-located with Department of Mental Hygiene and Social Services legal staff; and

WHEREAS, there is no available space in the County’s Mayville campus of sufficient size to accommodate all such personnel; and

WHEREAS, Jamestown’s Rental Properties, LLC has suitable office space available in Mayville, in close proximity to the Mayville campus; and

WHEREAS, onetime costs associated with equipping the space with phone, internet and office furniture are estimated to be \$18,400; and

WHEREAS, other recurring costs are estimated to be \$1,200 per year; and

WHEREAS, the aforementioned expenses were not included in the 2025 budget; now therefore be it

RESOLVED, That the County Executive is hereby authorized and empowered to execute a lease agreement with Jamestown’s Rental Properties, LLC (Owner) upon the following terms and conditions:

- 1) Premises. The office building situated at 95 East Chautauqua Street in Mayville, New York, consisting of approximately 7,500 square feet;
- 2) Term. Ten (10) years, with approximate dates of April 1, 2025 through March 30, 2030;
- 3) Rent. \$14.00 per square foot per year, equaling approximately \$8,750 per month;
- 4) Utilities. Owner shall be responsible for all utilities, including heat and electric, and cleaning, and County is responsible for the cost of phone and internet service, including installation fees; and
- 5) Other. As negotiated by the County Executive;

and be it further

RESOLVED, That the A Fund be appropriated as follows:

INCREASE THE USE OF FUND BALANCE:

A.----,----.917.0000	Fund Balance – Unassigned Fund Balance	\$124,600
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; and be it further

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following change to the 2025 Adopted Budget:

ESTABLISH AND INCREASE APPROPRIATION ACCOUNT:

A.1420.----.4	Contractual – County Attorney	\$ 1,200
A.1620.7050.2	Equipment – 95 East Chautauqua Street	4,500
A.1620.7050.4	Contractual – 95 East Chautauqua Street	<u>118,900</u>
	Total	\$124,600

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

2-18-25 P.F. – Tabled
2-19-25 A.S. – No Action taken
2-20-25 A.C. – No Action taken

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

TITLE: Reallocating Salary Grades for Storekeeper I, Storekeeper II and Storekeeper III

BY: Public Facilities, Administrative Services and Audit & Control Committees:

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

WHEREAS, the Director of Public Facilities requested a review of the Storekeeper I, Storekeeper II and Storekeeper III salary grades; and

WHEREAS, Human Resources staff reviewed the salary grades and duties currently being performed by Storekeeper I, Storekeeper II and Storekeeper III positions as compared to similar positions in that department; and

WHEREAS, the positions of Storekeeper I, Storekeeper II and Storekeeper III are covered by the terms of the CSEA 6300 Agreement and are allocated to Grade 6, Grade 8 and Grade 11, respectively, of the CSEA 6300 salary schedule; and

WHEREAS, Human Resources staff recommended that the Storekeeper I and Storekeeper II positions be increased by two (2) grades on the CSEA 6300 salary schedule; and

WHEREAS, Human Resources staff recommended that the Storekeeper III position be increased one (1) grade on the CSEA 6300 salary schedule; and

WHEREAS, the Reallocation Committee, as defined by the CSEA Unit 6300 Collective Bargaining Agreement, comprised of the County Executive, Director of Human Resources, and President of CSEA Unit 6300, met and approved the recommended grade changes; now therefore be it

RESOLVED, That the title of Storekeeper I currently allocated to salary grade 6 be reallocated to salary grade 8; and be it further

RESOLVED, That the title of Storekeeper II currently allocated to salary grade 8 be reallocated to salary grade 10; and be it further

RESOLVED, That the title of Storekeeper III currently allocated to salary grade 11 be reallocated to salary grade 12.

2025 CSEA 6300 SALARY SCHEDULE											
3% increase over 2024 Salary Schedule											
Grade	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10	Step 11
6			\$ 19.82	\$ 20.65	\$ 21.24	\$ 21.72	\$ 22.47	\$ 23.18	\$ 23.88	\$ 24.60	\$ 25.34
8			\$ 20.91	\$ 21.72	\$ 22.47	\$ 23.18	\$ 23.74	\$ 24.61	\$ 25.35	\$ 26.11	\$ 26.89
10			\$ 22.16	\$ 23.18	\$ 23.74	\$ 24.61	\$ 25.28	\$ 26.10	\$ 26.88	\$ 27.69	\$ 28.52
11			\$ 22.81	\$ 23.74	\$ 24.61	\$ 25.28	\$ 26.10	\$ 27.00	\$ 27.81	\$ 28.64	\$ 29.50
12			\$ 23.59	\$ 24.61	\$ 25.28	\$ 26.10	\$ 27.00	\$ 27.85	\$ 28.69	\$ 29.55	\$ 30.44

APPROVED
VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

TITLE: Calling a Public Hearing Pursuant to County Law §268 Upon a Proposal to Upgrade Wastewater Treatment Plant Infrastructure in the North Chautauqua Lake Sewer District

BY: Public Facilities and Audit & Control Committees:

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

WHEREAS, Resolution 37-76 established the North Chautauqua Lake Sewer District (NCLSD) in accordance with County Law Article 5-A; and

WHEREAS, the Town of Chautauqua has created the Town of Chautauqua Sewer District No. 1 Extension; and

WHEREAS, some portions of NCLSD infrastructure were constructed in the early 1980s, and other portions acquired from another party date as far back as the 1950s; and

WHEREAS, the engineering firm of Square Engineering, competent engineers, duly licensed in the State of New York, was engaged to perform a study of the Wastewater Treatment Plant (WWTP); and

WHEREAS, several treatment process components at the WWTP are reaching the end of their useful lives and some are capacity limited; and

WHEREAS, Square Engineering prepared an engineering report reviewing and analyzing needed WWTP improvements and alternatives and making recommendations, and developed a Map and Plan for recommended WWTP improvements (the Project) together with an estimate of Project costs; and

WHEREAS, County Law §268 requires that this Legislature call a public hearing on the Map and Plan Report; now therefore be it

RESOLVED, That a public hearing will be held by the Chautauqua County Legislature at the Legislative Chambers, Gerace Office Building, 3 North Erie Street in the Village of Mayville, Chautauqua County, New York on April 23, 2025 at 6:35 PM, prevailing time, on the proposed Project as set forth in the Map and Plan; and be it further

RESOLVED, That the Clerk of the Legislature is hereby authorized and directed to cause a copy of the below Notice of Public Hearing to be published once in the official newspapers of the County; and be it further

RESOLVED, That pursuant to County Law §254(2)(a), the Clerk of the Legislature is directed to cause a certified copy of the below Notice of Public Hearing to be filed with the New York State Comptroller on or about the date of the publication of such notice; and be it further

RESOLVED, That the Notice of Public Hearing shall be in substantially the following form:

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the County Legislature of the County of Chautauqua, New York will meet in the Legislative Chambers, Gerace Office Building, 3 North Erie Street, Mayville, New York on April 23, 2025 at 6:35 PM, prevailing time, for the purpose of conducting a public hearing concerning the proposed improvements in the North Chautauqua Lake Sewer District Wastewater Treatment Plant. The proposed work includes influent metering upgrades,

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

replacement of the main pumping station, construction of an activated sludge treatment process (Sequencing Batch Reactor) to replace the current RBC process, demolition or repurpose of primary clarifiers as pre-SBR equalization tanks, conversion of secondary clarifiers into post-SBR equalization tanks, rehabilitation of existing digester tankage into aerobic sludge holding tanks, construction of various digester building upgrades, construction of a new maintenance and garage facility, upgrading the secondary effluent pump station to increase capacity, installation of an additional tertiary filter, and upgrading the UV disinfection system to increase capacity, as detailed in the Map and Plan prepared by Square Engineering which is on file for inspection in the office of the Clerk of the County Legislature, 3 North Erie Street, Mayville, New York, and available on-line at <https://chqgov.com/legislature/Legislature>.

The estimated cost of the improvement Project is \$10,146,000.00. The County intends to finance the project through NYSEFC financing and other potential grants. The estimated annual cost to be assessed to properties for these improvements is \$121.00 if grant funding is received, which when added to the estimated average annual sewer charge will be expected to result in a maximum annual sewer charge of \$737.00. If no grant is received the estimated annual cost to be assessed to properties for these improvements is \$241.00, which when added to the estimated average annual sewer charge will be expected to result in a maximum annual sewer charge of \$857.00.

At such public hearing, the Chautauqua County Legislature will hear all persons interested in this matter.

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

CHAUTAUQUA COUNTY
RESOLUTION NO. _____

TITLE: Determinations in Relation to the Extension of Center Chautauqua Lake Sewer District Bounds from Midway State Park through Point Chautauqua on the East Side of Chautauqua Lake

BY: Public Facilities and Audit and Control Committees:

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

WHEREAS, the Chautauqua County Legislature adopted Resolution 87-25 calling a public hearing for the purpose of considering a proposal to extend Center Chautauqua Lake Sewer District (CCLSD) bounds along the east side of Chautauqua Lake through Point Chautauqua; and

WHEREAS, notice of said public hearing was duly published and mailed as required by law and the public hearing was held at the Legislative Chambers, Gerace Office Building, Mayville, New York on March 26, 2025 at 6:35 PM, prevailing time; and

WHEREAS, the Legislature has duly considered the Map, Plan and Report filed with it by the County Sewer Agency dated January 2025 relating to the proposed extension of the CCLSD bounds (Map, Plan and Report), as well as the testimony and other information received by it at the public hearing and otherwise; now therefore be it

RESOLVED, Upon the Map, Plan and Report and other data filed with it, the Legislature hereby determines in accordance with County Law §§274 and 256:

1. The proposed facilities for the extension of CCLSD bounds are satisfactory and sufficient.
2. All of the property and property owners within the proposed CCLSD boundary extension are benefitted thereby.
3. All of the property and property owners benefitted are included within the limits of the proposed CCLSD boundary extension.
4. It is in the public interest to extend the CCLSD as proposed.
5. The zones of assessment within the area of the proposed extension of the CCLSD and the allocation of the costs of the facilities thereto represent as nearly as may be the proportionate amount of benefit which the several lots and parcels of land situate in such zones will derive therefrom.
6. The proportion of the cost of the system of the original District to be included in the cost of the extension shall be zero.

and be it further

RESOLVED, That the extension of CCLSD bounds through Point Chautauqua as described in the Map, Plan and Report and in the Notice of Public Hearing and the construction of the improvements described in the Map, Plan and Report for a maximum amount to be expended of \$35,590,000 are hereby approved; and be it further

RESOLVED, That the establishment of the initial zones of assessment within the area of the proposed extension of the District and the initial allocation of the costs of the facilities as between said zones of assessment as described in the Map, Plan and Report and in the Notice of Public Hearing are hereby approved; and be it further

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

RESOLVED, That to the extent that the cost of the improvements and the expense of operation and maintenance are not paid from the revenues of the CCLSD, they shall be assessed in proportion as nearly as may be to the benefit which each lot or parcel in the CCLSD will derive therefrom; and be it further

RESOLVED, That this resolution is subject to permissive referendum pursuant to County Law §§ 101, 102, 256, 257, and 274 and the Clerk of the Legislature is directed to cause a notice to be published at least once in the official newspapers of the County within ten (10) days after the adoption of this resolution, such notice to contain the number, date of adoption, a true copy of the resolution and a statement that such resolution is subject to a permissive referendum, and the Clerk of the Legislature is further directed to prepare and have available for distribution proper forms for such petition; and be it further

RESOLVED, That in the event no valid petition requesting a referendum vote is filed and the time for doing so has expired, or if a referendum vote is held and the CCLSD extension is approved, the Clerk of the Legislature shall within ten days cause a certified copy of this Resolution to be recorded in the office of the County Clerk and in the office of the state department of audit and control at Albany, New York, pursuant to County Law §259.

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

TITLE: Establishment of Capital Accounts for Center Chautauqua Lake Sewer District (CCLSD) Extension Phase 3

BY: Public Facilities and Audit and Control Committees:

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

WHEREAS, pursuant to Resolution 87-25, the County Legislature determined it was in the public interest to extend the Center Chautauqua Lake Sewer District (CCLSD) bounds along the east side of Chautauqua Lake through Point Chautauqua; and

WHEREAS, it is appropriate to establish capital accounts for the undertaking of the capital improvements; and

WHEREAS, the financing of the work will be accomplished by a combination of grants, loan funding, and bonds, but the exact dollar amount of each revenue source is not known so the revenue budgets cannot be established at this time; now therefore be it

RESOLVED, That the Director of Finance is authorized and directed to establish accounts for the District's capital improvements, as follows:

ESTABLISH AND INCREASE CAPITAL APPROPRIATION ACCOUNT:

ESS.8130.27008.4	Contractual - Sanitary Sewers, CCLSD Extension Phase 3 (2025)	\$35,590,000
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APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

TITLE: A Resolution Authorizing the Issuance of \$35,590,000 Bonds of the County of Chautauqua, New York, to Pay the Cost of the Design and Construction of an Extension of the Center Chautauqua Lake Sewer District in and for said County

BY: Public Facilities and Audit & Control Committees:

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

WHEREAS, all conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act, have been performed; and

WHEREAS, it is now desired to authorize the financing and undertaking of such capital project; NOW THEREFORE,

BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the County Legislature of the County of Chautauqua, New York, as follows:

Section 1. The design and construction of improvements for the extension of the Center Chautauqua Lake Sewer District to be located in the Towns of Ellery and Chautauqua, in and for the County of Chautauqua, New York, including installation of new facilities for the sewer extension that include gravity and/or pressure sewers, pumping stations, as well as incidental improvements and expenses in connection therewith, is hereby authorized at a maximum estimated cost of \$35,590,000.

Section 2. It is hereby determined that the plan for the financing of the aforesaid maximum estimated cost is by the issuance of not exceeding \$35,590,000 bonds of said County hereby authorized to be issued therefore pursuant to the provisions of the Local Finance Law; provided, however, the amount of bonds to be issued shall be reduced to the extent of grants received.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purposes is forty years, pursuant to subdivision 4 of paragraph a of Section 11.00 of the Local Finance Law.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell the bonds and bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Director of Finance, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Director of Finance, consistent with the provisions of the Local Finance Law.

Section 5. The Director of Finance is hereby further authorized to execute a project finance agreement, and any other agreements with the New York State Environmental Facilities Corporation, including amendments thereto, and including any instruments (or amendments thereto) in the effectuation thereof, in order to effect the financing or refinancing of the object or purpose.

Section 6. The faith and credit of said County of Chautauqua, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. To the extent not paid from assessments within the Extension or other sources, there shall annually be levied on all the taxable real property of said County a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

Section 7. All other matters except as provided herein relating to the serial bonds herein authorized, including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

consolidation with other issues, and also the ability to issue bonds with substantially level or declining annual debt service, shall be determined by the Director of Finance, the chief fiscal officer of such County. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Director of Finance shall determine consistent with the provisions of the Local Finance Law.

Section 8. The validity of such bonds and bond anticipation notes may be contested only if:

1. Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or
2. The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication, or
3. Such obligations are authorized in violation of the provisions of the Constitution.

Section 9. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the objects or purposes described herein.

Section 10. No expenditure shall be made or contract let for the purpose authorized by this bond resolution unless and until the State Comptroller shall consent to such expenditure.

Section 11. This resolution, which takes effects immediately, shall be published in summary form in the official newspapers of Chautauqua County, together with a notice of the clerk of the County Legislature in substantially the form provided in Section 81.00 of the Local Finance Law.

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

TITLE: Authorize County to Apply for Grants on Behalf of the Center Chautauqua Lake Sewer District to Extend District Bounds from Midway State Park through Point Chautauqua on the East Side of Chautauqua Lake

BY: Public Facilities and Audit & Control Committees:

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

WHEREAS, Chautauqua Lake experiences nuisance algal blooms and excessive weed growth as a direct result of excessive phosphorus inputs; and

WHEREAS, in 2004, Chautauqua Lake was officially designated as an impaired water body by the NYS DEC pursuant to Section 303(d) of the federal Clean Water Act due to phosphorus loadings; and

WHEREAS, a Total Maximum Daily Load (TMDL) phosphorus allocation for Chautauqua Lake was completed in 2012, which provides an official regulatory plan for reducing phosphorus inputs and restoring the impaired water body, and requires substantial reductions in phosphorus inputs to Chautauqua Lake; and

WHEREAS, the septic systems which still exist surrounding Chautauqua Lake have been identified as a primary point source of phosphorus inputs to Chautauqua Lake; and

WHEREAS, it is likely that 50% of such existing septic systems in proximity to Chautauqua Lake would fail tests for adequacy pursuant to applicable sanitary codes, and the cost to property owners for replacement of such septic systems can be in a range of \$15,000 to \$35,000 or more; and

WHEREAS, recognizing the need to reduce wastewater phosphorus from entering Chautauqua Lake and to protect private water sources and public health, the County, the North Chautauqua Lake Sewer District (NCLSD), the South and Center Chautauqua Lake Sewer Districts (SCCLSD), and other stakeholders worked collaboratively to develop the "Chautauqua Lake Integrated Sewage Management Plan" (CLISMP), which was completed in October 2014; and

WHEREAS, a portion of the CLISMP recommendations included the upgrade, extension, and development of sewer infrastructure to replace existing septic systems on the east side of Chautauqua Lake; and

WHEREAS, the County of Chautauqua, the North Chautauqua Lake Sewer District (NCLSD), the South and Center Chautauqua Lake Sewer Districts (SCCLSD), and other stakeholders worked collaboratively to develop the East Chautauqua Lake Sewer Study; and

WHEREAS, extending public sewer infrastructure treatment in the area along the northeast side of Chautauqua Lake from Midway State Park through Point Chautauqua would complete the availability of public sewers around the entirety of Chautauqua Lake; and

WHEREAS, pursuant to Resolution 318-24, the Chautauqua County Sewer Agency was established pursuant to Article 5-A of New York State County Law to evaluate sewer infrastructure needs and make recommendations to the County Legislature regarding the creation or extension of County sewer district(s) as may be necessary and in the best interest of the people of Chautauqua County; and

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

WHEREAS, the Chautauqua County Sewer Agency, after thorough review, has transmitted to this Legislature a Map, Plan and Report produced by Square Engineering D.P.C., competent engineers licensed by the State of New York, dated January 2025, entitled “South & Center Chautauqua Lake Sewer District Phase 3” containing recommendations as to the extension of CCLSD (hereinafter referred to as the Map, Plan and Report) for a maximum amount to be expended of \$35,590,000; and

WHEREAS, the Chautauqua County Sewer Agency and the Administrative Board of Directors of SCCLSD both unanimously recommended the Map, Plan, and Report to the Chautauqua County Legislature; and

WHEREAS, government loan and grant funds for the Project may be available from numerous sources including without limitation the New York State Environmental Facilities Corporation (EFC): Clean Water State Revolving Fund (CWSRF) program, the Bipartisan Infrastructure Law (BIL) Funding, and the Water Infrastructure Improvement Act (WIIA) grant program; the New York State Department of Environmental Conservation Water Quality Improvement Project (WQIP) program, and Federal Congressional Appropriations; and

WHEREAS, it is in the best interest of the County and CCLSD customers to apply for funding assistance when available; therefore, be it

RESOLVED, That the County Executive is authorized to submit Project funding applications to federal and state government entities, to execute related documents, and to represent the County in connection with such funding applications; and be it further

RESOLVED, That when a Project funding application is successful, upon the County Legislature’s approval of the funding and allocation of any required matching funds, the County Executive is authorized to execute and submit the contracts and documents necessary to secure funds, and to represent the County in all matters related to Project funding.

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

CHAUTAUQUA COUNTY
RESOLUTION NO. _____

TITLE: Authorization for the County to Apply for Grants on Behalf of the South and Center Chautauqua Lake Sewer Districts for Review of Wastewater Treatment Plant Capacity

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 South and Center Chautauqua Lake Sewer Districts (SCCLSD) wastewater treatment plant has seen dramatic improvements resulting from the conversion from a mechanical aeration system to a fine bubble aeration system; and

WHEREAS, a study is warranted to confirm current plant treatment and transmission capacity including the plant's ability to handle additional volume; and

WHEREAS, the Chautauqua County Legislature is considering a proposal to upgrade Wastewater Treatment Plant infrastructure in the North Chautauqua Lake Sewer District; and

WHEREAS, it is in the best interests of Chautauqua County to consider the best and highest use of its infrastructure facilities; and

WHEREAS, New York State Environmental Facilities Corporation (EFC) offers Engineering Planning Grants (EPG) of up to \$50,000 with a \$10,000 match, which grants may be used for the study of wastewater treatment plant capacity; and

WHEREAS, the administrative board of the SCCLSD at its meeting on March 6, 2025, unanimously requested the County approve applying for an EPG for review of the SCCLSD Wastewater Treatment Plant capacity; now therefore be it

RESOLVED, That the County Executive is authorized to apply to EFC for EPG funds for a wastewater treatment plant capacity study, to execute related documents, and to represent the County in connection with such funding application; and be it further

RESOLVED, if the grant application is successful, upon the County Legislature's approval of the funding and allocation of any required matching funds, the County Executive is authorized to execute and submit the contract and documents necessary to secure funds, and to represent the County in all matters related to such funding.

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date