

LOCAL LAW
INTRODUCTORY NO. 8-17
CHAUTAUQUA COUNTY

A LOCAL LAW TO PROVIDE A COUNTY REAL PROPERTY TAX EXEMPTION FOR
RESIDENTIAL CONSTRUCTION WORK ON CERTAIN OWNER OCCUPIED
RESIDENTIAL PROPERTY IN THE CITY OF JAMESTOWN

BE IT ENACTED, by the County Legislature of the County of Chautauqua, New York, as follows:

Section 1. Purpose.

The purpose of this local law is to provide a county real property tax exemption for residential construction work occurring on certain owner occupied residential property in the City of Jamestown pursuant to Section 485-t of the New York State Real Property Tax Law ("RPTL § 485-t"). The RPTL § 485-t exemption is limited to: (i) residential construction work occurring on single family or two family residential property that is vacant, legally condemned and has outstanding state and local building and fire code violations, where the cost of remedying such violations exceeds the value of such property; or (ii) the construction of a new single or two family residence of not less than one thousand two hundred square feet on a parcel upon which a prior structure was demolished.

Section 2. Exemption.

The County of Chautauqua hereby elects to provide the tax exemption for residential construction work authorized pursuant to RPTL § 485-t for taxes levied by or on behalf of the County of Chautauqua on certain owner occupied residential property in the City of Jamestown, as follows:

<u>Year of exemption</u>	<u>Percentage of exemption</u>
1 through 3	100% of exemption base
4 through 5	80% of exemption base
6 through 7	60% of exemption base
8 through 9	40% of exemption base
10 through 11	20% of exemption base

Section 3. Eligibility and Other Requirements.

The exemption provided by this local law shall be implemented pursuant to all of the terms, conditions, procedures, and other requirements set forth in RPTL § 485-t, as it may be amended from time-to-time. All such terms, conditions, procedures, and other requirements of RPTL § 485-t are hereby incorporated by reference into this local law as if fully set forth herein.

Section 4. Effective Date

This local law shall take effect upon filing with the Secretary of State.

CHAUTAUQUA COUNTY LEGISLATURE

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2:00 P.M.

RES. NO. 245-17

Confirm Appointment - Chautauqua County Sports Fishery Advisory Board

By Planning & Economic Development Committee:

At the Request of County Executive Vincent W. Horrigan:

WHEREAS, County Executive Vincent W. Horrigan has submitted the following appointment to the Chautauqua County Legislature for action; therefore be it

RESOLVED, That the Chautauqua County Legislature hereby confirms the following appointment to the Chautauqua County Sports Fishery Advisory Board.

Frank Schoenacker

5146 Lakeview Ave.

Ashville, N.Y. 14710

Term Expires: 12/31/18

Signed: Chagnon, Odell, Starks, Niebel

RES. NO. 246-17

Authorize Agreement for Interim FBO Services at the Dunkirk Airport

By Public Facilities and Audit & Control Committees:

At the Request of County Executive Vincent W. Horrigan:

WHEREAS, the County owns and operates the Dunkirk Airport in the Town of Sheridan and is in need of fixed base operator (FBO) services at the Dunkirk Airport for the general use of the public and to enhance current and future economic development in the County, and

WHEREAS, the Chautauqua Region Economic Development Corporation (CREDC) is a not-for-profit local development corporation incorporated pursuant to Section 1411 of the Not-For-Profit Corporation Law, and is operated for the charitable and public purposes of aiding and promoting the economic development of Chautauqua County, and lessening the burdens of government; and

WHEREAS, it would be advantageous for CREDC to provide fixed base operator services for the County at the Dunkirk Airport on an interim basis to allow the County to undertake an RFP process to determine the long-term structure and operator for the delivery of FBO services at the Dunkirk Airport; now therefore be it

RESOLVED, That Ninety two hundred dollars that the County Executive is authorized to enter into an agreement with CREDC to provide fixed base operator services for the County at the Dunkirk Airport on an interim basis, as follows:

1. Term. November 1, 2017 – July 31, 2018.
2. Payment. CREDC shall pay the County on a quarterly basis the net profits from its FBO operations after payment of all of its reasonable expenses in operating FBO services. In the event that CREDC has a net loss for any quarter, the County shall reimburse CREDC for the applicable deficit in the payment of its reasonable expenses for the quarter.

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3. Other. As negotiated by the County Executive.

Signed: Hemmer, Nazzaro, Scudder, Wilfong, Gould, Chagnon, Muldowney, Borrello

RES. NO. 247-17

Increasing Income Limits for Partial Real Property Tax Exemption for Seniors

By Administrative Services, Human Services, and Audit & Control Committees:

At the Request of County Executive Vincent W. Horrigan:

WHEREAS, pursuant to Resolution 228-07, Chautauqua County has offered a partial real property tax exemption since 2012 to senior citizen homeowners whose incomes do not exceed \$20,000.00; and

WHEREAS, this \$20,000.00 income limit has not been modified since 2012 and as a result, several senior citizens who were once eligible for the exemptions are no longer eligible for this important tax reduction; and

WHEREAS, it is proposed that the income limits be increased to \$22,000.00 effective as of the next taxable status date (March 1, 2018); and

WHEREAS, a public hearing has been held before the County Legislature regarding increasing the income limits for persons applying for the exemption as stated herein; now therefore be it

RESOLVED, That effective as of the next taxable status date (March 1, 2018), the County of Chautauqua does hereby increase the income eligibility limit to \$22,000.00 for partial real property tax exemption for senior citizens pursuant to Section 467 of the New York Real Property Tax Law.

Signed: Scudder, Vanstrom, Whitford, Starks, Muldowney, Lemon, Wilfong, Pavlock, Chagnon, Nazzaro, Borrello, Gould

RES. NO. 248-17

Emergency Management Performance Grant for Fiscal Year 2017

By Public Safety and Audit & Control Committees:

At the Request of County Executive Vincent W. Horrigan:

WHEREAS, the Office of Emergency Services was awarded funds from the New York State Division of Homeland Security and Emergency Services in the total amount of

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\$110,406.00 with a fifty percent (50%) in kind match from the County in the amount of \$55,203.00; and

WHEREAS, the grant is to help manage daily Emergency Management functions and to enhance planning, training, exercises, public preparedness, emergency alert and notification systems; and

WHEREAS, the grant period runs from October 1, 2016 through September 30, 2018, or as may be amended; and

WHEREAS, the expenses and revenues for the grant agreement are within the financial parameters of the adopted 2017 County budget; now therefore be it

RESOLVED, That the County Executive is hereby authorized to sign and execute all necessary agreements to accept the award and subsequent changes to work plans.

Signed: Wendel, Bankoski, Pavlock, Whitford, Niebel, Chagnon, Nazzaro, Muldowney, Borrello, Gould

RES. NO. 249-17

Fiscal Year 2017 Hazardous Materials Emergency Preparedness (HMEP) Grant Program

By Public Safety and Audit & Control Committees:

At the Request of County Executive Vincent W. Horrigan:

WHEREAS, Chautauqua County and its regional partnership were awarded funds of \$15,516.00 under the FY 2017 Hazardous Material Emergency Preparedness (HMEP) Grant Program, funded by the U.S. Department of Transportation, Pipeline and Hazardous Materials Safety Administration (PHMSA) and administered by the NYS Division of Homeland Security and Emergency Services (DHSES); and

WHEREAS, the HMEP planning grants are used to develop, improve, and implement emergency plans; determine flow patterns of hazardous materials within a state and between states; and determine the need within a state for regional hazardous materials emergency response teams; and

WHEREAS, the grant period runs from October 1, 2017 through September 30, 2018, and as may be extended; therefore be it

RESOLVED, That the County Executive is hereby authorized to execute all necessary agreements to accept the award and subsequent changes to work plans if necessary.

Signed: Wendel, Bankoski, Pavlock, Whitford, Niebel, Chagnon, Nazzaro, Muldowney, Borrello, Gould

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RES. NO. 250-17

Authorize Agreement with Village of Brocton for Enhanced Police Protection Services

By Public Safety and Audit & Control Committees:

At the Request of County Executive Vincent W. Horrigan:

WHEREAS, the Village of Brocton has requested that the Chautauqua County Office of the Sheriff provide enhanced police services within the geographical boundaries of the Village during the 2018 calendar year; and

WHEREAS, the County Sheriff has negotiated a tentative agreement with the Village of Brocton for the period of January 1, 2018 through December 31, 2018, for an estimated cost not to exceed \$21,000.00, based on a regular hourly rate of at least \$39.58 and a holiday hourly rate of at least \$49.79; now therefore be it

RESOLVED, That the County Executive is authorized to execute an agreement with the Village of Brocton for enhanced police services as set forth above with revenues to be credited to account A.3110.R226.0000.

Signed: Wendel, Bankoski, Pavlock, Whitford, Niebel, Chagnon, Nazzaro, Muldowney, Borrello, Gould

RES. NO. 251-17

Authorize Agreement with Chautauqua Lake Central School District to Provide Enhanced Police Protection Services

By Public Safety and Audit & Control Committees:

At the Request of County Executive Vincent W. Horrigan:

WHEREAS, Chautauqua Lake Central School District has requested that the Chautauqua County Office of the Sheriff provide Deputy Sheriffs at sporting and social events at its schools; and

WHEREAS, the County Sheriff has negotiated a tentative agreement with Chautauqua Lake Central School District for the period from January 1, 2018 through December 31, 2018, for an estimated cost not to exceed \$3,000.00, based on an hourly rate of at least \$39.58; now therefore be it

RESOLVED, That the County Executive is authorized to execute an agreement with Chautauqua Lake Central School District for enhanced police protection services as set forth above with revenues to be credited to account A.3110.R226.0000.

Signed: Wendel, Bankoski, Pavlock, Whitford, Niebel, Chagnon, Nazzaro, Muldowney, Borrello, Gould

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RES. NO. 252-17

Authorize Agreement with Town of Ripley for Enhanced Police Protection Services

By Public Safety and Audit & Control Committees:

At the Request of County Executive Vincent W. Horrigan:

WHEREAS, the Town of Ripley has requested the Chautauqua County Office of the Sheriff provide enhanced police protection services within the geographic boundaries of the Township during the 2018 calendar year; and

WHEREAS, the Chautauqua County Sheriff has negotiated a tentative agreement with the Town of Ripley for the period of January 1, 2018 through December 31, 2018 for an estimated cost not to exceed \$32,000.00 based on an hourly rate of at least \$39.58 and a holiday hourly rate of at least \$49.79; now therefore be it

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

Signed: Wendel, Bankoski, Pavlock, Whitford, Niebel, Chagnon, Nazzaro, Muldowney, Borrello, Gould

RES. NO. 253-17

Authorize Agreement with the Village of Silver Creek for Enhanced Police Protection Services

By Public Safety and Audit & Control Committees:

At the Request of County Executive Vincent W. Horrigan:

WHEREAS, the Village of Silver Creek and the Town of Hanover have requested the Chautauqua County Office of the Sheriff provide enhanced police protection services within the geographical boundaries of the Village of Silver Creek and the Town of Hanover for the 2018 calendar year; and

WHEREAS, the Chautauqua County Office of the Sheriff has negotiated a tentative agreement with the Village of Silver Creek and the Town of Hanover for the period from January 1, 2018 through December 31, 2018 for an estimated cost not to exceed \$578,460; and

WHEREAS, expenditures associated with this agreement are included in the 2018 tentative budget; now therefore be it

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

Signed: Wendel, Bankoski, Pavlock, Whitford, Niebel, Chagnon, Nazzaro, Muldowney, Borrello, Gould

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RES. NO. 254-17

Authorize Agreement with Town of Ellery for Court Security Detail

By Public Safety and Audit & Control Committees:

At the Request of County Executive Vincent W. Horrigan:

WHEREAS, the Town of Ellery has requested that the Chautauqua County Office of the Sheriff provide part-time deputy sheriffs for court security detail on designated court nights; and

WHEREAS, the County Sheriff has negotiated a tentative agreement with the Town of Ellery for the period of January 1, 2018 through December 31, 2018, for an estimated cost not to exceed \$2,500.00, based on an hourly rate of at least \$29.49; now therefore be it

RESOLVED, That the County Executive is authorized and empowered to execute an agreement with the Town of Ellery for court security as set forth above, with revenues to be credited to account A.1162.1110.R226.000.

Signed: Wendel, Bankoski, Pavlock, Whitford, Niebel, Chagnon, Nazzaro, Muldowney, Borrello, Gould

RES. NO. 255-17

Authorize Agreement with Town of Kiantone for Court Security Detail

By Public Safety and Audit & Control Committees:

At the Request of County Executive Vincent W. Horrigan:

WHEREAS, the Town of Kiantone has requested that the Chautauqua County Office of the Sheriff provide part-time deputy sheriffs for court security detail on designated court nights; and

WHEREAS, the County Sheriff has negotiated a tentative agreement with the Town of Kiantone for the period of January 1, 2018 through December 31, 2018, for an estimated cost not to exceed \$6,500.00, based on an hourly rate of at least \$29.49; now therefore be it

RESOLVED, That the County Executive is authorized and empowered to execute an agreement with the Town of Kiantone for court security as set forth above, with revenues to be credited to account A.1162.1110.R226.000.

Signed: Wendel, Bankoski, Pavlock, Whitford, Niebel, Chagnon, Nazzaro, Muldowney, Borrello, Gould

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RES. NO. 256-17

Authorize Agreement with Town of North Harmony for Court Security Detail

By Public Safety and Audit & Control Committees:

At the Request of County Executive Vincent W. Horrigan:

WHEREAS, the Town of North Harmony has requested that the Chautauqua County Office of the Sheriff provide court security officers on designated court nights; and

WHEREAS, the County Sheriff has negotiated a tentative agreement with the Town of North Harmony for the period of January 1, 2018 through December 31, 2018, for an estimated cost not to exceed \$7,000.00 based on an hourly rate of at least \$29.49; now therefore be it

RESOLVED, That the County Executive is authorized and empowered to execute an agreement with the Town of North Harmony for court security as set forth above, with revenues to be credited to account A.1162.1110.R226.000.

Signed: Wendel, Bankoski, Pavlock, Whitford, Niebel, Chagnon, Nazzaro, Muldowney, Borrello, Gould

RES. NO. 257-17

Authorize Agreement with Town of Mina for Court Security Detail

By Public Safety and Audit & Control Committees:

At the Request of County Executive Vincent W. Horrigan:

WHEREAS, the Town of Mina has requested that the Chautauqua County Office of the Sheriff provide part-time deputy sheriffs for court security detail on designated court nights; and

WHEREAS, the County Sheriff has negotiated a tentative agreement with the Town of Mina for the period of January 1, 2018 through December 31, 2018, for an estimated cost not to exceed \$2,000.00, based on an hourly rate of at least \$29.49; now therefore be it

RESOLVED, That the County Executive is authorized and empowered to execute an agreement with the Town of Mina for court security as set forth above, with revenues to be credited to account A.1162.1110.R226.000.

Signed: Wendel, Bankoski, Pavlock, Whitford, Niebel, Chagnon, Nazzaro, Muldowney, Borrello, Gould

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RES. NO. 258-17

Authorize Agreement with Town of Stockton for Court Security Detail

By Public Safety and Audit & Control Committees:

At the Request of County Executive Vincent W. Horrigan:

WHEREAS, the Town of Stockton has requested that the Chautauqua County Office of the Sheriff provide part-time deputy sheriffs for court security detail on designated court nights; and

WHEREAS, the County Sheriff has negotiated a tentative agreement with the Town of Stockton for the period of January 1, 2018 through December 31, 2018, for an estimated cost not to exceed \$6,000.00, based on an hourly rate of at least \$29.49; now therefore be it

RESOLVED, That the County Executive is authorized and empowered to execute an agreement with the Town of Stockton for court security as set forth above, with revenues to be credited to account A.1162.1110.R226.000.

Signed: Wendel, Bankoski, Pavlock, Whitford, Niebel, Chagnon, Nazzaro, Muldowney, Borrello, Gould

RES. NO. 259-17

Authorize Amendments to Lease Agreement with the Chautauqua Center, Inc. (TCC) for Article 28 Clinic Space in SCOB

By Human Services and Audit & Control Committees:

At the Request of County Executive Vincent W. Horrigan:

WHEREAS, Resolutions 126-15 and 126-16 authorized the County Executive to enter into a lease agreement with TCC including specified terms and conditions; and

WHEREAS, TCC has requested additional lease time at the SCOB building due to an anticipated delay in availability of its permanent space; and

WHEREAS, the County is able to accommodate TCC's need to use the space for an additional time period; now therefore be it

RESOLVED, That the County Executive is hereby authorized and empowered to execute a lease amendment to the TCC lease agreement, to be effective January 1, 2018, on substantially the following terms and conditions:

1. Premises. Leased space 4,558 square feet (same as current lease).
2. Term. Lease expiration extended from December 31, 2017 to December 31, 2018, as needed until TCC acquires permanent space.
3. Rent. \$7,000/month (same as current lease)
4. Other. As negotiated by the County Executive.

Signed: Lemon, Wilfong, Pavlock, Whitford, Chagnon, Nazzaro, Muldowney, Borrello, Gould

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2:00 P.M.

RES. NO. 260-17

Amend 2017 Budget for Emergency Aid for Adults

By Human Services and Audit & Control Committees:

At the Request of County Executive Vincent W. Horrigan:

WHEREAS, 2017 contractual expenditures for Emergency Aid for Adults are now projected to be in excess of the budgeted amount; and

WHEREAS, 2017 contractual expenditures for Medicaid 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 2017 Budget:

INCREASE APPROPRIATION ACCOUNT:

A.6142.----.4	Contractual-Emergency Aid for Adults	\$40,000
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DECREASE APPROPRIATION ACCOUNT:

A.6100.----.4	Contractual-Medicaid	\$20,000
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INCREASE REVENUE ACCOUNT:

A.6142.R364.2000	NYS Aid – Emergency Aid for Adults	\$20,000
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Signed: Lemon, Wilfong, Pavlock, Whitford, Chagnon, Nazzaro, Muldowney, Borrello, Gould

RES. NO. 261-17

Amend 2017 Budget for New York State OCFS Custody Invoices

By Human Services and Audit & Control Committees:

At the Request of County Executive Vincent W. Horrigan:

WHEREAS, 2017 contractual expenditures for State Training School are now projected to be in excess of the budgeted amount; and

WHEREAS, 2017 contractual expenditures for Safety Net are now projected to be lower than the budgeted amount; and

WHEREAS, Safety Net costs are funded at 1% by Federal funding and 28% 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 2017 Budget:

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INCREASE APPROPRIATION ACCOUNT:

A.6129.----.4 Contractual-State Training School \$372,350

DECREASE APPROPRIATION ACCOUNT:

A.6140.----.4 Contractual-Safety Net \$524,440

DECREASE REVENUE ACCOUNTS:

A.6140.R364.0000 State Aid – Safety Net \$146,845

A.6140.R464.0000 Federal Aid – Safety Net \$ 5,245

Total \$152,090

Signed: Lemon, Wilfong, Pavlock, Whitford, Chagnon, Nazzaro, Muldowney, Borrello, Gould

RES. NO. 262-17

Close and Adjust Capital Projects

By Public Facilities, Public Safety, Human Services, Planning & Economic Development, and Audit & Control Committees:

At the Request of County Executive Vincent W. Horrigan:

WHEREAS, the following capital projects have been completed and can be closed

H.2490.00863 Community College Tuition—Manufacturing Tech Renova (2012)

H.3410.14967 Basic Fire Academy—Burn Bldg Reconst—TCC (2016)

H.6010.31969 Social Services Admin—Ctl Intake Space SCOB Reno (2016)

H.1620.25925 Buildings & Grounds--GOB Water Treatment (2014)

H.1620.534 Buildings & Grounds--ADA Compliance (1994, 2009)

H.5130.25811 Road Machinery--Mobile Data Collect Syst (2010)

H.5130.25904 Road Machinery--Sheridan Shop HVAC Upgrade (2016)

H.5130.25952 Road Machinery--Sheridan Shop Masonry Rest (2016)

H.5610.25971 Chautauqua County Airport—Replace Front Mower—Jmst (2017)

H.5630.25943 Bus Operations—CARTS Flooring Repl (2016)

H.6420.673 Promotion of Industry—Edgewood Warehouse (2007)

H.4010.32927 Public Health Admin—HRC 4th Floor Secure Door (2014)

H.7110.656 Parks—Erlandson Park Phase II (2007)

; and

WHEREAS, closure of the capital projects listed above will return approximately \$148,000 to the Reserve for Capital; and

WHEREAS, the scope of capital project H.2490.550 Community College Tuition—JCC Capital (1996) has changed and so an estimated surplus of \$1,040,000 will be returned to the reserve for capital when the project is closed; now therefore be it

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RESOLVED, That the Director of Finance close the capital projects listed above, and reconcile, post adjustments and begin capitalization as necessary; and be it further

RESOLVED, That, upon completion of audit and reconciliation of the closed capital projects, any surplus or deficit be adjusted to the appropriate Fund or Reserve for Capital; and be it further

RESOLVED, That A Fund Balance is appropriated as follows:

INCREASE THE USE OF FUND BALANCE:

A.----.----.878.0000 Fund Balance, Reserved Fund Balance—Reserve for Capital \$100,189

; and be it further

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2017 Capital Budget:

INCREASE APPROPRIATION ACCOUNT:

A.9950.----.9 Interfund Transfers—Transfer to Capital \$100,189

INCREASE CAPITAL APPROPRIATION ACCOUNTS:

H.2490.00981.4	Contractual-- Community College Tuition— JCC Critical Maintenance (2017)	\$ 40,000
H.1620.25821.4	Contractual—Buildings & Grounds— Mvl Prkg Lot Reconstruct (2010)	\$ 39,642
H.7110.25828.4	Contractual – Parks--Luensman Park Rest Rooms (2014)	\$ 20,547
	Total	\$100,189

INCREASE CAPITAL REVENUE ACCOUNTS:

H.1620.25821.R503.1000	Interfund Transfer – Interfund Transfer	\$ 39,642
H.7110.25828.R503.1000	Interfund Transfer – Interfund Transfer	\$ 20,547
	Total	\$ 60,189

ESTABLISH & INCREASE CAPITAL REVENUE ACCOUNT:

H.2490.00981.R503.1000 Interfund Transfer – Interfund Transfer \$ 40,000

Signed: Niebel, Odell, Lemon, Chagnon, Borrello, Wilfong, Bankoski, Wendel, Starks, Hemmer, Nazzaro, Scudder, Muldowney, Wilfong, Pavlock, Gould

CHAUTAUQUA COUNTY LEGISLATURE

10/25/17

2:00 P.M.

RES. NO. 263-17

Quit Claim Deeds

By Administrative Services and Audit & Control Committees:

At the Request of County Executive Vincent W. Horrigan:

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 attached Schedule 1 under tax sale certificates noted on 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 Executive and Chairman of this Legislature be hereby authorized to execute Quitclaim Deeds conveying to the offers 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	Offer Amount	Taxes Owning
PA-90-2017	City of Jamestown	060800-387.12-2-73	Rick A Martin	\$ 500.00	\$ 11,250.07
PA-106-2017	City of Jamestown	060800-387.15-2-34	Robert A Hogg	\$ 6,505.00	\$ 9,261.61
*PA-257-2017	North Harmony	065400-349.00-2-41	Wayne A LaCross	\$ 10,500.00	\$ 12,243.29
					\$ 32,754.97
* Denotes Multiple Offers					

Signed: Scudder, Vanstrom, Whitford, Starks, Muldowney, Chagnon, Nazzaro, Borrello, Gould

RENEW AND AMEND
CHAUTAUQUA COUNTY
RESOLUTION NO. 147-16

SMA 10/10/17 KMD 10/10/17 KLC 10/10/17 VWH 10/10/17
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TITLE: Approve SEQRA Findings in Relation to Proposed Sewer Extension for West Side of Chautauqua Lake

BY: Public Facilities and Audit & Control Committees:

AT THE REQUEST OF: County Executive Vincent W. Horrigan and Legislator Pierre 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 by 2018; and

WHEREAS, approximately 1,200 septic systems still exist surrounding Chautauqua Lake, and along with publically-owned treatment works (POTWs), have been identified as two of the primary point sources of phosphorus inputs to Chautauqua Lake; and

WHEREAS, recognizing the need to reduce wastewater phosphorus from entering Chautauqua Lake, the County, the North Chautauqua Lake Sewer District (NCLSD), the South and Center Chautauqua Lake Sewer Districts (SCCLSD), and other stakeholders worked collaboratively and contracted with O'Brien and Gere Engineers to develop the "Chautauqua Lake Integrated Sewage Management Plan" (CLISMP), which was completed in October 2014; and

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

WHEREAS, the County has determined that the proposed ~~modification of the existing Goose Creek~~ replacement of the Sunrise Cove pumping station and the extension of public sewers to approximately 770 parcels (residential and commercial) along the west side of Chautauqua Lake is a Type 1 action as defined by 6 NYCRR 617.4, such that the significance of the environmental impact of the project must be determined in accordance with 6 NYCRR 617.7; and

WHEREAS, pursuant to 6 NYCRR Part 617, adopted pursuant to sections 3-0301 (1)(b), (2)(m) and 8-0113 of the Environmental Conservation Law, the County, as lead agency, must evaluate the environmental impact of this action; and

WHEREAS, the County caused to be prepared a Full Environmental Assessment Form ("FEAF"), as is required for projects classified as Type 1 actions, and found there to be no or very low probability of any adverse impact; and

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

WHEREAS, this County Legislature has reviewed the FEAF, updated as of October 2017, and supporting documentation, copies of which are on file with the Clerk of the County Legislature; therefore be it

RESOLVED, in consideration of the FEAF, and having considered the facts and conclusions relied on to meet the requirements of 6 NYCRR Part 617, the Chautauqua County Legislature hereby finds in accordance with Article 8 of New York State Environmental Conservation Law that:

- 1) the requirements of 6 NYCRR Part 617 have been met; and
- 2) implementation of the proposed action will not result in any significant adverse environmental impacts; and be it further

RESOLVED, That the County Executive be and hereby is authorized on behalf of the County to execute a “Negative Declaration” for the proposed action.

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

CHAUTAUQUA COUNTY LEGISLATURE

10/25/17

6:30 P.M.

RES. NO. 264-17

Determinations in Relation to the Extension of the South & Center Chautauqua Lake Sewer Districts through the Hamlet of Stow for the West Side of Chautauqua Lake

By Public Facilities and Audit & Control Committees:

At the Request of County Executive Vincent W. Horrigan and Legislator Pierre Chagnon:

WHEREAS, the Chautauqua County Legislature adopted Resolution 226-17 calling a public hearing for the purpose of considering a proposal to extend the South & Center Chautauqua Lake Sewer Districts (hereinafter referred to as the Districts) through the Hamlet of Stow for the West Side of Chautauqua Lake ; 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 October 25, 2017 at 6:45 o'clock PM, prevailing time; and

WHEREAS, the Legislature has duly considered the Map, Plan and Report filed with it by the County Sewer Agency dated September 7, 2017 relating to the proposed extension of the Districts (hereinafter referred to as 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:

1. The proposed facilities for the extension of the Districts are satisfactory and sufficient.
2. All of the property and property owners within the proposed extension of the Districts are benefitted thereby.
3. All of the property and property owners benefitted are included within the limits of the proposed extension of the Districts.
4. It is in the public interest to extend the Districts.
5. The proportion of the cost of the system of the original Districts to be included in the cost of the extension shall be zero.

and be it further

RESOLVED, That the extension of the Districts through the hamlet of Stow on the west side of Chautauqua Lake with boundaries 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 \$16,888,000 are hereby approved; and be it further

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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 Districts, they shall be assessed in proportion as nearly as may be to the benefit which each lot or parcel in the District 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 published at least once in the official newspapers of the County within ten (10) days after the adoption of this resolution and to prepare and have available for distribution proper forms for such petition.

Signed: Chagnon

RES. NO. 265-17

Consider 2018 Tentative Budget, with the Changes Listed Below, and Presenting Same to the County Executive for His Consideration and Action

By Audit & Control Committee:

At the Request of Legislators Chagnon, Borrello, Nazzaro, Muldowney, and Gould:

WHEREAS, the Chautauqua County Legislature has received the County Executive's 2018 Tentative Budget and the Audit & Control Committee has reviewed the budget and has recommended changes to the tentative budget; therefore be it

RESOLVED, That the 2018 Tentative Budget, with the changes listed herein, be presented to the County Executive for his consideration and action:

INCREASE APPROPRIATION ACCOUNT:

A.6420.COMC.4	Contractual - Community Contracts	\$ 50,000
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DECREASE APPROPRIATION ACCOUNTS:

A.1162.1120.4	Contractual – Assigned Council	\$ 80,486
A.1165.1	Personal Services - District Attorney	\$ 68,481
A.1165.8	Employee Benefits - District Attorney	\$ 12,082
A.1620.4	Contractual - Buildings & Grounds	\$ 283
A.1620.7010.4	Contractual - South Co Office Building	\$ 34,907
A.3110.1	Personal Services - Sheriff	\$ 93,600
A.3110.8	Employee Benefits - Sheriff	\$ 31,615
A.3150.1	Personal Services - Jail	\$ 50,000
A.3150.4	Contractual - Jail	\$ 50,000
A.3150.8	Employee Benefits - Jail	\$ 12,810

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A.3189.3112.4	Contractual - Snowmobile	\$ 40
A.4010.NURS.4	Contractual - Nursing	\$ 50,623
A.4090.4	Contractual - Environmental Health	\$ 20,000
A.5610.5610.4	Contractual - Jamestown Airport	\$ 20,000
A.6140.4	Contractual - Safety Net	\$352,113
A.6610.4	Contractual - Weights & Measures	\$ 1,242
A.6772.4	Contractual - Office for the Aging	<u>\$ 9,200</u>
	Total	\$887,842

INCREASE REVENUE ACCOUNTS:

A.1310.9999.R111.0000	Sales Tax	\$ 63,830
A.1310.9999.R111.0CTY	Sales Tax-County Share	\$ 36,170
A.3140.R226.0000	Chgs: Oth Gov-Pub Safety	\$ 82,398
A.9730.R118.9000	Mortgage Tax	<u>\$100,000</u>
	Total	\$282,398

DECREASE REVENUE ACCOUNTS:

A.4010.NURS.R440.1BSE	Breast Screening	\$ 20,623
A.6140.R364.0000	Safety Net	\$ 98,592
A.6140.R464.0000	Safety Net	<u>\$ 3,521</u>
	Total	\$122,736

And be it further

RESOLVED, That the 2018 Tentative Budget as amended above by the Legislature's Audit & Control Committee reflects the Real Property Tax Levy at \$61,035,350 and an estimated Full Value Rate of \$8.44.

Signed: Chagnon, Borrello, Muldowney, Nazzaro, Gould

CHAUTAUQUA COUNTY
MOTION NO. ____ -17



TITLE: Increase State Support for Cornell Cooperative Extension County Associations in the State of New York

AT THE REQUEST OF: Legislators Borrello, Chagnon, Starks, Odell, Niebel, Muldowney, Gould and Nazzaro

WHEREAS, Cornell Cooperative Extension is a formal collaboration between the National Institute of Food and Agriculture at USDA, New York State, County Governments and the Citizens of the State that has served to apply unbiased, research-based knowledge from Cornell, New York's Land Grant University, to the needs of New Yorkers and their communities for over 100 years; and

WHEREAS, local extension educators are key community partners in helping to implement state initiatives including maximizing agriculture and local food systems, strengthening the economy, promoting healthier eating habits and access to good nutrition, fighting poverty particularly in rural areas, protecting water quality and stewardship of the York's natural resources,, building opportunity through STEM based youth education and leadership skills in 4-H, promoting renewable energy options while protecting farmland resources, and partnering where appropriate in Taste NY initiatives to promote tourism and local food and farm businesses, and

WHEREAS, support from Federal, State and County sources is essential to the continued success of locally-governed county cooperative extension associations; and

WHEREAS, state appropriations for county cooperative extension associations to match county government appropriations as authorized by Section 224 (8) of the County Law have remained stagnant for seventeen years; and

WHEREAS, state funding is needed to ensure that the Cornell Cooperative Extension system can equitably work for all New York residents through increased resources to support rural, suburban, and urban community development needs; therefore let it be

KNOWN, That the Legislature of Chautauqua County supports increasing the State appropriation for Cornell Cooperative Extension associations to \$8 million, such funds to be distributed directly to the associations through Cornell University as agent for the state as provided by law; and be it further

MOVED, That the Clerk of the Legislature is hereby directed to forward copies of this motion to the Cornell Cooperative Extension in Chautauqua County and all others deemed necessary and proper.