

CHAUTAUQUA COUNTY LEGISLATURE

1/23/19

Chautauqua County Legislature

6:30 P.M.

CALL TO ORDER

ROLL CALL

PRAYER BY LEGISLATOR MULDOWNEY

PLEDGE OF ALLEGIANCE

APPROVAL OF THE MINUTES FOR (12/19/18 &

PRIVILEGE OF THE FLOOR 1/2/19)

(Members of the public may speak on any subject relating to any local law, resolution, or motion appearing on the agenda.

An individual is limited to 3 minutes and a person representing a group shall be limited to 5 minutes)

**VETO MESSAGES FROM COUNTY EXECUTIVE BORRELLO
NO VETOES FROM 12/19/18 & 1/2/19**

COMMENDATION:

**CLYMER- SHERMAN- PANAMA
WOLFPACK BOYS VARSITY FOOTBALL TEAM
by
LEGISLATORS CHAGNON & HIMELEIN**

COMMUNICATIONS:

1. Letters (3) – County Executive – Re: Appointments to Various Boards
 2. Letter – County Attorney – Legal Services for County Legislature – 2019
 3. Letter – Chautauqua Foundation – Acknowledging Award for “Farm-to-Table Culinary Weekend Getaway” Project
 4. Annual Report – Cornell Cooperative Extension – 2018
 5. Bond Anticipation Note Certificate Dated December 28, 2018 - \$19,000,000
 6. Letter – NYS Dept. of State – Ack. Receipt of LL 12-18
-

RESOLUTIONS:

- 5-19 Confirm Re-Appointment – Chautauqua County Ethics Board
- 6-19 Confirm Appointment & Re-Appointments – Emergency Medical Services Council
- 7-19 Confirm Re-Appointment & Appointment – Chautauqua County Health Board
- 8-19 Confirm Re-Appointments – Chautauqua County Sports Fishery Advisory Board
- 9-19 Confirming Lateral Restrictions for North Chautauqua County Water District

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- 10-19 Authorize Federal & State Aid Applications for the Chautauqua County Dunkirk Airport Five-Year Capital Improvement Plan (ACIP) for FY 2019-2024**
- 11-19 Authorize Federal & State Aid Applications for the Chautauqua County Jamestown Airport Five-Year Capital Improvement Plan (ACIP) for FY 2019-2024**
- 12-19 Authorizing Lease with Cornell Cooperative Extension for the Frank W. Bratt County Agricultural Center in the Town of Ellicott**
- 13-19 Amend Capital Project Accounts**
- 14-19 Authorize Agreement Between Chautauqua County and City of Dunkirk for ALS-BLS Medicare Billing**
- 15-19 Authorize Acceptance of Indigent Legal Services Grant for the Period of July 1, 2017 to June 30, 2020**
- 16-19 Authorize Agreement with Silver Creek Central School District for School Resource Officer**
- 17-19 Authorize Agreement with Forestville Central School District for School Resource Officer**
- 18-19 Authorize Agreement with Wyoming County for Inmate Housing**
- 19-19 Authorize Agreement with Alleghany County for Inmate Housing**
- 20-19 Commitment of Community Development Block Grant Program Income and Funds**
- 21-19 Implementing Resolution 172-18 – Commitment of Matching Funds for Grant Application to the NYSDEC Water Quality Improvement Program for Chautauqua Lake Mechanized Floating Vegetation Collection Project**
- 22-19 Funding to Assist the Village of Lakewood for Stormwater Project Implementation & Confirm Prior Match Commitments**
- 23-19 Quit Claim Deed**

MOTION:

- A. Proclaiming February Black History Month**

MEMORIAL:

JOSEPH TRUSSO, JR.
by
LEGISLATOR CHUCK NAZZARO

ANNOUNCEMENTS

PRIVILEGE OF THE FLOOR

(A member of the Legislature or the public may speak on any subject.
An individual is limited to 3 minutes and a person representing a group shall be limited to 5 minutes)

CHAUTAUQUA COUNTY LEGISLATURE

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RES. NO. 5-19

Confirm Re-Appointment - Chautauqua County Ethics Board

By Administrative Services Committee:

At the Request of County Executive George M. Borrello:

WHEREAS, George M. Borrello, County Executive, has submitted the following re-appointment for action by the Chautauqua County Legislature; therefore be it

RESOLVED, That the Chautauqua County Legislature does hereby confirm the following re-appointment to the Chautauqua County Ethics Board.

Mary Kay Szwejbka

22 Castile Dr.

Fredonia, N.Y. 14063

Term Expires: 1/31/2022

Signed: Scudder, Davis, Muldowney, Starks, Himelein

RES. NO. 6-19

Confirm Appointment & Re-Appointments – Emergency Medical Services Council

By Public Safety Committee:

At the Request of County Executive George M. Borrello:

WHEREAS, George M. Borrello, County Executive, has submitted the following appointment and re-appointments for action by the Chautauqua County Legislature, therefore be it

RESOLVED, That the Chautauqua County Legislature does hereby confirm the following appointment and re-appointments to the Chautauqua County Emergency Medical Services Council.

Re-Appointments

CISM Rep.

Paul Atwell

5150 Route 60

Gerry, NY 14740

Term Expires: 12/31/21

At-Large South Rep.

Douglas Conroe

4741 Whiteside Parkway

Maple Springs, NY 14701

Term Expires: 12/31/21

At-Large South Rep.

Dan Imfeld

3944 Hillview Drive

Lakewood, NY 14750

Term Expires: 12/31/21

Education SUNY JCC Rep.

Ronald Hasson

5345 Route 474

Ashville, NY 14710

Term Expires: 12/31/21

At-Large North Rep.

Laura Logan

248 Maple Avenue

Cassadaga, NY 14718

Term Expires: 12/31/21

Paid Firefighter North Rep.

Sam Salemm

217 Dearing Avenue

Jamestown, NY 14701

Term Expires: 12/31/21

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Commercial Ambulance Rep.

Phil Wilson
438 Oak Hill Road
Frewsburg, NY 14738
Term Expires: 12/31/21

EMS Project Coordinator

Kevin J. Peebles
15 North Shore Park
Cassadaga, N.Y. 14718
Term Expires: 12/31/21

At-Large South Rep.

Robert J. Rein, Jr.
2643 Gerry-Ellington Rd.
Gerry, N.Y. 14740
Term Expires: 12/31/21

New Appointments:

Fire Battalion 1 Rep.

Julius Leone Jr.
31 Liberty St.
Fredonia, N.Y. 14063
Term Expires: 12/31/21
Signed: Niebel, Bankoski, Vanstrom, Pavlock, Whitford

At-Large North Rep.

Jennifer J. Guttman
6057 Portage Rd.
Mayville, N.Y. 14757
Term Expires: 12/31/21

At-Large South Rep.

Thomas M. Summerville
45 Morris St.
Mayville, N.Y. 14757
Term Expires: 12/31/20

RES. NO. 7-19

Confirm Re-Appointments & Appointment - Chautauqua County Health Board

By Planning & Economic Development Committee:

At the Request of County Executive George M. Borrello:

WHEREAS, County Executive George M. Borrello, has submitted the following re-appointments and appointment for action by the Chautauqua County Legislature; therefore be it

RESOLVED, That the Chautauqua County Legislature does hereby confirm the following re-appointments and appointment to the Chautauqua County Health Board.

Re-Appointments

Mark Tarbrake
4420 Lakeside Dr.
Bemus Point, N.Y. 14712
Term Expires: 12/31/2024

John Tallett, MD
11 Beach Rd.
Dunkirk, N.Y. 14048
Term Expires: 12/31/2024

Appointment

Andrew O'Brien
96 Center Street
Fredonia, N.Y. 14063
Term Expires: 12/31/2020

Filing Term of Robert Berke, MD

Signed: Wilfong, O'Connell, Pavlock, Whitford

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RES. NO. 8-19

Confirm Re-Appointments - Chautauqua County Sports Fishery Advisory Board

By Planning & Economic Development Committee:

At the Request of County Executive George M. Borrello:

WHEREAS, County Executive George M. Borrello has submitted the following re-appointments to the Chautauqua County Legislature for action; therefore be it

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

Frank Schoenacker
5146 Lakeview Ave.
Ashville, N.Y. 14510
Term Expires: 12/31/20

Jason Ehrhardt
8490 Hahn Rd.
Fredonia, N.Y. 14063
Term Expires: 12/31/20

Lance Ehrhardt
8490 Hahn Rd.
Fredonia, N.Y. 14063
Term Expires: 12/31/20

Mike Sperry
5259 Rt. 474
Ashville, N.Y. 14710
Term Expires: 12/31/20

Taylor West
56 E. Terrace Ave.
Lakewood, N.Y. 14750
Term Expires: 12/31/20

Signed: Odell, Chagnon, Starks, Himelein, O'Connell

RES. NO. 9-19

Confirming Lateral Restrictions for North Chautauqua County Water District

By Public Facilities Committee:

At the Request of County Executive George M. Borrello:

WHEREAS, pursuant to Resolutions 260-15, 39-16, 81-16, and 231-17, the Chautauqua County Legislature established the North Chautauqua County Water District (the "District"), to comprise an area in Chautauqua County consisting of parts of the towns of Portland, Pomfret, Sheridan and Hanover and all of the town of Dunkirk; and

WHEREAS, the District has adopted resolutions dated March 22, 2018, and January 10, 2019 (the "Resolutions"), which are on file with the Clerk of the County Legislature, and which establish lateral restrictions as conditions on future service for water lines located within an Agricultural District as specified by the New York State Department of Agriculture and Markets; now therefore be it

RESOLVED, That the Chautauqua County Legislature hereby confirms and ratifies in all respects the aforementioned Resolutions adopted by the District.

Signed: Hemmer, Nazzaro, Scudder

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RES. NO. 10-19

Authorize Federal and State Aid Applications for the Chautauqua County Dunkirk Airport Five –Year Capital Improvement Plan (ACIP) for FY 2019-2024

By Public Facilities and Audit & Control Committees:

At the Request of County Executive George M. Borrello:

WHEREAS, the Chautauqua County Dunkirk Airport is designated a national air transportation facility within the U.S. National Plan for Integrated Airport Systems (“NPIAS”); and

WHEREAS, inclusion in the NPIAS makes the Chautauqua County Dunkirk Airport eligible for Federal grant funding under the Airport Capital Improvement Program (“ACIP”), a grant-in-aid program, to assist local airport sponsors to maintain aviation facilities in exchange for certain grant assurances and obligations; and

WHEREAS, these Federal grants when combined with New York State Department of Transportation (“NYSDOT”) matching funds provide ninety-five percent (95%) of the capital expense necessary to maintain the Chautauqua County Dunkirk Airport; and

WHEREAS, the NYSDOT also offers grant funding opportunities separate from Federal grant programs, which may be suitable for some projects and will provide ninety percent (90%) of the capital expense necessary for accepted projects; and

WHEREAS, the County of Chautauqua has an established program to annually review and update the Federal five-year ACIP plan and the six-year Chautauqua County Capital Project plan to identify essential requirements for maintenance of airport runways, taxiways, and other facilities as outlined in the Airport Master Plan; and

WHEREAS, the Capital Budget of Chautauqua County includes appropriations to supply the local share of such grants in the past and may do so in the future; and

WHEREAS, the Airport Commission has reviewed and approved these projects; therefore be it

RESOLVED, That the County Executive be and hereby is authorized to apply for Federal and State aid for the following projects at the Chautauqua County Dunkirk Airport which are included in the current five-year ACIP plan:

FY 2019	Update or acquire Runways 06-24 Avigation Easements and Land Acquisition for Runway Protection Area (RPZ)
FY 2019	Remove Underground Fuel Farm (NYSDOT Funding)
FY 2019	Replace Hangar No. 1 & 2 overhead doors (NYSDOT Funding)
FY 2020	Runway 06-24 On & Off Airport Obstruction Removal (Design & Construction)
FY 2020	Land Acquisition – Rwy 15-33 approach and RPZ Avigation Easements and Land Acquisition for Runway Protection Area (RPZ)
FY 2020	Rehabilitate Existing Bulk Hangar #5 (Aircraft Maintenance/Storage and Office Space)
FY 2020	Runway 15-33 Lighting Improvements (MIRL/PAPI/REIL/Wind Cone) – Design and Construction
FY 2021	Environmental Assessment for Runway 24 Approach Lighting System (MALSR)

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FY 2021	Runway 15-33 Obstruction Removal (Design & Construction)
FY 2023	Land Acquisition for Approach Lighting System to Runway 24 (MALSF)
FY 2024	Approach Lighting System to Runway 24 (MALSR) – Design
FY 2025	Acquire Snow Removal Equipment (Blower)
FY 2025	Approach Lighting System to Runway 24 (MALSR) – Construction

Signed: (P.F.) Hemmer, Nazzaro (Scudder voting “no”)-(Failed) - (A.C) Chagnon, Muldowney, Niebel

RES. NO. 11-19

Authorize Federal and State Aid Applications for the Chautauqua County Jamestown Airport Five –Year Capital Improvement Plan (ACIP) for FY 2019-2024

By Public Facilities and Audit & Control Committees:

At the Request of County Executive George M. Borrello:

WHEREAS, the Chautauqua County Jamestown Airport is designated a national air transportation facility within the U.S. National Plan for Integrated Airport Systems (“NPIAS”); and

WHEREAS, inclusion in the NPIAS makes the Chautauqua County Jamestown Airport eligible for Federal grant funding under the Airport Capital Improvement Program (“ACIP”), a grant-in-aid program, to assist local airport sponsors to maintain aviation facilities in exchange for certain grant assurances and obligations; and

WHEREAS, these Federal grants when combined with New York State Department of Transportation (“NYSDOT”) matching funds provide ninety-five percent (95%) of the capital expense necessary to maintain the Chautauqua County Jamestown Airport; and

WHEREAS, the NYSDOT also offers grant funding opportunities separate from Federal grant programs, which may be suitable for some projects and will provide ninety percent (90%) of the capital expense necessary for accepted projects; and

WHEREAS, the County of Chautauqua has an established program to annually review and update the Federal five-year ACIP plan and the six-year Chautauqua County Capital Project plan to identify essential requirements for maintenance of airport runways, taxiways, and other facilities as outlined in the Airport Master Plan; and

WHEREAS, the Capital Budget of Chautauqua County includes appropriations to supply the local share of such grants in the past and may do so in the future; and

WHEREAS, the Airport Commission has reviewed and approved these projects; therefore be it

RESOLVED, That the County Executive be and hereby is authorized to apply for Federal and State aid for the following projects at the Chautauqua County Jamestown Airport which are included in the current five-year ACIP plan:

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FY 2019 Rehabilitate Runway 07-25 (Design)
FY 2019 Rehabilitate Airport Perimeter Fence (Design)
FY 2020 Rehabilitate Hangar C (NYS DOT/Aviation Grant program)
FY 2020 Rehabilitate Airport Perimeter Fence (Phase 1 Construction)
FY 2020 Environmental Assessment for On & Off Airport Obstruction
Removal
FY 2020 Avigation Easement Purchase for Management of Off-Airport
Obstructions
FY 2021 Rehabilitate Runway Perimeter Fence (Phase 2 Construction)
FY 2021 Rehabilitate Runway 7-25 (Construction)
FY 2022 On & Off Airport Obstruction Removal (Design & Permitting)
FY 2022 Snow Removal Equipment (Loader) Purchase
FY 2023 On & Off Airport Obstruction Removal (Construction)
FY 2023 Apron Rehabilitation (Design)
FY 2023 Airport Rescue and Fire Fighting Vehicle (ARFF) Purchase
Signed: Signed: (P.F.) Hemmer, Nazzaro (Scudder voting “no”) - (Failed) - (A.C)
Chagnon, Muldowney, Niebel

RES. NO. 12-19

Authorizing Lease with Cornell Cooperative Extension for the Frank W. Bratt County
Agricultural Center in the Town of Ellicott

By Public Facilities and Audit & Control Committees:

At the Request of County Executive George M. Borrello:

WHEREAS, the County has been leasing a portion of the Frank W. Bratt Agricultural
Center Building in the Town of Ellicott to the Cooperative Extension Association of
Chautauqua County, Inc.; and

WHEREAS, the current lease agreement with the Cooperative Extension Association
expired on December 31, 2018, and the parties wish to renew the lease for an additional
one (1) year term, upon certain terms and conditions; therefore be it

RESOLVED, That the County Executive is hereby authorized and empowered to
execute a new lease agreement with the Cooperative Extension Association of Chautauqua
County, Inc., for the period January 1, 2019 through December 31, 2019, upon
substantially the following terms and conditions:

1. Premises. A portion of the Frank W. Bratt Agricultural Center in the Town of
Ellicott, to be described more specifically in the lease agreement, together with all
appurtenances and improvements thereto.
2. Rent. One thousand ninety-eight and 33/100 dollars (\$1,098.33) per month; last
monthly payment one thousand ninety-eight and 34/100 (\$1,098.34) (*same as
2018 lease payments*).

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3. Term. One (1) year term commencing January 1, 2019, with cancellation by either party upon thirty (30) days' written notice.
 4. Utilities. Paid by the County, except that the tenant shall provide and pay for telephone service.
 5. Maintenance and Repair. County will be responsible for all ordinary, routine maintenance or repair, including but not limited to painting, interior decorative changes or improvements, and routine maintenance of the air, heat, water and sewer systems. Cornell Cooperative Extension will be responsible for the snow removal on the east parking lot in front of the Soil and Water conservation building, the front circle including both entrance and exit points, and shoveling snow on the sidewalks from the front entrance to the parking lot. Cornell Cooperative Extension may subcontract for some of the maintenance services.
 6. Other. As negotiated by the County Executive.
- Signed: Hemmer, Nazzaro, Scudder, Chagnon, Muldowney, Niebel

RES. NO. 13-19
Amend Capital Project Accounts

By Public Safety and Audit & Control Committees:

At the Request of County Executive George M. Borrello:

WHEREAS, Chautauqua County approved Capital Project H.3010.14001 Blacktop Training Centers (2018) in the 2018 Capital Budget; and

WHEREAS, the approved cost of Project H.3010.14001 was established at \$60,000 with a funding formula of 100% Local Share, but funding is no longer needed for said capital project; and

WHEREAS, capital funds are needed to increase the budget for the purchase of a used ambulance for the expanded operations of the "Fly Car" program, and to provide enhanced security for the emergency services training centers in Jamestown and Dunkirk; now therefore be it

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

DECREASE THE USE OF FUND BALANCE:

A.----.----.878.0000	Fund Balance – Reserve for Capital	\$23,500
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; and be it further

RESOLVED, That the Director of Finance is authorized and directed to make the following amendments to the 2019 Budget:

DECREASE APPROPRIATION ACCOUNT:

A.9950.----.9	Interfund Transfers – Transfer to Capital	\$23,500
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ESTABLISH AND INCREASE CAPITAL REVENUE ACCOUNTS:

H.3010.14004.R503.1000	Interfund Transfer – Interfund Transfer	\$ 6,500
H.3010.14005.R503.1000	Interfund Transfer – Interfund Transfer	<u>\$30,000</u>
	Total	\$36,500

INCREASE CAPITAL APPROPRIATION ACCOUNTS:

H.3010.14004.4	Contractual— Security System (2019)	\$ 6,500
H.3010.14005.4	Contractual—Fly Car Ambulance (2019)	<u>\$30,000</u>
	Total	\$36,500

Signed: Niebel, Bankoski, Vanstrom, Pavlock, Whitford, Chagnon, Nazzaro, Muldowney

RES. NO. 14-19

Authorize Agreement Between Chautauqua County and City of Dunkirk for ALS-BLS Medicare Billing

By Public Safety and Audit & Control Committees:

At the Request of County Executive George M. Borrello:

WHEREAS, Chautauqua County is in the process of obtaining state approval to operate a county-wide ambulance service; and

WHEREAS, County desires to bill for its Advanced Life Support (ALS) services; and

WHEREAS, County and the City of Dunkirk on behalf of its Fire Department have agreed to share the proceeds of ALS services provided by County where requested by Dunkirk Fire during Basic Life Support (BLS) calls; and

WHEREAS, such an agreement is necessary to properly bill Medicare recipients; therefore be it

RESOLVED, That the County Executive is hereby authorized and empowered to execute an agreement with the City of Dunkirk to be able to properly bill Medicare recipients for County-provided ALS services.

Signed: Niebel, Bankoski, Vanstrom, Pavlock, Whitford, Chagnon, Nazzaro, Muldowney

RES. NO. 15-19

Authorize Acceptance of Indigent Legal Services Grant for the Period of July 1, 2017 to June 30, 2020

By Public Safety and Audit & Control Committees:

At the Request of County Executive George M. Borrello:

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WHEREAS, the Chautauqua County Office of the Public Defender has been awarded a grant by the New York State Office of Indigent Legal Services, with a funding level of \$300,000, for the operational period of July 1, 2017 through June 30, 2020; and

WHEREAS, the County of Chautauqua has participated with New York State Office of Indigent Legal Services for grants in the past and is desirous of accepting such grant; and

WHEREAS, such project funds will assist the County in providing improved quality of services under Article 18-B of the County Law; and

WHEREAS, the funding will be allocated equally between the 2017, 2018, and 2019 fiscal years, and was budgeted as such; therefore be it

RESOLVED, That the County of Chautauqua hereby authorizes and approves the funding application and confirms acceptance of the funding of the grant for New York State Indigent Legal Services for the period of July 1, 2017 through June 30, 2020, in the amount of \$300,000.00, or as amended; and be it further

RESOLVED, That the County Executive be and hereby is authorized to sign any and all contract documents to confirm the application and acceptance and receipt of such grant; and be it further

RESOLVED, That a certified copy of this resolution be forwarded to the New York State Office of Indigent Legal Services.

Signed: Niebel, Bankoski, Vanstrom, Pavlock, Whitford, Chagnon, Nazzaro, Muldowney

RES. NO. 16-19

Authorize Agreement with Silver Creek Central School District for School Resource Officer

By Public Safety and Audit & Control Committees:

At the Request of County Executive George M. Borrello:

WHEREAS, the Silver Creek Central School District has requested the Chautauqua County Office of the Sheriff provide a School Resource Officer for the 2019 calendar year; and

WHEREAS, the Chautauqua County Office of the Sheriff has negotiated a tentative agreement with Silver Creek School District to provide a certified School Resource Officer for the 2019 calendar year at an annual cost of \$77,556.25; and

WHEREAS, the County will not be required to incur any additional expenditures to fund this position and it is included in the 2019 Budget so no budget amendment is needed; now therefore be it

RESOLVED, That the County Executive is hereby authorized and empowered to execute an agreement with Silver Creek Central School District for the purpose of providing a School Resource Officer for the 2019 calendar year as set forth above with revenues to be credited to account A.3110.R226.0000.

Signed: Niebel, Bankoski, Vanstrom, Pavlock, Whitford, Chagnon, Nazzaro, Muldowney

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RES. NO. 17-19

Authorize Agreement with Forestville Central School District for School Resource Officer

By Public Safety and Audit & Control Committees:

At the Request of County Executive George M. Borrello:

WHEREAS, the Forestville Central School District has requested the Chautauqua County Office of the Sheriff provide a School Resource Officer for the 2019 calendar year; and

WHEREAS, the Chautauqua County Office of the Sheriff has negotiated a tentative agreement with Forestville Central School District to provide a certified School Resource Officer for the 2019 calendar year at an annual cost of \$77,556.25; and

WHEREAS, the County will not be required to incur any additional expenditures to fund this position and it is included in the 2019 Budget so no budget amendment is needed; now therefore be it

RESOLVED, That the County Executive is hereby authorized and empowered to execute an agreement with Forestville Central School District for the purpose of providing a School Resource Officer for the 2019 calendar year as set forth above with revenues to be credited to account A.3110.R226.0000.

Signed: Niebel, Bankoski, Vanstrom, Pavlock, Whitford, Chagnon, Nazzaro, Muldowney

RES. NO. 18-19

Authorize Agreement with Wyoming County for Inmate Housing

By Public Safety and Audit & Control Committees:

At the Request of County Executive George M. Borrello:

WHEREAS, on occasion, the Wyoming County Jail has a need to relocate inmates to other jail facilities; and

WHEREAS, the Office of the Sheriff has negotiated a tentative agreement with Wyoming County to house inmates at the Chautauqua County Jail at rates of \$85 per day, per inmate, for inmates in the general population, and \$170 per day, per inmate, for inmates under constant watch; and

WHEREAS, the Wyoming County Jail shall assume all medical costs for the inmates boarded in the Chautauqua County Jail; now therefore be it

RESOLVED, That the County Executive is authorized and empowered to execute an agreement with Wyoming County for the housing of inmates as set forth above with revenues to be credited to account A.3150.R277.0000.

Signed: Niebel, Bankoski, Vanstrom, Pavlock, Whitford, Chagnon, Nazzaro, Muldowney

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RES. NO. 19-19

Authorize Agreement with Alleghany County for Inmate Housing

By Public Safety and Audit & Control Committees:

At the Request of County Executive George M. Borrello:

WHEREAS, on occasion, the Alleghany County Jail has a need to relocate inmates to other jail facilities; and

WHEREAS, the Office of the Sheriff has negotiated a tentative agreement with Alleghany County to house inmates at the Chautauqua County Jail at rates of \$90 per day, per inmate, for inmates in the general population, and \$180 per day, per inmate, for inmates under constant watch; and

WHEREAS, the Alleghany County Jail shall assume all medical costs for the inmates boarded in the Chautauqua County Jail; now therefore be it

RESOLVED, That the County Executive is authorized and empowered to execute an agreement with Alleghany County for the housing of inmates as set forth above with revenues to be credited to account A.3150.R277.0000.

Signed: Niebel, Bankoski, Vanstrom, Pavlock, Whitford, Chagnon, Nazzaro, Muldowney

RES. NO. 20-19

Commitment of Community Development Block Grant Program Income and Funds

By Planning & Economic Development and Audit & Control Committees:

At the Request of County Executive George M. Borrello:

WHEREAS, Chautauqua County was awarded a Community Development Block Grant (CDBG) in 2001 to establish a women and minority micro-enterprise loan fund and was also awarded a second CDBG in 2002 to recapitalize the original micro-enterprise loan fund established in 2000; and

WHEREAS, the funds were loaned to small business ventures across Chautauqua County and the resulting interest and principal payments were utilized as the funds for a revolving loan fund for additional businesses as allowed by New York State's CDBG program; and

WHEREAS, Chautauqua Opportunities Incorporated (COI) has acted as the sub-recipient agency responsible for administering the Chautauqua County Micro-enterprise program since its inception in 2000; and

WHEREAS, the New York State Office of Homes and Community Renewal notified Chautauqua County that the State policy regarding the retention of CDBG program income by current and past recipients since the start of the program in 2000 would change; and

WHEREAS, Chautauqua County may use any program income currently in its possession, or received prior to March 31, 2019, for CDBG eligible activities that meet a National Objective and all CDBG requirements if the funds are committed by March 31, 2019; and

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WHEREAS, any uncommitted funds in Chautauqua County's possession after March 31, 2019 are required to be returned to the State and any future collection of program income will need to be submitted to the State as it is collected; and

WHEREAS, COI has proposed to acquire and rehabilitate multiple residential rental properties for the purpose of developing affordable housing options in low-to-moderate income neighborhoods in Chautauqua County; and

WHEREAS, the aforementioned activity will meet the low-to-moderate benefit objective of the CDBG program; therefore be it

RESOLVED, That the County Executive is hereby authorized to enter into any and all contracts necessary to ensure Chautauqua County's CDBG program income is effectively managed and committed to eligible CDBG activities prior to March 31, 2019.

Signed: Odell, Chagnon, O'Connell, Starks, Himelein, Nazzaro, Muldowney, Niebel

RES. NO. 21-19

Implementing Resolution 172-18 – Commitment of Matching Funds for Grant Application to the NYSDEC Water Quality Improvement Program for Chautauqua Lake Mechanized Floating Vegetation Collection Project

By Planning & Economic Development and Audit & Control Committees:

At the Request of County Executive George M. Borrello:

WHEREAS, pursuant to Resolution 172-18, the County committed a total of \$105,000 from its annual support for the Chautauqua Lake Association (CLA) for the years 2018, 2019 & 2020 to support a grant application by the Chautauqua Lake & Watershed Management Alliance (CLWMA) for the \$500,000 Chautauqua Lake Mechanized Floating Vegetation Collection Project; and

WHEREAS, as a result of the CLWMA's efforts, the County was awarded \$375,000 from the NYSDEC Water Quality Improvement Program/Environmental Protection Fund for the Chautauqua Lake Mechanized Floating Vegetation Collection Project; and

WHEREAS, the CLWMA has committed to provide an additional \$20,000 for the Chautauqua Lake Mechanized Floating Vegetation Collection Project, resulting in a project valued at \$500,000; and

WHEREAS, Chautauqua County removed its annual support for the CLA's Mechanized Harvesting program from its 2019 and anticipated 2020 budgets and is allowing the CLWMA to allocate funds in support of vegetation harvesting on Chautauqua Lake annually; therefore be it

RESOLVED, That the County Executive is hereby authorized to enter into any and all contracts necessary to implement the terms of this resolution; and be it further

RESOLVED, That the CLWMA shall be required to utilize \$70,000 of the County_funding provided by the CLWMA to the CLA in 2019 and 2020 as the required local match for the NYSDEC Water Quality Improvement Program grant; and be it further

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RESOLVED, That the remaining \$35,000 of Chautauqua County's \$105,000 local share commitment shall be met through a portion of the County's 2018 annual support of the CLA; and be it further

RESOLVED, That the Director of Finance is authorized and directed to make the following amendments to the 2019 Budget:

INCREASE CAPITAL REVENUE ACCOUNT:

H.8020.37994.R389.7000 NYS Aid – Culture & Rec Capital Grants \$375,000

INCREASE AND INCREASE CAPITAL REVENUE ACCOUNT:

H.8020.37994.R208.9000 Departmental Income –
Other Culture & Recreation Income \$ 20,000

INCREASE CAPITAL APPROPRIATION ACCOUNT:

H.8020.37994.4 Contractual— Floating Vegetation Rem Eq (2017) \$395,000
Signed: Odell, Chagnon, O'Connell, Starks, Himelein, Nazzaro, Muldowney, Niebel

RES. NO. 22-19

Funding to Assist the Village of Lakewood for Stormwater Project Implementation & Confirm Prior Match Commitments

By Planning & Economic Development and Audit & Control Committees:

At the Request of County Executive George M. Borrello:

WHEREAS, Chautauqua Lake is an invaluable asset to Chautauqua County but has been designated as an impaired water body and its health and usability are threatened; and

WHEREAS, the New York State Consolidated Funding Application (CFA) offers state-wide grant funding programs that provide an opportunity to significantly leverage local resources; however, these grant programs are fiercely competitive and require a local match in cash and/or in-kind services, and once awarded requires the awardee to expend initial project costs and then be reimbursed by the state as the project is implemented and progresses; and

WHEREAS, the Chautauqua County Division of Planning and Community Development (CCDPCD), the Chautauqua Lake and Watershed Management Alliance (Alliance), the Village of Lakewood, and the Town of Busti successfully partnered in 2016 to procure previous state funding pursuant to Resolution No. 193-16, which produced a stormwater engineering study and report completed May 2018, identifying stormwater projects located within the Village of Lakewood and Town of Busti that were then pursued through 2018 CFA grant funding, implementation of which will have a positive impact on the environmental health of Chautauqua Lake; and

WHEREAS, the 2018 CFAs included the New York State Environmental Facilities Corporation (EFC) Green Innovation Grant Program (GIGP) and the New York

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State Department of State (DOS) Local Waterfront Revitalization Program (LWRP), both of which offer state grant funding to cover the majority of water quality related project costs; and

WHEREAS, as set forth in the chart below, the Village of Lakewood, in partnership with the CCDPCD and the Alliance, has successfully been awarded up to \$950,951 in state reimbursable grant funding for the Chautauqua Avenue Green Street Retrofit project under the GIGP that provides reimbursement for up to 90% of total project costs, and the Lowe Park Stream Daylighting and Sediment Capture Stormwater Project under the LWRP that provides reimbursement for up to 75% of total project costs; and

Project Title	Total Project Costs	NYS CFA Funding Awarded	Commitment of County Cash Matching Funds	Other Sources of Local Match
Chautauqua Avenue Green Street Retrofit	\$772,724	\$695,000	\$11,099	\$66,625*
Lowe Park Stream Daylighting and Sediment Capture Stormwater Project	\$341,269	\$255,951	\$5,000	\$80,318*

**Additional sources of match funding other than County match will be combination of cash and in-kind commitments from the Alliance and Village of Lakewood.*

WHEREAS, the Village of Lakewood is committed to being a municipal leader in stormwater management practices and project implementation that protects the health of Chautauqua Lake, but finds the required up-front costs to be fiscally challenging to a small municipality’s cash flow given the reimbursable nature of the state grant system; now therefore be it

RESOLVED, That the County shall fulfill its portion of local match commitment identified in Resolution 172-18 as \$11,099 for the Chautauqua Avenue Green Street Retrofit and \$5,000 for Lowe Park Stream Daylighting and Sediment Capture Stormwater Project; and be it further

RESOLVED, That the County shall commit to extending a 0% loan for up to \$450,000, with a term no longer than the corresponding state assistance contracts between the Village of Lakewood and New York State granting agencies, generally 5 years in length, to assist the Village of Lakewood in accessing working capital to offset the burden of the reimbursable nature of these two grants; and be it further

RESOLVED, That the County Executive is hereby authorized to establish accounts and enter into contracts necessary to implement the terms of this resolution. Signed: Chagnon, O’Connell, Starks, Nazzaro, Muldowney, Niebel (P&E: Odell and Himelein voting “no”)

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RES. NO. 23-19
Quit Claim Deed

By Administrative Services and Audit & Control Committees:
At the Request of County Executive George M. Borrello:

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-148-2018	City of Jamestown	060800-387.19-6-27	Carysfort Reef LLC	\$1,001.00	\$178.70
			Total	\$1,001.00	\$178.70

Signed: Scudder, Davis, Muldowney, Starks, Himelein, Chagnon, Nazzaro, Niebel

CHAUTAUQUA COUNTY
MOTION NO. _____



TITLE: Proclaiming February Black History Month

AT THE REQUEST OF: Chairman Paul M. Wendel, Jr.:

WHEREAS, the idea to observe and honor the accomplishments of Black Americans was first established as Negro History Week in 1926 at the suggestion of one of the greatest Black historians of all time, Dr. Carter Woodson; and

WHEREAS, February was first proclaimed Black History Month in 1979 and sponsored as such by the Association for the Study of Afro-American Life and History; and

WHEREAS, Black Americans contributed to the development of Chautauqua County as slaves and as free men and women since the county's inception and continue to contribute to the richness and vitality of our County community today; and

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

WHEREAS, the knowledge and awareness of the many and varied contributions of Black 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 February 2019 Black History Month in Chautauqua County; and let it be

MOVED, The County Legislature urges all residents to familiarize themselves with the significant contributions made by Black 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.