

Agenda

Administrative Services Committee

March 19, 2018, 5:00 p.m., Room 331

Gerace Office Building, Mayville, NY

- A. Call to Order
- B. Approval of Minutes (2/20/18)
- C. Privilege of the Floor
 - 1. Draft for Legislative Review – Amendment to Administrative Code
 - 2. Local Law Intro 2-18 (Print 2) - Local Law Amending Local Law 7-90 Providing for a Management Salary Plan for County Officers and Employees (Re: Deputy County Executive for Economic Development And Director of Planning and Community Development)
 - 3. Local Law Intro 3-18- A Local Law Amending the Chautauqua County Charter
 - 4. Proposed Resolution - Quit Claim Deeds
 - 5. Proposed Resolution - Authorize Extension of Grant Funding for Help America Vote Act (HAVA) SHOEBOX Grant
 - 6. Other
 - Proposed Resolution - Changing Place of the Chautauqua County Legislature April 2018 Meeting



**CHAUTAUQUA COUNTY
OFFICE OF THE COUNTY EXECUTIVE**

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GEORGE M. BORRELLO
County Executive

March ____, 2018

DRAFT FOR MARCH LEGISLATIVE COMMITTEE REVIEW

Ms. Katherine K. Tampo
Clerk of the Chautauqua County Legislature
3 North Erie Street, GOB
Mayville, New York 14757

Re: Amendment to Chautauqua County Administrative Code

Dear Ms. Tampo:

Set forth below is a new Section 2.09 of the Chautauqua County Administrative Code that I am promulgating pursuant to Section 3.02(b) of the Chautauqua County Charter, which will take effect thirty (30) days after receipt of this letter by the County Legislature, unless rejected by a 2/3rds majority of the County Legislature. In addition, I am promulgating under the same Charter timeframe an amended Article 6 of the Chautauqua County Administrative Code, as also set forth below:

[NEW] Section 2.09 Deputy County Executive for Economic Development

There may be a Deputy County Executive for Economic Development who serves as a member of the County Executive's Cabinet, oversees the Department of Planning and Development, coordinates economic development efforts with economic entities across the County, consults with and advises the County Executive on policies and decisions relative to all facets of the County's economy, including, but not limited to, agriculture, tourism, and industry, and performs such other duties as set forth in Article 6 of this Code and as delegated by the County Executive. The Deputy County Executive for Economic Development shall be appointed by the County Executive and shall serve at his or her pleasure, and may also serve as the chief administrative officer of the County of Chautauqua Industrial Development Agency and shall have all the powers and duties prescribed for such an officer by Article 18A of the General Municipal Law.

[AMENDED BY SUBSTITUTION]

Article 6

PLANNING AND DEVELOPMENT

There may be a member of the County Executive's Cabinet from the Division of Economic Development and a member from the Division of Planning and Community Development, which are a part of the Department of Planning and Development branch of County government. Such Cabinet members shall perform such duties as may be required by the County Executive.

Section 6.01 Powers and Duties of Department of Planning and Development

Section 6.02 Division of Economic Development

Section 6.03 Powers and Duties of Division of Economic Development

Section 6.04 County of Chautauqua Industrial Development Agency

Section 6.05 Division of Planning and Community Development

Section 6.06 Powers and Duties of Division of Planning and Community Development

Section 6.07 Planning Board

Section 6.08 Environmental Management Council

Section 6.00 Department of Planning and Development

There may be a Department of Planning and Development organized into the following divisions:

Division of Economic Development

Division of Planning & Community Development

The Deputy County Executive for Economic Development appointed pursuant to Section 2.09 of this Code shall oversee the Department of Planning and Development, shall serve as the Director of the Division of Economic Development, and may also serve as the Chief Administrative Officer of the County of Chautauqua Industrial Development Agency and shall have all of the powers and duties prescribed for such an officer by Article 18A of the General Municipal Law. The Division of Planning & Community Development shall also have a Director, who is appointed and serves at the pleasure of the County Executive.

6.01 Powers and Duties of the Department of Planning and Development

In addition to the powers and duties specified for each of its two divisions in Sections 6.03 and 6.07 of this Code, the powers and duties of the Department of Planning and Development may include some or all of the following activities shared by its two divisions:

(a) Originate programs and activities aimed at improving the community, economy, and quality of life in Chautauqua County by working with private interests and public agencies to develop and market the County as an ideal place to live, work, conduct business, and recreate;

(b) Coordinate the overall physical development of the County by working with all other governmental entities to ensure economically, aesthetically, and environmentally sound growth;

(c) Coordinate the efforts of government and not-for-profit agencies in promoting tourism in Chautauqua County;

(d) Periodically provide assistance to the CCIDA, CREDC, and the CRC as needed;

(e) Perform such other and related duties as shall be required or delegated to the Department by the County Executive.

6.02 Division of Economic Development

There may be a Division of Economic Development whose Director shall be the Deputy County Executive for Economic Development. The Deputy County Executive for Economic Development shall have the power to appoint such deputies, assistants, and employees of the Division as may be necessary to implement the duties of the office, which shall be authorized by the County Executive.

6.03 Powers and Duties of Division of Economic Development

The activities of the Division of Economic Development may include some or all of the following:

(a) Assist businesses and industries wishing to locate, relocate, expand, purchase equipment and/or modernize in Chautauqua County in securing funding, incentives, governmental services and other types of assistance necessary for such location, expansion, modernization and startup;

(b) Coordinate the efforts of all appropriate entities in providing skilled, motivated, and trained personnel for the County's workforce needs;

(c) Assist the County's small businesses in meeting their development needs;

(d) Acquire, construct, operate and maintain roads, sewage collection and disposal facilities, water supply facilities and drainage facilities, solid waste collection and disposal facilities, electric and gas transmission and generating facilities, and railroad and other transportation facilities to serve community and economic development projects;

(e) Provide for the acquisition, maintenance, clearance, improvement, demolition, change of topographical, subsoil, or other physical conditions, and other necessary site preparation work at sites as part of a community or economic development project;

(f) Coordinate all business retention, expansion and attraction efforts throughout and on behalf of the County by working with local, County, and State stakeholders to facilitate private investment, the retention and expansion of jobs, and improvement of the quality of life in Chautauqua County;

(g) Purchase, upgrade, and maintain parcels and sites that possess the infrastructure and amenities coveted by businesses for current and future development needs;

(h) Work with utility providers to ensure the appropriate utility infrastructure needs are being met for community and economic development projects;

(i) Work with the appropriate entities to help foster business startups and growth; and

(j) Perform such other duties and tasks as shall be required or delegated by the County

Executive.

Section 6.04 County of Chautauqua Industrial Development Agency

In accordance with Resolution 122-72, there shall be a County of Chautauqua Industrial Development Agency. It shall function as prescribed by this law and Sections 856 and 895-h of the New York State Industrial Development Agency Act, and its membership shall consist of not fewer than three (3) nor more than nine (9) members as follows: the chairman of the Chautauqua Legislature committee that has primary responsibility for dealing with the economic welfare of the County, who shall serve as an ex-officio member with full voting powers; one member appointed by the County Legislature, subject to the County Executive's approval or veto and County legislative reconsideration, as provided in the Chautauqua County Charter; and up to seven (7) members appointed by the County Executive, subject to confirmation by the County Legislature.

In addition to the powers defined in the New York State Act, its principal purpose shall be to borrow money and issue bonds to underwrite undertakings fostered by the Division of Economic Development, the Industrial Development Agency, the County, or other advisory bodies assigned for such a purpose. It shall have all the powers and duties of a County Industrial Development Agency, heretofore or hereafter lawfully granted or imposed by the County Charter, this Code, local law, ordinance or resolution of the Legislature, order or direction of the County Executive, or by an applicable provision of any act of the State Legislature not inconsistent with the County Charter or this Code.

Section 6.05 Division of Planning & Community Development

There may be a Division of Planning & Community Development, and it shall have a Director that shall be appointed by the County Executive and shall serve at his or her pleasure. The Director shall have the power to appoint such deputies, assistants and employees of the Division as may be necessary to implement the duties of the office, which shall be authorized by the County Executive.

Section 6.06 Powers and Duties

The activities of the Division of Planning & Community Development may include some or all of the following:

(a) Conduct research into business and economic conditions in the County and the municipal subdivisions thereof, and seek to cooperate with official and unofficial bodies organized for such purpose;

(b) Collect and distribute information relative to regional and community planning and zoning in Chautauqua County;

(c) Coordinate the County's planning and community development efforts so they are directed in a unified manner;

(d) Make recommendations concerning special permits, variances, or adoption or amendment of zoning regulations, upon referral from municipalities pursuant to Section 239-m of the General Municipal Law;

(e) Assist the County Executive in executive planning, including planning for the capital budget and capital improvement program and the preparation of all County plans, and coordinate the production and procurement of all planning reports by County agencies.

(f) Maintain strong relationships with municipalities, promoting inter-municipal cooperation and partnerships, and make available to cities, towns, and villages in Chautauqua County, at their request, advice and assistance on matters relating to planning functions;

(g) Coordinate watershed-related activities across Chautauqua County to preserve and improve water quality, recreational value, economic vitality, and the local environment;

(h) Conduct surveys, analyses, and reports as requested by the County Executive, and assist other County Departments and agencies in their long-range planning efforts;

(i) Perform research concerning County programs with a view to obtaining financial and technical assistance available through local, state, federal, and other sources;

(j) Prepare and periodically update, in consultation with the County Planning Board, a comprehensive master plan for Chautauqua County, which may include: highways; parks/parkways; waterbodies; and potential sites for public buildings, sub-service facilities, and development sites which the County owns or may wish to acquire. Such plans may be submitted to the County Legislature in the manner provided by Section 239-d(2) of the General Municipal Law;

(k) Provide staff assistance for the Planning Board, Environmental Management Council, Farmland Protection Board, and periodically for the Division of Economic Development as needed; and

(l) Perform such other duties and tasks as shall be required or delegated to such Director by the Deputy County Executive for Economic Development and the County Executive.

Section 6.07 Planning Board

There shall be a Planning Board composed of eleven (11) members, each serving a term of three (3) years. The Director of Public Facilities and the Director of Finance shall serve as ex-officio, non-voting members of the Planning Board.

The members of such Board shall receive no salary or compensation for their services as members of such Board, but shall, within the appropriations provided therefore, be entitled to reimbursement for the actual and necessary expenses incurred in performing the duties of their office.

The Planning Board shall have all the powers and authority established by Section 239-d of the General Municipal Law. The Director of the Division of Planning & Community Development shall advise and guide the Board in its operations, and shall act as its agent in performing planning functions.

Section 6.08 Environmental Management Council

There may be an Environmental Management Council comprised of nine (9) citizen members appointed by the County Executive subject to confirmation by the County Legislature. The Environmental Management Council shall be staffed by the Division of Planning & Community Development and shall have the following powers and duties:

1. The Council may advise the County Executive, the Legislature, and the appropriate agencies on all matters affecting the preservation, conservation, and ecologically suitable use of the natural and man-made resources of the County.
2. The Council may be responsible for ensuring that the various County departments and agencies are responsible for environmental matters, and that they coordinate their activities and resources.
3. The Council may review the state of the County environment as a whole, and may prepare and submit an annual report of its findings and recommendations to the County Legislature and County Executive. This report also shall include an account of the Council's activities and accomplishments which shall be based on accurate records of its meetings and other works. Said report may be submitted no later than February 1st of each year.
4. The Council, in cooperation with the Department of Planning and Development and other appropriate departments and agencies, may prepare and revise a plan for the protection of the County's Environment and the management of its natural and man-made resources, and may transmit it to the County Legislature and the County Executive at regular intervals as necessary, but not greater than three (3) years. In addition, the Council may obtain from the New York State Department of Environmental Conservation a copy of the state environmental plan. To the extent practicable, the preparation, content and subsequent revisions, if any, of the County environmental plan shall be coordinated with the State environmental plan and a copy of said County plan and any subsequent revisions shall be filed with the State Commissioner of Environmental Conservation.

5. The Council may investigate and recommend to the County Executive and the County Legislature ecologically sound methods of planning and the use of the County's departments and activities.

6. The Council may keep an index of all open areas within the County, with the plan of obtaining information pertinent to sound ecological utilization of such areas, including land owned by a municipality within the County. It may keep an index of all open marshlands, swamps, and all other wetlands in a like manner, and may recommend a program for their ecologically suitable utilization.

7. The Council may develop and maintain an inventory of natural and man-made resources within the County and such other environmental information as may be appropriate. Said inventory may include wetlands and open spaces and may include, but not be limited to, factors relating to geology, soils, slope, water resources, vegetation, wildlife habitat, unique natural areas, and scenic, historic and archaeological significant sites.

8. The Council may cooperate with and assist such other governmental or non-governmental boards or organizations in the preparation of plans or reports or the review of proposals or applications as the County may direct.

9. The Council may also conduct research into the land area of the County and may seek to coordinate the activities of unofficial bodies organized for similar purposes. It may advertise, prepare, print and distribute books, maps, charts and pamphlets, if in its judgement it deems them necessary for its work, to the extent funds have been appropriated for such purposes by the County Legislature.

10. When authorized by resolution of the County Legislature, the Council may accept by gift, grant, bequest or otherwise, money or other personal property in the name of the County for use in the furtherance of the provisions of this article.

11. The Council may act as an advocate for the County, when appropriate and when authorized by the County Legislature, in all areas having a bearing on the County and environmental quality.

12. The Council may develop and, after receiving general approval by resolution of the County Legislature, conduct a program of public information in the County which shall be designed to foster increased understanding of the nature of environmental problems and issues and support for their solutions.

13. The Council may encourage the establishment of commissions for conservation of the environment in cities, towns, and villages within the County, may advise and assist them in developing their own programs, and may foster an effective interchange between the Council and such agencies.

14. The members of the Council, including ex-officio members, shall receive no compensation for their services as members thereof, but may be reimbursed for reasonable and necessary expenses incurred in the performance of their duties within appropriations made available by the County Legislature.

Sincerely,

George M. Borrello
Chautauqua County Executive

Print 2

LOCAL LAW
INTRODUCTORY NO. 2-18
CHAUTAUQUA COUNTY

A LOCAL LAW AMENDING LOCAL LAW 7-90 PROVIDING FOR A MANAGEMENT
SALARY PLAN FOR COUNTY OFFICERS AND EMPLOYEES
(RE: DEPUTY COUNTY EXECUTIVE FOR ECONOMIC DEVELOPMENT and
DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT)

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

Section 1. Purpose.

In conjunction with contemporaneous amendments to the Chautauqua County Administrative Code, the purpose of this Local Law is to establish the new titles of “Deputy County Executive for Economic Development” and “Director of Planning and Community Development.”

It is appropriate that County government have an economic development management title at the level of Deputy County Executive to oversee all of County government’s efforts to enhance the economy of Chautauqua County, as the work of almost all County departments impacts the County’s economic health. The Deputy County Executive for Economic Development shall also serve as chief administrative officer of the County of Chautauqua Industrial Development Agency.

The Director of Planning and Community Development will lead the Division of Planning and Community Development within the newly-created Department of Planning and Development, and will primarily focus on planning and community development activities to position Chautauqua County now and in the future as an ideal place to live, work, conduct business, and recreate.

Section 2. Salary Levels.

The titles of Deputy County Executive for Economic Development and Director of Planning and Community Development shall be placed in Range 10 (\$66,277 to \$101,807) of the 2018 Management Salary Plan.

Section 3. Effective Date.

This Local Law shall become effective upon filing with the Secretary of State.

LOCAL LAW
INTRODUCTORY NUMBER 3-18
CHAUTAUQUA COUNTY

A LOCAL LAW AMENDING THE CHAUTAUQUA COUNTY CHARTER

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

Section I. Amendment to County Charter.

A. Section 3.02(b)(i) of the Chautauqua County Charter regarding the County Executive's duty to promulgate an Administrative Code is hereby amended to read as follows:

(b) Promulgate an administrative code for the administration, organization, and implementation of all functions of County government, except those excluded in Section 3.02(a) above, to include:

(i) the details of the organizational structure of the executive branch of County government, to be grouped into four general areas:

- (1) Administrative Services;
- (2) Human Services;
- (3) Planning and ~~Economic~~ Development; and
- (4) Public Facilities.

Section II. Effective Date

This Local Law shall take effect upon filing with the Secretary of State.

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

SMA 3/1/18
KMD 3/5/18
KLC 3/5/18
GMB 3/7/18

TITLE: Quit Claim Deeds

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	Foreclosed Owner	Offer Amount	Taxes Owning
PA-38-2016	City of Jamestown	060800-370.18-2-56	James L. Lindsay	Dustin Turner	\$ 200.00	\$ 1,476.96
PA-137-2014	City of Jamestown	060800-387.12-3-71	Hillsboro Inlet LLC	Arthur B Davidson	\$ 950.00	\$ 327.12
PA-59-2015	City of Jamestown	060800-387.12-1-15	Hillsboro Inlet LLC	Companion Resources Co	\$ 950.00	\$ 312.22
PA-42-2017	City of Jamestown	060800-370.16-4-13	Hillsboro Inlet LLC	L-S Aero Marine Inc	\$ 950.00	\$ 382.80
PA-121.2017	City of Jamestown	060800-387.26-3-19	Hillsboro Inlet LLC	Peter T Smith	\$ 1,400.00	\$ 187.88
PA-205-2017	Ellicott	063889-371.18-2-12	Hillsboro Inlet LLC	Karen Berg	\$ 1,400.00	\$ 396.19
				Total	\$ 5,850.00	\$ 3,083.17

APPROVED
VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

PMW 3/14/18

TITLE Changing Place of the Chautauqua County Legislature April 2018 Meeting

BY: Administrative Services Committee:

AT THE REQUEST OF: Chairman Paul M. Wendel:

WHEREAS, Section I, Rule (1)(C) provides that the Legislature meetings may be held at any suitable site within the County; therefore be it

RESOLVED, That the County Legislature's April meeting be held at the Chautauqua Lake Central School, 100 N. Erie Street, Mayville, N.Y. on Wednesday, April 25, 2018 at 6:30 p.m.

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date