

Agenda

Administrative Services Committee

August 13, 2018, 5:00 p.m., Room 331

Gerace Office Building, Mayville, NY

A. Call to Order

B. Approval of Minutes (7/16/18)

C. Privilege of the Floor

1. Proposed Resolution- Authorizing the Sale of Property Adjacent To County Road 18
In North Harmony, New York
2. Proposed Resolution- Authorize Transfer of Tax Foreclosure Property in the Town of Ellicott
3. Proposed Resolution- Amend Chautauqua County Purchasing Policy
4. Proposed Resolution- Standard Workday and Reporting Resolution
5. Proposed Resolution- Authorizing Contract for 2019 Administration of Chautauqua County
Self-Insurance Plan (Workers' Compensation)
6. Other-
Proposed Resolution- Quit Claim Deeds

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

GPS 8/1/18
KMW 8.1.18
SMA 8/1/18
KMD 8/1/18
GMB 8/6/18

TITLE: Authorizing the Sale of Property Adjacent To County Road 18
In North Harmony, New York

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

AT THE REQUEST OF: County Executive George M. Borrello:

WHEREAS, in the year 2000, the County purchased a parcel of property adjacent to County Route 18, 6443-6445 Stedman-Sherman Road in the Town of North Harmony (the Property) from Kevin E. McChesney, part of which property is presently being used for highway right-of-way purposes, and part of which (the Remainder), is no longer necessary for highway purposes; and

WHEREAS, as shown on a map supplied by the County's Department of Public Facilities (DPF) and filed with the County Legislature, DPF recommends that the County retain that portion of the Property which is required to maintain a roadway width of four (4) rods (approximately sixty-six (66) feet), and that the Remainder be sold, since maintenance of the Remainder is a burden to DPF and it would be beneficial to restore such property to the County tax rolls; and

WHEREAS, pursuant to State Highway Law §125 the County may, where it has acquired land as a right-of-way for a County road, sell to the owner of property adjoining the same, so much thereof as may be unnecessary for such highway purposes, provided the strip of land retained for such purposes is not less than sixty (60) feet in width and provided such sale will give the adjoining owner of land a frontage immediately in front of their premises on the new highway right-of-way when completed; and

WHEREAS, Kevin E. McChesney remains the owner of the adjacent parcel, and sale of the Remainder to him will give him a frontage immediately in front of his premises on the new highway right-of-way; now therefore be it

RESOLVED, That pursuant to New York State County Law §215 and Chautauqua County Local Law 7-75, the Chautauqua County Legislature hereby finds that due to a lack of viable use for the Remainder, and the burden of maintaining the property, it is not in the best interest of the County to own and maintain this property, and the property is surplus and no longer necessary for public use; and be it further

RESOLVED, That pursuant to Section 3.02(h) of the Chautauqua County Charter, the Chautauqua County Legislature hereby approves the conveyance of the Remainder to Kevin E. McChesney for a purchase price of One Dollar (\$1.00); and be it further

RESOLVED, That the County Executive is authorized to execute all contracts, deeds, bills of sale, and all other documents necessary to accomplish the sale of the Remainder.

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

SMA 8/6/18 KMD 8/6/18 KLC 8/7/18 GMB by SMA 8/7/18

TITLE: Authorize Transfer of Tax Foreclosure Property in the Town of Ellicott

BY: Administrative Services and Audit & Control Committees:

AT THE REQUEST OF: County Executive George M. Borrello:

WHEREAS, a .60 acre tax delinquent property in the Town of Ellicott designated on the Chautauqua County Tax Map as Section 369.18, Block 4, Lot 43, and located at 173 Jackson Avenue (the "Land"), has been in a state of neglect for a substantial period of time; and

WHEREAS, the County wishes to convey the Land to the Chautauqua Region Economic Development Corporation ("CREDC"), or an affiliated limited liability corporation to be created by CREDC ("LLC"), in order to facilitate the demolition of the structure and potential redevelopment of the Land; now therefore be it

RESOLVED, That the County Executive is authorized to transfer the Land to CREDC or its affiliated LLC, of 201 West Third Street, #115, Jamestown, NY 14701, and execute all documents necessary to complete the conveyance on the following terms and conditions:

1. Purchase Price. \$1.00
2. Remediation and Redevelopment. CREDC or its affiliated LLC shall endeavor to remediate the property for redevelopment, including removal of any demolition debris and other junk on the property.
3. Proceeds of Sale. In the event that there are proceeds of sale that exceed the costs incurred to remediate the Land, CREDC or its affiliated LLC shall pay the County the proceeds up to the amount of the delinquent taxes, interest, and penalties on the Land.
4. Other. As negotiated by the County Executive.

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

SMA 8/6/18
KMD 8/6/18
KLC 8/7/18
GMB by SMA
8/8/18

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

TITLE: Amend Chautauqua County Purchasing Policy

BY: Administrative Services and Audit & Control Committees:

AT THE REQUEST OF: County Executive George M. Borrello:

WHEREAS, pursuant to Section 104-b of New York State General Municipal Law (GML), the County Legislature adopted a purchasing policy in Resolution 182-92, as amended by Resolutions 268-93, 171-94, 124-09, 142-13, 68-14, and 161-15 and 230-16; and

WHEREAS, there have been changes to the list of individuals who have County purchasing authority, making it appropriate to update the names listed in this Purchasing Policy resolution; and

WHEREAS, the Chautauqua County community is engaged in a County-wide effort to promote economic development in, and national awareness of, Chautauqua County and its products, services and amenities, and Chautauqua County government, by using local vendors, can support such vendors' ability to maintain, enhance, and publicize their products and services, and the resultant increase in local sales tax revenue can be used in furtherance of this community effort; and

WHEREAS the County desires to clarify and otherwise update purchasing requirements, now, therefore, be it

RESOLVED, That the County Purchasing policy established by Resolution 182-92, as amended by Resolutions 268-93, 171-94, 124-09, 142-13, and 68-14, 161-15, and 230-16 is hereby amended to read as follows:

1. Purchasing Procedures.

a. State Requirements. Every purchase of goods and/or services shall be reviewed by the officer or employee that initially approves the requisition to ensure compliance with State competitive bidding / offering requirements and preferred source requirements, under the general supervision of the Purchasing Manager. Any procurement that is not subject to competitive bidding shall be accompanied by documentation of the basis for the determination that competitive bidding is not required by law. The Purchasing Manager should be consulted when an acquisition is believed to be a professional service and therefore not subject to State competitive bidding requirements. Contracts involving the receipt by County of revenues are not required to be bid; however quotes or proposals should be solicited.

b. Alternative Proposals and Quotes. Except as otherwise provided by New York State law, alternative proposals or quotations for goods and services shall be:

- i. secured by use of written requests for proposals (RFPs) and written, faxed, or e-mailed quotations from at least three vendors for procurements of services expected to exceed \$20,000 in value;
- ii. secured by written, faxed, or e-mailed quotations from at least three vendors for procurements of goods and services expected to be between \$5,000 and \$20,000; and

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VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

- iii. within the discretion of the Department Head, subject to the advice of the Purchasing Manager, for procurements of goods and services under \$5,000.

With respect to the procurements of goods and services between \$5,000 and \$35,000 (other than professional services) that are not subject to State competitive bidding requirements, the County shall purchase from a responsible and responsive local vendor when: (i) the price quoted by the local vendor does not exceed the lowest price quoted by a non-local vendor by more than ten percent (10%); and (ii) the local vendor is willing to match the lowest, non-local vendor's quoted price. For purposes of this purchasing policy, a "local vendor" shall be deemed to mean (i) in the case of a business entity vendor, a business entity which has a physical location in Chautauqua County and employs at least one full-time employee in Chautauqua County; and (ii) in the case of an individual vendor, an individual whose legal residence is Chautauqua County.

Purchases must also be compliant with any funding source requirements. See, for example, the requirements of Title 2: Grants and Agreements, of the Code of Federal Regulations (CFR), Part 200—Uniform Administrative Requirements, Cost Principles, and Audit requirements for Federal Awards ("Uniform Guidance") §§200.318-200.326 (purchases of items of \$3,000 to \$150,000 be made only after 3 quotes have been obtained).

Adequate documentation of actions taken in connection with each such method of procurement shall accompany the purchase order or the Agreement or Agreement of Services request submitted to the Purchasing Manager, and the credit card purchase information submitted to the Department of Finance. Such documentation must include a statement of the reason that three quotes were not able to be secured, when applicable.

c. Exceptions. In the event that the procurement is from: a State contract bid; General Services Administration schedule seventy, information technology; General Services Administration's "1122 Program Equipment and Supplies Catalog" and consolidated schedule contracts; involves surplus or second hand supplies, materials or equipment to be acquired from other governmental units; reflects unique or specialized goods or services that are needed by the County; is part of a program to standardize goods or equipment; arises from a bona fide emergency, accident or other unforeseen occurrence or condition that requires prompt action; involves a sole source situation; relates to the purchase of perishable food; is from a State-designated Preferred Source; or involves other situations where the above procedures for the solicitation of alternative proposals or quotations are not practical or will not be in the best interest of the County, a written explanation of why adherence to the procedures set forth in this Policy would not be practical or would not be in the best interest of the County shall accompany the Purchase Order, Agreement or Agreement of Services request submitted to the Purchasing Manager, or the Procurement Card statement submitted to the Department of Finance, which determination shall be subject to review by the Purchasing Manager, Department of Finance, and/or the Law Department.

d. Lowest Responsible Offer. In the event a contract is awarded to other than the lowest responsible dollar offeror, the Purchase Order or Agreement / Agreement of Services request shall be accompanied by written documentation and justification specifying why such award is in the best interest of the County. When a contract is awarded utilizing "best value" procedures pursuant to Section 103 of New York State General Municipal Law, the award shall be based to the extent possible on objective and quantifiable analysis, and best value RFPs shall include a description of the manner in which the evaluation of the offers and award of the contract will be conducted, and as appropriate, identify the relative importance of price and non-price factors.

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VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

e. Miscellaneous Provisions.

- i. Whenever practical, economical, and permitted by State law, the County shall acquire goods and services from local vendors ~~Chautauqua County businesses~~ and select goods and services which provide the least possible negative impact on the environment, including products made from recycled materials. In the event of a tie bid between a local vendor and a non-local vendor, the County may award the contract to the local vendor.
- ii. The requirements of this Purchasing Policy apply to procurements in which the County expends funds or receives revenues.
- iii. Notwithstanding anything to the contrary in this Purchasing Policy, all County procurements shall be made in conformance with Federal and State requirements, including but not limited to applicable laws and Federal and State grant/funding requirements.
- iv. Department heads shall require their employees with purchasing authority to attend training sessions provided by the County Purchasing Manager and ensure that new employees receive training prior to purchasing on behalf of that department.
- v. An individual or entity that reviews a County Invitation to Bid or Request for Proposals in draft or final form prior to its issue may not (i) submit a response to the solicitation or (ii) serve as an employee, contractor or subcontractor of the individual or entity awarded the contract, for the first five (5) years of the contract period.
- vi. From the time of issuance of a County Invitation to Bid or Request for Proposals until final determination of the successful vendor, all prospective vendor questions and communications must be referred to the Purchasing Manager or his/her designee.

2. **Credit Card Usage.**

Procurement Credit Cards issued by the Finance Department to County departments and departmental staff, hereinafter referred to as credit cards, obtained through the Finance Department, can be used to make payments for purchases of goods not exceeding \$1,000 in value when pre-approved by the Department Head and consistent with the direction provided by the Purchasing Manager. Upon request by the Department Head to the Director of Finance, credit cards will be issued to individual employees, hereinafter referred to as Cardholders. Such cards are not re-assignable for use by other employees.

Credit card limits shall be established by the Finance Department's credit card administrator. The credit cards have a monthly limit of \$5,000, unless the Department Head requests that a Cardholder's monthly credit limit be increased to accommodate the department's purchasing requirements. There is a non-adjustable \$1,000 limit per transaction. Under no circumstances will a Cardholder authorize a transaction exceeding this \$1,000 limit without the advance written approval of the Purchasing Manager.

Procurements paid for with credit cards remain subject to all requirements of this Policy. The Cardholder to whom the credit card is assigned shall reimburse the County for costs incurred with respect to any illegal or unauthorized expenditure or improper usage of the credit card, to

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County Executive

Date

the extent such costs were within the Cardholder's control. The credit card is expressly not authorized to be used to pay for the procurement of services unless specifically authorized in writing by the Purchasing Manager.

Cardholders must obtain packing slips for all purchases paid for by credit card, reconcile the slips with the Cardholder's monthly credit statement, and attest by signature on the credit card statement that all goods recorded have been received in good condition and are for the use of conducting County business. Department Heads must sign the monthly credit statements of their cardholders as an indication that all purchases were authorized by the Department Head.

Credit shall be immediately requested from the vendor for any unauthorized purchases or billing errors. In the event the vendor does not cooperate in issuing a credit when due, the Cardholder should contact the Department of Finance and request that a Dispute Form be submitted to the financing agency. The County is not responsible for any unauthorized purchases or purchases made for personal use.

Cardholders must perform an initial audit and reconciliation of their monthly statements and must promptly submit their statements, along with the appropriate G/L Account number to be charged, so that the bill can be paid prior to the time of imposition of late fees or penalties, and prior to the monthly closing of the County's financial statements.

The Purchasing Manager will review the periodic audit reports submitted by the auditors and take appropriate action to enforce the credit card policy. Each Cardholder must have on file with the County Executive's Office a current Financial Disclosure Form, and must attend or view the Purchasing Manager's annual purchasing training ~~complete the Purchasing Training Manual~~ available on the Chautauqua County intranet.

3. Violations.

Employees are subject to disciplinary action and/or referral to the Chautauqua County Ethics Board, for violation of this Policy. County employees aware of a violation of this Policy shall report such violation to their County supervisor and/or to the County's Purchasing Manager.

4. Individuals with Purchasing Authority.

Pursuant to the requirements of Section 104-b(2)(f) of the General Municipal Law, the following individuals are identified as having purchasing authority:

Alphabetical List of Employees with Purchasing Authority

Key-

C= Authorization to Approve Contracts/AOS

CC= Authorization to use Credit Card

PO= Authorization to Approve Purchase Orders

V= Authorization to Approve Vouchers/Grids

LIST TO BE ADDED AT OR BEFORE COMMITTEE REVIEW

; and it is further

RESOLVED, That the County Legislature shall annually review these purchasing policies and procedures, with input from the county employees involved in procurement; and it is further

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County Executive

Date

RESOLVED, That the unintentional failure to comply with the provisions of this resolution shall not be grounds to void action taken or give rise to a cause of action against the County or any officer or employee thereof.

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

**CHAUTAUQUA COUNTY
RESOLUTION NO.**

SMA 7/26/18 KMD 7/31/18 KLC 8/2/18 GMB 8/6/18
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TITLE: Standard Workday and Reporting Resolution

BY: Administrative Services Committee:

AT THE REQUEST OF: Chairman Paul M. Wendel:

BE IT RESOLVED, That the County of Chautauqua hereby establishes the following standard work days for these titles, as set forth in the attached schedule, and will report the officials to the New York State and Local Retirement System based on time keeping system records or their record of activities:

Title	Standard Work Day (Hrs/day) Min. 6 hrs Max. 8 hrs	Name (First and Last)	Social Security Number (Last 4 digits)	Registration Number	Tier 1 (Check only if member is in Tier 1)	Current Term Begin & End Dates (mm/dd/yy - mm/dd/yy)	Record of Activities Result	Not Submitted (Check only if official did not submit their Record of Activities)
ELECTED OFFICIALS								
Legislator	6	John Davis	XXXX	XXXXXXXXXX		01/01/18-12/31/19	3.73	
Legislator	6	Kevin Muldowney	XXXX	XXXXXXXXXX		01/01/18-12/31/19	4.50	
Legislator	6	Charles Nazzaro	XXXX	XXXXXXXXXX		01/01/18-12/31/19	5.00	
Legislator	6	Mark Odell	XXXX	XXXXXXXXXX		01/01/18-12/31/19	6.20	
Legislator	6	Daniel Pavlock	XXXX	XXXXXXXXXX		09/27/17-12/31/19	8.98	
Legislator	6	Elisabeth Rankin	XXXX	XXXXXXXXXX		01/01/18-12/31/19	4.28	
Legislator	6	Robert Scudder	XXXX	XXXXXXXXXX		01/01/18-12/31/19	6.90	
Legislator	6	Lisa Vanstrom	XXXX	XXXXXXXXXX		01/01/18-12/31/19	4.80	
APPOINTED OFFICIALS								
Deputy County Fire Coordinator	6	Daniel Aldrich	XXXX	XXXXXXXXXX		01/01/18 – 12/31/21	5.62	
Deputy County Fire Coordinator	6	Scott Bailey	XXXX	XXXXXXXXXX		01/05/17 – 12/31/21	6.07	
Assistant District Attorney	7	Erik Bentley	XXXX	XXXXXXXXXX		01/01/17 – 12/31/20	24.65	
Deputy County Fire Coordinator	6	Scott Cummings	XXXX	XXXXXXXXXX		01/01/18 – 12/31/21	5.56	
Assistant Public Defender	7	James Dimmer	XXXX	XXXXXXXXXX		10/06/17 – 12/31/19	20.24	
Assistant District Attorney	7	Gregory Drab	XXXX	XXXXXXXXXX		01/01/17 – 12/31/20	18.90	

APPROVED
VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

**CHAUTAQUA COUNTY
RESOLUTION NO.**



Title	Standard Work Day (Hrs/day) Min. 6 hrs Max. 8 hrs	Name (First and Last)	Social Security Number (Last 4 digits)	Registration Number	Tier 1 (Check only if member is in Tier 1)	Current Term Begin & End Dates (mm/dd/yy - mm/dd/yy)	Record of Activities Result	Not Submitted (Check only if official did not submit their Record of Activities)
APPOINTED OFFICIALS								
Second Assistant District Attorney	7	Brendan Green	XXXX	XXXXXXXX		08/03/17 – 12/31/20	20.27	
First Assistant District Attorney	7	Derek Gregory	XXXX	XXXXXXXX		01/01/17 – 12/31/20	26.20	
Assistant Public Defender	7	Robert Lee	XXXX	XXXXXXXX		09/07/17 – 12/31/19	23.66	
First Assistant District Attorney	7	Andrew Molitor	XXXX	XXXXXXXX		01/01/17 – 12/31/20	24.50	
First Assistant Public Defender	7	James Pelletter	XXXX	XXXXXXXX		01/01/18 – 12/31/19	25.35	
Assistant Public Defender	7	Joseph Price	XXXX	XXXXXXXX		01/01/18 – 12/31/19	22.96	
Second Assistant District Attorney	7	Lynn Schaffer	XXXX	XXXXXXXX		01/01/17 – 12/31/20	21.73	
Assistant District Attorney	7	Josh Siliano	XXXX	XXXXXXXX		02/06/17 – 12/31/20	21.72	
Deputy County Fire Coordinator	6	Richard Westpfahl	XXXX	XXXXXXXX		12/05/16 – 12/31/21	8.88	
Assistant Public Defender	7	Kristy Woodfield	XXXX	XXXXXXXX		07/10/17 – 12/31/19	19.04	
Assistant Public Defender	7	Kristy Woodfield	XXXX	XXXXXXXX		01/01/18 – 12/31/19	22.84	
First Assistant District Attorney	7	John Zuroski	XXXX	XXXXXXXX		01/01/17 – 12/31/20	21.90	

**APPROVED
VETOES (VETO MESSAGE ATTACHED)**

County Executive

Date

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

JEC 8/3/18
SMA 8/3/18
KMD 8/3/18
KLC 8/8/18
GMB 8/9/18

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	Offer Amount	Taxes Owning
PA-51-2018	City of Dunkirk	060300-79.20-8-75	Fransisco Ramirez	\$ 17,500.00	\$ 7,898.57
PA-46-2017	City of Jamestown	060800-370.19-11-64	Robert & Catherine Hallberg	\$ 50.00	\$ 6,928.79
PA-146-2018	City of JAmestown	060800-387.25-2-8	Brian C Hardy	\$ 5,000.00	\$ 2,699.73
PA-232-2018	Ellicott/Celoron	063801-369.18-2-2	Christopher & Marla Cobb	\$ 15,520.00	\$ 2,267.52
PA-233-2018	Ellicott/Celoron	063801-369.18-2-3	Christopher & Marla Cobb	\$ 480.00	\$ 322.03
PA-206-2017	Ellicott	063889-386.10-2-27	Shelly A White-Germondo	\$ 200.00	\$ 4,983.28
PA-312-2018	Portland	066089-194.00-1-40	Lake Erie Vista LLC	\$ 27,000.00	\$ 11,005.33
PA-338-2018	Stockton	066889-265.00-3-17	Eric W Anderson	\$ 6,000.00	\$ 1,094.06
			Total	\$ 71,750.00	\$ 37,199.31

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

KLC 7/16/18
KMW 7.16.18
SMA 7/16/18
KMD 7/16/18
GMB 7/17/18

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

TITLE: Authorizing Contract for 2019 Administration of Chautauqua County
Self-Insurance Plan (Workers' Compensation)

BY: Administrative Services and Audit & Control Committees:

AT THE REQUEST OF: County Executive George M. Borrello:

BE IT HEREBY RESOLVED, that the Administrative Services Committee of the Chautauqua County Legislature be authorized and empowered to contract with the County of Chautauqua for the administration of the Self-Insurance Plan to be accomplished by the Chautauqua County Department of Finance during calendar year 2019, and be it further

RESOLVED, That the consideration for this contract be in the amount of One Hundred Seventy-seven Thousand Two Hundred Seventy and No/100 Dollars (\$177,270.00) for 2019, including personnel services and office expenses, and be it further

RESOLVED, That the Chairman of the Administrative Services Committee, on behalf of the Administrative Services Committee, and the County Executive, on behalf of the County of Chautauqua, be and hereby are authorized to execute such contract.

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date