

Regular Meeting
Chautauqua County Legislature
Wednesday, July 25, 2018, 6:30 p.m.
Mayville, N.Y. 14757

Chairman Wendel called the meeting to order at 6:30 p.m.

Clerk Tampio called the roll and announced a quorum present. (Absent: Muldowney)

Legislator Starks delivered the prayer followed by the pledge of allegiance.

MOVED by Legislator Bankoski, SECONDED by Legislator Nazzaro, the minutes were approved. (6/27/18)

Unanimously Carried

1st Privilege of the Floor

I'm Jajeen Rose-Burney from the Western New York Land Conservancy. I'll be talking briefly about the motion on the agenda later. In support of the grant application of the Western New York Land Conservancy for College Lodge work park project. So the Western New York Land Conservancy is a regional not-for-profit land trust. We basically work with landowners, communities, to try and conserve land, farmland, and nature preserve. So we own a lot of nature preserves in the western New York region. We've been talking to the Faculty Student Association who owns College Lodge property. Some of you may know the College Lodge property. It's in the towns of Stockton, Portland, and Chautauqua. It's a 202 acre property that has been owned by the FSA for almost a century. It's essentially a retreat and research and education center for SUNY Fredonia but they also provide programming and training and workforce development programs at the property. So FSA owns a lodge, a sleeping lodge and 202 acres of property. They are finding it difficult to operate and maintain the entire property and would like to sell 168 acres of property to the Land Conservancy. They would then use the funds from that sale to reinvest back into the facility that they would own and operate so the lodge, the sleeping lodge, they would continue to own that portion of property. We would buy the forest which would include the trails and wetland. So we wouldn't own the property around the lodges as a publicly accessible nature preserve. So it would continue to be open to the public, the trails would be open, we would maintain that. So it would continually be able to be used by the community. To buy the property we are raising funds. One of those fund raising opportunities is a grant that the New York State Parks has open right now. It's part of the CFA grant application program. The grants are due on the 27th. One of the requirements for us to be able to apply for the grant is that you have the communities where the project takes place pass a resolution in support of our grant application. So all three towns have passed that resolution and now we're asking the County Legislature pass the resolution in support of our grant application for that grant that would help us purchase the 168 acres to maintain it as a publicly accessible nature preserve. That's all I have. Thank you.

My name is Katherine Hamernick. I'm here to represent the CPS, Child Protection Caseworkers of Chautauqua County and to address your consideration for an increase in our reallocation status. I've been working with the County for about 20 years. I started out at what's called a Home Instructor and worked for about 12 years in that position. You only need a two year degree to work in that position and at that time I decided that I wanted to do more and have more responsibilities so I went back to school and became – got my Bachelor's in Social Work and applied to be a Services Caseworker. It took years two years for me to get a position with Child Protection because in the first 14 years that I worked for the County, turnover was very slow. People worked these jobs for life and they retired with 25/30/35 years of service. So I've worked as a CPS Caseworker now for 6 years and that just isn't the case anymore. We lose caseworkers regularly, there is a very high turnover and every time we do, we lose a lot of training. In addition to your education outside of this job, there is also approximately 8 weeks of training that each caseworker goes through and we lose that every time they leave. It takes about 2 years to really do this job, to understand this job, and be comfortable in doing it. It's not a job that you can learn in school. It's something that learned by experience, by actually doing the job. It takes quite a while. In the time, the short time, that I have been an actual Child Protective Services Caseworker, there has been a steady increase in the number of workers who have in excess of 15 cases. Currently it's more like 20 to 30 cases which is way more than we should have to do a good job. There has been a steady increase in the number of delinquent cases. We are, best case practice, supposed to have cases resolved within 60 days and us being in excess of that 60 days, taking longer to close a case, has increased steadily over the past five years. We've also had a steady decrease in doing what are called, timely safety assessments. That's being able to safely assess that the children are safe and going to be o.k.. We have a short time to do that and it's taking longer and longer to do that. The situations that we deal with within families, the severity of the dysfunction, drug abuse, domestic violence, and sexual abuse and steadily increased as well. Caseworkers are expected to know more and more in many general areas of family functioning and be able to effectively lead families to healing and resolution. I, myself, will be retiring mid-October but I feel a call to duty to my co-workers to let you know that this job is difficult and has become more and more difficult just within the past five years. There is more and more expected of workers regarding what goes into a case, what resolution, how to reach a resolution is made, and the job is becoming more difficult to complete well, to do a good job. Under the constraints of time and the decisions that we have to make on a daily basis regarding whether or not we're going to leave children safe in a situation. So I'm here to hope that you will support our workers. They deserve the respect and to help retain workers because we lose workers to jobs that make more money than we do or they have less stress than we do more and more daily. We have to remain competitive and we need to find a way to have some way to keep our staff rather than losing them. Every time we lose staff, it costs the County money because we have to re-train them and we're starting from scratch. I think that is all that I wanted to say. I hope that you understand and we are the only ones that can do the job too, by the way. There is no one else. It's a mandated job and there is no one else that can do it. So thank you for your time.

My name is Mary Grace Syracuse. I'm here this evening to speak on behalf of David Blodgett and my son Jackson Blodgett. David Blodgett has owned property at 3090 and 3094 East Main Road in Sheridan, New York. For the 30 years that David Blodgett has owned property he has religiously paid the taxes. David Blodgett worked at Keystone Automotive in

Cheektowaga for 15 years. He had a long history since his late teen years of bipolar disorder. One remark at Keystone eliminated his job, eliminated his income, his 401K, all his resources. After that point because David was manic, he was not able to get the psychological help that he would get, that he was able to get. His finances were in shambles. By the time he reached out to get help it took phone calls and phone calls and phone calls. Finally we found Lakeside Clinic which is part of Buffalo Psychiatric on Central Avenue in Fredonia. He is now under the care of psychiatrist and clinicians at Buffalo Psychiatric. In the meantime, he was three years behind in his taxes. When we found out that he was three years behind in his taxes, we applied to COI, he applied to the MAPS program. When we applied to the MAPS program nobody ever said, you are too late. We went ahead with reasonable assurance that he would be able to get funding to help with his taxes for his County taxes on property, through the Maps(?) program. It turns out he was too late. Never received that information by mail. David Blodgett made a phone call to the County tax and they said your property was sold this weekend and you are going to be evicted which means that all the work that – which is very painful. This is not so much a tax issue as a mental health issue. David is back and work. He's riding his bicycle. Sometimes three or four o'clock in the morning to get to work. He just got a raise. He's very, very highly recommended at his job. I have letters here from his clinicians at Lakeside Clinic. I also have a receipt for the amount of taxes owed for the property at Newell Road that a family member came to plate when finally the matter came out. So not only does David have a mental health issue but (*inaudible*) with our son who has a dual disorder of epilepsy and Asperger syndrome. Eviction would make these two individuals without a home. David has the money to pay for the taxes. This is a perfect opportunity for the community, you Legislators to show that we, as a community are not only interested in dialoging about mental health but we actually are willing to take measurable actions to help people in David's position. He's back on his feet and we're imploring the Legislature to exclude the property in question from the list of properties to be approved by the Legislature and allow him to keep his property and from this point on, he will be getting help with his finances and he will regain his ability to pay for his taxes. But, making these two individuals evicted from their property is not only painful but it's wrong. I am here to advocate on their behalf. I thank you for your time in listening. I plead that you consider the lives of these two mental health individuals. It's not because David slacked in any way. He was unwell and he fell between the cracks. I don't want to tell you how many phone calls I made to get him help. Only through a series of phone calls, did we finally find safely tucked away on Central Avenue, a mental health facility that was there to help David. In this folder are letters from his therapist, his medical doctor and a receipt in a secure account for the amount of the taxes. Thank you very much for your consideration in this matter. Have a good evening.

My name is David Blodgett, I live at 3090 East Main Road, at least right now I do. I want to say that the County and the Tax Department hasn't done anything wrong. I would encourage you to sincerely consider my plight and I apologize for any problems that I might have caused or anything like that.

Chairman Wendel: Anyone else to speak to the first privilege of the floor? Anyone else to speak to the first privilege of the floor? Seeing none, we'll close the first privilege of the floor.

**VETO MESSAGES FROM COUNTY EXECUTIVE BORRELLO
NO VETOES FROM 6/27/18**

**COMMENDATIONS:
Chautauqua Lake Girls Softball Team
By
Legislator David Himelein
Chairman Paul M. Wendel, Jr.**

**Teddy Braidich & Jim Tytka, Jr.
(Recovery of Missing Child)
By
County Executive George M. Borrello
Chairman Paul M. Wendel, Jr.
Legislator Kevin O'Connell**

**Paul Snyder
(Recognition for work done w/ the City of Dunkirk in their water emergency)
By
Legislator Robert Bankoski
Legislator Kevin Muldowney**

**George Spanos
Director of Public Facilities
(Recognition for years of service)
By
County Executive George M. Borrello
Chairman Paul M. Wendel, Jr.**

**Warren H. Riles
41 Years of Service as
Chautauqua County Coroner
By
Chairman Paul M. Wendel, Jr.**

COMMUNICATIONS:

- 1. Letters (3) – County Executive Borrello – Apptms. To Various Board**
- 2. Letter – County Executive Borrello – Amendment to the Chaut. County Administrative Code**

3. **Acknowledgement – Legislature Clerk Tampio – Re: Receipt of Financial Disclosures for 2018**
 4. **Letter – City of Dunkirk – Re: Requesting Donation for Great Lakes Off Shore Grand Prix**
 5. **Letter – City of Dunkirk – Requesting Support for Funding for Great Lakes Off Shore Boat Race**
 6. **NYS Dept. of Taxation & Finance – Re: 2018 State Equalization Rates**
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RESOLUTIONS:

RES. NO. 167-18 Confirm Appointment – Chautauqua County Ethics Board, by Administrative Services Committee – UNANIMOUSLY ADOPTED

RES. NO. 168-18 Confirm Appointment – JCC Board of Trustees, by Administrative Services Committee – UNANIMOUSLY ADOPTED

RES. NO. 169-18 Confirm Appointment & Re-Appointments – Chautauqua Opportunities Board of Directors, by Human Services Committee – UNANIMOUSLY ADOPTED

RES. NO. 170-18 Budget Modification for Actual Youth Bureau Allocations Received, by Human Services and Audit & Control Committees – UNANIMOUSLY ADOPTED

RES. NO. 171-18 To Accept NYS Department of Health Nurse Family Partnership Program Grant, by Human Services and Audit & Control Committees – UNANIMOUSLY ADOPTED

RES. NO. 172-18 Commitment of Matching Funds for Grant Applications to the 2018 New York State Consolidated Funding Application Program, by Planning & Economic Development and Audit & Control Committees – UNANIMOUSLY ADOPTED

RES. NO. 173-18 Authorize Grant Application to New York State Department of State (NYS DOS) Division of Planning Waterfront Revitalization Program to Fund Lake Erie Waterfront Development & Investment Prospectus, by Planning & Economic Development and Audit & Control Committees – UNANIMOUSLY ADOPTED

RES. NO. 174-18 Environmental Assessment of Projects for 2019 2% Occupancy Tax Projects, by Planning & Economic Development and Audit & Control Committees – UNANIMOUSLY ADOPTED

(See following link for documentation relating to this resolution – Documents are available for inspection in the Legislature Clerk’s office)

<http://www.co.chautauqua.ny.us/DocumentCenter/View/7580/SEOR-Document-for-2019-2-Occ-Tax-Projects>

RES. NO. 175-18 Reallocate a Portion of 2018 3% Occupancy Tax Funds & Authorize Use of 3% Occupancy Tax Reserve for Dunkirk Offshore Powerboat Racing Event, by Planning & Economic Development and Audit & Control Committees – **UNANIMOUSLY ADOPTED**

RES. NO. 176-18 Implementing Resolution 194-17 – Commitment of Matching Fund for New York State Department of Environmental Conservation/New York State Environmental Facilities Corporation Wastewater Infrastructure Engineering Planning Grant Program for the Mayville-Chautauqua Stormwater Management Engineering Study, by Planning & Economic Development and Audit & Control Committees – **UNANIMOUSLY ADOPTED**

RES. NO. 177-18 Investment Policy for the County of Chautauqua, by Audit & Control Committee – **UNANIMOUSLY ADOPTED**

RES. NO. 178-18 Financial Management Policy for the County of Chautauqua, by Audit & Control Committee – **UNANIMOUSLY ADOPTED**

RES. NO. 179-18 Acceptance of Funds from the FAA & New York State DOT for the Chautauqua County/Jamestown Airport Master Plan Update, by Audit & Control Committee – **ADOPTED** w/ Scudder voting “no”

RES. NO. 180-18 Reallocating Salary Grades for Caseworker, Caseworker (CPS), Senior Caseworker, Senior Caseworker (CPS), Case Supervisor B, Case Supervisor B (CPS), and Case Supervisor A, by Administrative Services, Human Services, and Audit & Control Committees

Legislator Niebel: I think the Director has made a strong case for these upgrades. I just happen to feel that the better place to discuss this would be during the budget process in September/October but I do understand and sympathize with her explanations for the upgrades. Thank you.

Chairman Wendel: Any other discussion or debate?

RES. NO. 180-18– R/C Vote: 17 Yes; 1 No; 1 Absent – (No: Niebel) – ADOPTED

RES. NO. 181-18 Transfer of Foreclosed Properties to Chautauqua County Land Bank Corporation, by Administrative Services and Audit & Control Committees

Legislator Nazzaro: I would like to make a motion to amend. One property was inadvertently left off the original resolution. It is auction number PA-308-2018 in the Town of Portland. The parcel I.D. number is 066089-111.11-1-13. It's located at 5417 Rt. 5 and it's a Single Family Residence.

Legislator Chagnon: Second.

Chairman Wendel: All those in favor of the amendment?

Unanimously Carried

RES. NO. 181-18 – R/C Vote: 16 Yes; 2 No; 1 Absent (No's: Niebel, Scudder) – **ADOPTED**

RES. NO. 182-18 Quit Claim Deeds, by Administrative Services and Audit & Control Committees

Legislator Niebel: Mr. Chairman, I would like to move that resolution 182-18 be amended to provide as follows:

1. David A. Blodgett be substituted as the purchaser of tax parcel number 066400-98.05-1-20 in the Town of Sheridan (PA 332-2018) at a purchase price of \$16,456.35, inclusive of recording charges, conditioned upon receipt by the County's Real Property Tax Office of the purchase price in full by cash, certified check, or cashier's check on or before 4:30 PM on Friday, August 3, 2018.
2. In the event that David A. Blodgett does not submit the purchase price on or before August 3, 2018 as described in (1) above, the County Executive is authorized to convey tax parcel number 066400-98.05-1-20 in the Town of Sheridan to Ernie Laemmerhirt for the purchase price of \$15,000.

Legislator Pavlock: I'll second that.

Chairman Wendel: Any discussion on the amendment?

Legislator Nazzaro: Question to Mr. Abdella. Is David Blodgett the only name on the deed for this property?

Mr. Abdella: It looks like when the property was acquired it was acquired in two names however it appears that the other owner has - former owner is deceased. It appears that it is solely owned at this point by David Blodgett.

Legislator Nazzaro: Was written notice given to Mr. Blodgett and did he acknowledge the notice?

Mr. Abdella: The Real Property Tax Office did receive return receipts for the petitioning notice of foreclosure.

Legislator Bankoski: Was there anyone else that was issued a letter?

Mr. Abdella: The records from the Real Property Tax office did show that the petitions were mailed – copies of the petition were mailed to other individuals besides Mr. Blodgett.

Legislator Bankoski: And they are who?

Mr. Abdella: I have copies of acknowledge receipts from David A. Blodgett, Lawrence Ralph Blodgett, one addressed to Ellen Lucille Holts Blodgett, one addressed to a Debra Ling Blodgett Leese(?) and then one to a Donald Earl Blodgett, Junior. All of those showed return receipts.

Legislator Niebel: Mr. Chairman, I'm not so concerned about who these other people are. They could be third, fourth cousins. I don't know who they are. Mr. Abdella, who is the actual owner of record of the property?

Mr. Abdella: The person listed on the tax assessment roll, as I understand it, is, only David A. Blodgett.

Legislator Niebel: Thank you.

Mr. Abdella: I cannot definitively answer who the owner is other than it appears to be David A. Blodgett.

Legislator Niebel: That's o.k.. They only thing that we have to go by is the County records and it is David Blodgett is the owner of record. That appears on the tax records.

Mr. Abdella: That appears on the assessment roll.

Legislator Bankoski: Why would those other people get notice?

Mr. Abdella: The tax office will send notices to any other party who appears to have an interest of record. That could be individu – because these documents don't show what that interest is. It could be individuals who have a mortgage, hold the mortgage on the property. There's reference to results from a Surrogates Court proceeding. It's not clear what that is but that caused others to receive, it appears, notices as well. Anyone who appears of record to potentially have an interest in the property receives a copy of the petition.

Legislator Bankoski: Thank you.

Legislator Wilfong: How long before the tax sale does the sign get posted in the yard? Do we know that?

Chairman Wendel: Mr. Caflisch, if you could address that please.

Mr. Caflisch: We put the auctions signs in the - or the auctioneer puts the auction signs up approximately one month before the auction.

Legislator Wilfong: Thank you.

Legislator Niebel: Steve, could some of these people that have received notices, could they have been people that may have been in the last Will Testament of Donald Blodgett, perhaps?

Mr. Abdella: That's possible, yes.

Legislator Niebel: Thank you.

Chairman Wendel: Any other discussion or debate? Seeing none, roll call vote on the amendment.

RES. NO. 182-18 – amendment – R/C Vote: 5 Yes; 13 No; 1 Absent (No's: Bankoski, Chagnon, Gould, Himelein, Hemmer, Nazzaro, O'Connell, Odell, Starks, Vanstrom, Whitford, Wilfong, Chairman Wendel) – **DEFEATED**

Chairman Wendel: On the remaining quit claim deeds, Madam Clerk would you call the roll.

RES. NO. 182-18 – R/C Vote: 17 Yes; 1 No; 1 Absent (No – Niebel) - **ADOPTED**

MOTION:

A. In Support of the Grant Application of the Western New York Land Conservancy for the College Lodge Forest Park Project – UNANIMOUSLY ADOPTED

ANNOUNCEMENTS:

No announcements given

2nd Privilege of the Floor

No one chose to speak at this time.

MOVED by Legislator Bankoski, SECONDED by Legislator Gould and duly carried the meeting was adjourned. 7:25 p.m.

Respectfully submitted and transcribed,
Lori J. Foster, Deputy Clerk/Secretary to the Legislature