

Minutes

Audit & Control Committee

August 22, 2019, 8:35 a.m., Room 331

Gerace Office Building, Mayville, NY

Members Present: Chagnon, Nazzaro, Muldowney, Niebel, Gould

Others: Tampio, Ames, Abdella, Dennison, Borrello, Bentley, McCoy, Brinkman, Crow, Quattrone, Cresanti, Purol, Wisniewski, Sanderson, Stearns, Lis, Schuyler, Barone, Wendel

Chairman Chagnon called the meeting to order at 8:36 a.m.

Approval of Minutes (07/18/19)

MOVED by Legislator Niebel, SECONDED by Legislator Gould

Unanimously Carried

Privilege of the Floor

No one chose to speak at this time

Proposed Resolution – Amend 2019 Budget Appropriations Due to Allocation of Clerk, Legislative Board Administrative Expenses for the North Chautauqua County Water District

Clerk Tampio: For some time I have been assisting the North Chautauqua County Water District with their administrative functions and recently that amount of time devoted to their services has increased greatly because of processing invoices, processing contracts, etc., grants and so on. So in discussions with the Board of the District, they have approved a 10% payroll allocation for my .1 and .8 expenses for going forward and that 10% was based upon 3 months worth of documenting my time exactly as I could and came up with an average of 10%. So their Board approved that. I had discussions with Kathleen Dennison and came up with this resolution. It will be reflected in the Clerk of the Legislature’s budget of my .1 and .8 will be reduced to 90% but the Water District will pick up the other 10%.

Chairman Chagnon: Any questions or comments?

Legislator Niebel: Kathy does an outstanding job for the Board. She's always on top of stuff. She keeps the Board informed. She does an excellent job. I'm not in favor of any increase but –

Clerk Tampio: There is no increase.

Legislator Niebel: But, well deserved.

Chairman Chagnon: I would just make the comment that the services our Clerk provides to the Water District are invaluable, in my opinion and the District is well served to have you assisting them and any fees that we've transferred to them are well worth it in my opinion. Thank you for your continued assistance with that District.

Clerk Tampio: And going forward, you will see the same allocation in the 2020 budget.

Chairman Chagnon: Any other questions or comments?

Unanimously Carried

Proposed Resolution – Authorize Acceptance of ESD Grant for North Chautauqua County Water District

Clerk Tampio: This is the first ESD grant that was awarded to the North Chautauqua County Water District. Back in 2014, we applied through the CFA process with the help of our engineers which at that time, were paid for through the Chadwick Bay Regional Development Corporation since the District was not formed yet, but with the assistance of the County. So, what happens in the process is, they come back and say you have been awarded, will you accept this award. The then County Executive Horrigan signed the incentive proposal, it went back. This is a reimbursement grant so all the work had to be accomplished first and so it applies basically to the west side project work that was done from the City of Dunkirk to Brocton, which is a Brocton project but the District has an IMA to pay all the debt service for the cost of that construction. After that debt service is completed, that infrastructure becomes part of the regional district. So, at this point, they have completed the grant disbursement agreement which must be executed here. They have already executed it and our County Executive has to sign it. Once it's signed and executed then we can apply for the disbursement of funds of a million dollars.

Chairman Chagnon: Thank you for the clear explanation. Any questions or comments?

Unanimously Carried

Proposed Resolution – Confirming User Charges: North County Industrial Water District No. 1

Mr. Purol: Brian Purol, Chairman of the North County Industrial Water District. It gets confusing but, this resolution at first glance, it looks like it's a large increase but it's actually not. It's basically a shift of billing, how the customers are going to be billed in conjunction with

North County taking over once all the master meters are installed. The majority of the customers are actually going to see a reduction in what they are paying for water overall. This is part of the process of North County taking over and how customers are going to be billed from this point forward.

Chairman Chagnon: I read with interest the minutes from the Public Facilities Committee meeting which Brian, you were not at.

Mr. Purol: I couldn't make that meeting.

Chairman Chagnon: Right and several of the numbers that were talked about in there in terms of the water cost, didn't line up with the resolution. So, as I read the proposed resolution it says that currently the water assessment charge is two tenths of a cent per gallon which amounts to \$2.49 per thousand gallons and it indicates the rate is going to \$13.00 per thousand gallons, which is a dramatic increase in the water usage rate.

Mr. Purol: That includes the minimum charge.

Chairman Chagnon: Right, it's for the first 5,000 gallons with a minimum gallon charge of \$65.00.

Mrs. Dennison: Yes, it's true that per users that are less than 5,000, yes, this new *(inaudible)* does represent an increase in their rates.

Chairman Chagnon: O.k., and so that for the first 5,000 gallons and beyond the first 5,000 gallons, the rate is \$9.26 per gallon, as opposed to the \$2.49 per gallon they are paying now.

Mr. Purol: Currently, the customers now pay the City of Dunkirk directly for their charges. They are being charged at a rate of \$7.58 per thousand after the first 5,000. Now they will be paying – that portion of that is going to be \$6.77. So that is where the savings come in. The minimum they currently are paying in the City of Dunkirk is \$105 and that would drop to \$65. It's kind of a little confusing in the way it's written. That's how legal wanted it presented in the resolution.

(cross talk)...

Legislator Nazzaro: *(Cross talk)* mostly Purina?

Mr. Purol: Yes, Nestle Purina, the industrial district and *(cross talk)* airport.

Legislator Niebel: About 13 or 14 users.

Mr. Purol: I think there are 14 customers right now.

Chairman Chagnon: Currently the City of Dunkirk is charging \$7.58 per thousand gallons and under the new arrangement, the North Chautauqua Water District will be purchasing and

essentially reselling the water at \$6.77 per thousand gallons, which is a savings, I understand that. How does that relate to the rate per thousand gallons of \$13.00 per thousand gallons that's in the resolution?

Mr. Purol: That includes the \$65.00 minimum.

Mrs. Dennison: It's only for the first 5,000 gallons. The \$13.00 rate is only for the first 5,000 gallons.

Chairman Chagnon: O.k., but then the rate goes to \$9.26 per thousand gallons after the first 5,000. How does that \$9.26 related to the \$6.77?

Mr. Purol: What our District is actually retaining from this, is not changing. The \$2.49 per thousand and the acre charge is not – we didn't change that at all. So, there is no difference there. Our District is actually going to retain – the difference is, some of that is being used to pay off debt, North County debt. The \$6.77 is what everybody in North County is charging their customers. Then each district tacks their own O&M and that's – so we're not actually increasing our O&M costs, or charges, that's staying the same.

Chairman Chagnon: Steve, maybe I can ask one more question. So it sounds like there is additional costs beyond the \$6.77 that the District is purchasing the water from the North Chautauqua Water District.

Mrs. Dennison: No.

County Attorney Abdella: Maybe just from a different standpoint, they are now going to get one bill from the District. They used to get a bill from the District for those existing charges listed there and then a separate bill from the City for that \$7.58. Now, which is really more appropriate, they are just going to get one bill from the District. So both components of the former billing will now be in one bill and it's actually less than the two bills that they used to get.

Chairman Chagnon: O.k., let me take a chance at that. I hadn't thought about that. So, now they are going to – the cost to them is going to be \$6.77 for the water, plus essentially \$2.49 for the District costs?

Mr. Purol: Correct.

Chairman Chagnon: Bringing you to a total of \$9.26 or whatever.

Mr. Purol: Right.

Chairman Chagnon: O.k. Now, I have it.

Mrs. Dennison: Correct me if I'm wrong Steve but, kind of the necessity for this is, that the way billing is done currently is not proper from a legal standpoint. That the City of Dunkirk does not have authority to bill these users.

Chairman Chagnon: Steve put the puzzle together for me.

Legislator Niebel: And Mr. Chairman, I think this is something that legal has been working with the District for almost a year now to try and get this ironed out.

Chairman Chagnon: Now I understand it.

Mrs. Dennison: We did and as Brian said at the outside, we tested the numbers and most of the users should experience a rate decrease because the City of Dunkirk is charging them \$7.58 a gallon for all of their gallons and the District now with that component only charging \$6.77.

Chairman Chagnon: Clear as mud now.

County Attorney Abdella: We could have had a couple more WHEREAS in there to –

Legislator Niebel: I'm not sure that would have helped Steve.

Chairman Chagnon: O.k., any other questions or comments?

Unanimously Carried

Proposed Resolution – Adjust D.5112 Capital Improvement Accounts

Mr. Bentley: This resolution is to receive the Extreme Weather funding that the State approved a couple of months ago. This is for \$547,000. I do want to thank the Legislators for their support at the legislative meeting approving their support of asking for the Extreme Weather funding from the State. I believe this Extreme Weather funding supplements our existing program and is very important to keep our road safe and our bridges upright. So this funding is critical and your support was very helpful. This is just to record that. We do more work than what we get money for so as part of this I'm not proposing to go out and do more work in light of our fund balance issues, we are proposing to put this back into the fund balance.

Chairman Chagnon: Any questions or comments?

Legislator Nazzaro: Since Brad mentioned the word fund balance, in Public Facilities we had a discussion on this and Kathleen gave us the information and hopefully I wrote it down correctly. At the end of 2018, this fund balance had a deficit of about \$1.2 million. The D fund. Plus in the 2019 budget, we did include, the Executive's budget, \$500,000 to use from the D fund, so we'll put this back in, so if we use that \$500,000 as budgeted, we'll be almost where we are –

Mrs. Dennison: Now.

Legislator Nazzaro: At the end of 2018 roughly, just under a deficit in the D fund balance of \$1.2 million. That correct?

Mrs. Dennison: Yes.

Legislator Nazzaro: I just want to make that point so everyone understood.

Chairman Chagnon: Thank you. I think that was explained well in the minutes. Any other questions or comments on the proposed resolution?

Unanimously Carried

Proposed Resolution - Amend Capital Project Accounts Due to Fleet Management Services

Mr. Bentley: This resolution is for recognition of doing a pilot program for leasing the vehicles in the Department of Public Facilities. In recognition of the \$2.5 million dollars in capital that was approved, again, with the DPF large equipment, the DPF purchases our vehicles differently than the rest of the County. It comes out of our capital accounts versus the operating. So when we're looking at leasing vehicles, money has to be moved from the capital or decrease from the capital and the money has to be put in the operating side to account for that. So, the cost of the 9 vehicles to lease is about \$300,000. The salvage value is probably around \$50,000 so the net decrease or it will be about \$50,000 as far as cost for \$250,000.

Mrs. Dennison: This resolution assumes that the vehicles are leased starting September so the operating expense is moved into the DM fund is a four month lease for the 9 vehicles.

Mr. Bentley: As I stated in Public Facilities, the money doesn't just move over to the operating side but we do have to recognize that I am taking out the full value out of the capital reserve fund, out of this, so it's coming back and I will need to – my operating side will increase for the next four years. So when it comes time for my budget, please remember I'll have this ready to show that I have actually done my math and not double dipping in that regard in regards to leasing. I'm going to be keeping track of the leasing cost to see how this pilot program works to see if we should continue with the rest of the DPF, light duty vehicles. I think that this will give us a good data without jumping fully in the pool yet. It's a great opportunity to do this.

Legislator Gould: I have a question. We used to take the used vehicles from the roads and they would go to the Landfill for use up there. Where are we going to get used vehicles to go to the Landfill now?

Mr. Bentley: We've had this discussion internally and so this is just nine vehicles so as of right now, I still have plenty of vehicles.

Legislator Gould: But in the end –

Mr. Bentley: If we were to lease all vehicles, in talking to Enterprise, just as much as we sell our vehicles, there is also vehicles for sale. So there is potential that we could purchase vehicles.

Legislator Gould: We're going to buy for the Landfill now.

Mr. Bentley: We could but they could be in equivalent shape and equivalent cost so there is that avenue. There is the avenue that we don't lease all of our vehicles as well and we keep some that would likely be used up there. There are a couple of different options that we can propose going forward but I want to see how these 9 work first before we commit to any path.

Legislator Gould: Fair enough. I had to ask.

Mr. Bentley: We've had that discussion and thank you for letting me explain.

Chairman Chagnon: Any other questions or comments? Brad, I would just like to make a comment that I commend you for undertaking this pilot study because I sit on a sewer board who investigated the possibility of using the leasing and I was pretty surprised of their analysis comparing their recent experience with purchase and sale at auction to the lease costs and they've clearly proven that based upon their recent experience they will stay with their current arrangement to buy and sell at auction. I was very surprised at that so I very much appreciate your willingness to do a pilot study to see exactly as you track this very closely for the next four years, the attractiveness of the leasing option. Thank you for that.

Mr. Bentley: And we may have data earlier than that because Enterprise will probably be recommending to sell these vehicles earlier so we may have data within maybe even 2 to 3 years on some of these vehicles. I will report back, I'm sure I'll remember these things as they come. But we do have an accounting system where we can track of these costs as well.

Chairman Chagnon: Very good. Thank you for that. Any other questions or comments?

Unanimously Carried

Proposed Resolution – Amend Resolution 99-19 (Authorize Director of Finance to Increase Appropriations for PIN 5762.12 County Bridge 998 Replacement)

Mr. Bentley: This bridge is the Madison Bridge up in Fredonia and when we got awarded this, the State had a rounding issue so the original number to us was \$2,002,000 and they have since corrected the rounding error and we're adjusting this accordingly. The cost of the bridge, we do not expect it to exceed \$2 million dollars. I do not expect that you would have to pick up this portion due to the rounding error. This corrects it and aligns with that the State is giving us now.

Chairman Chagnon: Questions or comments?

Unanimously Carried

Proposed Resolution – Amend 2019 Budget for Liability Insurance Accounts

Ms. Crow: This resolution, as the title indicates is to adjust accounts in the CS fund. As a reminder, the CS fund is where we aggregate our liability insurance expenses. We've been running a little higher under our claims in the CS fund. There are a couple of reasons. Claims are

part of – we might have deductibles on our premiums, we might have claims for settling claims and we had a change this year in how we are doing our harassment and internal investigations related to potential claims against the County. So those we've now hired a contractor, a firm to handle those claims and so we would include those costs in the CS fund. All costs, in the CS fund, ultimately are distributed out to all the County departments based on different methodologies for each premium. So, at this time, to offset the increase in the expense, we're just going to use, proposing to use the CS fund balance at this time but by the end of the year, we might not need to use as much of that fund balance. It will just - what the actual costs are by the end of the year, we do a year end adjustment to the departments which then offsets the final cost to the CS fund. So the \$95,000 proposed in this resolution is my estimate based on the current trend, where we might end up by the end of the year. So if we don't need as much by the of the year, we wouldn't use as – the adjustment back to the departments would not be as great.

Chairman Chagnon: Any questions or comments? So Kitty, you are not considering this as based upon any significant event, it's a general trend and plus you're bringing on a contractor to handle things differently.

Ms. Crow: Yes.

Chairman Chagnon: Any other questions or comments?

Unanimously Carried

Proposed Resolution - Amend 2019 Budget for Organizational Changes for Purchasing and Insurance

Ms. Crow: We have been working to make an organizational change related to the purchasing function. Some of that was, for a long time, under the Finance Department, some of it moved over to DPF and then came back to Finance. We've had further discussions on really truly making it more of a central function rather than currently, we have people within all of the County departments that - it's kind of de-centralized where they are going out and doing the RFP's and the bids and having to understand all the intricacies of our purchasing policy and rules. We have been concerned in some cases with compliance but also just the efficiency of the process itself. So we've been talking now for several months and coming up with a plan to move forward to centralize. Step one or Phase one is, we are moving one position that has been in the DPF, who mainly, a purchasing agent title and she has been performing purchasing duties under the DPF. So the reorganization would just move that position itself from DPF to Finance. So DPF budget will be decreased and the Finance budget will increase and that Purchasing Agent would move over under Finance, reporting to the Purchasing Manager. Another component of centralizing, the function of Purchasing has to do with how we obtain and put into a data base our insurance certificates from vendors. So every time we're letting a contract, before the contract gets approved, we have to verify that that vendor has the appropriate insurance requirements. So right now, it's a little bit of a back and forth process from the department person goes to the vendor to get the certificates, they send them to the Insurance office, the Insurance office says no, those aren't right. It goes back to the department, back to the vendor, back to the department, back to the vendor, so we're trying to cut out the middle person and just

have the Insurance office handle the relationship with the vendor to get those insurance certificates so kind of improving the efficiency of that process. To do that, we recognized that will be a – really, we have a part time position in the Insurance office whose job to date, has only just been to scan the insurance certificates when they come in and put them in this data base that we have. So this person would now, additionally, in bringing this person from part time to full time, their sole job would really be obtaining the certificates from the vendor, maintaining this data base, maintaining, on a proactive basis because all the certificates that do come in, they are only good for 12 months. So every year they have to be renewed if it's a multi-year contract with that vendor. So they can more proactively make sure that the certificates are always on file. Probably not the most exciting job but it's a necessary job. So, the way the amendments kind of flush out here are, the DPF Purchasing Agent had, within DPF, been allocated to multiple divisions within the DPF. That is why there're kind of a lot of adjustments here. So, her time in DPF would be decreased and the various departments where she had previously been allocated and moved just into Finance. And then with the Insurance staff person going from part time to full time, their costs are part of the administrative cost that get allocated to the CS fund, the Liability fund that then goes back to departments. So, that's the adjustment there. Again, at year end when we have the final actual costs for the CS fund, charges including administration, any net adjustment to the departments would be done at that time.

Chairman Chagnon: Just let me clarify a point about the CS fund. You indicated a staff person, but this indicates a contractual expense. I believe that is what you were talking about in the previous resolution.

Ms. Crow: Because when we transfer from the A.1710 to CS.1710, it's a contractual expense in the CS fund when we allocate that administrative cost from the general fund to the CS fund.

Chairman Chagnon: O.k., so it's a contractual expense to CS fund but an administrative expense to the A fund?

Ms. Crow: Yes. All of the staff people in A.1710, Dennis, and part of Dennis and part of these two other people, there is one there already, we just do a lump sum amount that is charge to the CS fund as the administrative cost.

Chairman Chagnon: Got it, thank you for that clarification. Any other questions or comments on the proposed resolution?

Legislator Nazzaro: Real brief. I think it's a good step. Consolidating is a way to go. So very supportive of it.

Ms. Crow: It's a big change for the organization so I guess, Phase one, were addressed. (*Inaudible*) the changes with the DPF and then the Sheriff's organization will be kind of next. You'll see in the 2020 budget proposal, additional changes related to the purchasing. Then that will kind of be the Phase two of brining on all the other departments into the centralized process.

Chairman Chagnon: Any other questions or comments?

Unanimously Carried

Proposed Resolution – Authorizing Contract for 2020 Administration of Chautauqua County Self-Insurance Plan

Ms. Crow: The next two resolutions, this and the next one are related to each other. Annually we have to set the Worker's Comp rates for all the municipalities who participate in the Worker's Comp plan that the County administers. The first resolution is setting the cost for the administrative component of the Worker's Comp plan costs. Once that is approved, that becomes part of the total cost for the plan and based on that cost and other costs planned for in the 2020 budget, the rates in the next resolution are based on, in part, the administrative cost in the first resolution.

Chairman Chagnon: Questions or comments on the proposed resolution we're discussing? The first one as Kitty described. Kitty, I would note that this would entail an 8.2% increase from 2019. Is there anything that stand out as the reason for the 8.2% increase?

Ms. Crow: I did not think it was that high of a percentage but –

Chairman Chagnon: In 2019, it was \$172,020.

Ms. Crow: The calculation is really a percentage increase over the prior year, the way the formula works in the - I don't have the resolution printed out in front me but I know that it says the - I'm sorry, I'm thinking of the Local Law that says how the administrative costs should be calculated and I don't have that here with me. I will double check that there wasn't any other factors other than that.

Chairman Chagnon: O.k., if you would let us know if anything stands out in there. Any other questions or comments on the proposed resolution?

Unanimously Carried

Proposed Resolution - Authorizing 2020 Levy of Participant's Share of Chautauqua County Self-Insurance Plan (Workers' Compensation) Costs

Ms. Crow: One thing to note on here is the 2020 budget for the Worker's Comp plan is projected at an increase of \$80,000 to the plan. A little history on the Worker's Comp plan budget for years, 2015 through 2017, the budget was held flat at \$5.2 million. Over the last two years, we were able to bring that down to \$5 million for 18' and 19'. We have seen a little bit of a trend upward so we are looking to increase the plan cost to \$5,080,000 for 2020.

Chairman Chagnon: And that represents a 1.6% increase which is much more modest.

Legislator Nazzaro: He keeps you honest, doesn't he?

Ms. Crow: Yes.

Chairman Chagnon: Any questions or comments on the proposed resolution?

Legislator Gould: One of my towns has got a lot of money and I realize that they had an accident, how long does it take before that goes down?

Ms. Crow: The rates are based in part, on their experience and it does take into consideration a 5 year average of experience. So depending on when the accident occurred, it would be 5 years.

Legislator Gould: Maybe it was 10 years ago. A couple of fireman got hurt.

Ms. Crow: Well, that wouldn't be affecting their plan costs for – it shouldn't be. There could have been other factors if it is appearing that that town is seeing an increase.

Legislator Gould: It's really out of line with the other towns I have. That is why I'm asking the question.

Ms. Crow: If you want, we can talk afterward and then you can let me know the specific towns, I can give you more detailed information on what is driving their –

Legislator Gould: That would be good.

Legislator Niebel: Kitty, I have one too that I would like to ask you about.

Legislator Gould: Or maybe we can have a discussion on that at the end of some meeting. As long as Terry has that one too.

Chairman Chagnon: Jay, my experience with this in the past, I have investigated for a couple of my municipalities in the past and frankly, I was surprised at what I learned because the municipalities weren't sharing with me the incidents that had been driving the costs. So, that's probably inappropriate to be discussing in public session but certainly your discussing with –

Legislator Niebel: It's kind of specific to each town.

Chairman Chagnon: Yes it is so I think you and Terry could do that separately. Any other questions or comments on the proposed resolution?

Unanimously Carried

Proposed Resolution – Quit Claim Deeds

County Attorney Abdella: Mr. Caflisch is at another engagement this morning. These are the – another large batch of tax foreclosure properties from the public auction. So they all show that PA number or designation. As I looked over the entire list, they are all public auction properties.

Chairman Chagnon: Any questions or comments on the proposed resolution?

Legislator Niebel: This isn't a question for Steve so much but, at the last meeting, I inquired of the Director of Real Property Tax, if there were people that come in and tried to pay their taxes after the deadline. I believe at that time he mentioned that there were a few people that had. Those properties were not on that quit claim deeds for July. At some point and time I would like a follow-up on that just to see how those, I don't know if you want to call them disputes or incidents, were resolved. Not for you Steve. At some point with the Director of Real Property Tax.

Chairman Chagnon: Steve, do you have any knowledge of the incidents that the Director was speaking about? Because the basis of that question is, is there a possibility of any of those are included in this resolution?

County Attorney Abdella: Not that I am aware of. I mean, we had one item where there was an allegation which ended up being substantiated that a proper notice had not been given so that individual through a court stipulation was able to reacquire their property. That's the only one that we've had direct contact with. I'm not aware of any others. If there were, they probably would not be in this list at this point.

Chairman Chagnon: Steve, if you could just confirm that for us before the Legislature meeting that none of those disputed properties, transactions, are included in this resolution. We would appreciate that.

Legislator Niebel: Steve, you think perhaps we did not send a notice of delinquent tax or petition notice of foreclosure or one of those forms to the –

County Attorney Abdella: That is what happened in that one instance, yes.

Legislator Niebel: To this particular property?

County Attorney Abdella: Yes.

Chairman Chagnon: Good question Terry.

Legislator Niebel: Thank you.

Chairman Chagnon: Any questions or comments on the proposed resolution?

Unanimously Carried

Proposed Resolution - Cleanup and Sale of Tax Foreclosure Property

County Attorney Abdella: This one also relates to one of our tax foreclosure properties and it was discovered that there were underground petroleum storage tanks on the property. Fortunately the and it would be great to see more of this but the New York Environmental

Protection and Spill Compensation Fund has stepped up and will actually remove these tanks and any associated contaminated soil at no cost to the County. So we had had an auction bid on the property and as mentioned in the resolution those bidders are willing to stay with their bid after the cleanup so this would propose to authorize that sale to those bidders upon completion of the cleanup of the tanks.

Legislator Muldowney: This is a real win because it's been an eyesore on Rt. 5 for quite a while. The proposed owners are going to clean it up and bring it back from what I understand.

Chairman Chagnon: Any other questions or comments on the proposed resolution?

Legislator Gould: There is no cost to the County?

County Attorney Abdella: That's right.

Legislator Gould: How are we going to split the - I'm confused.

County Attorney Abdella: I apologize. That's correct. We are going to split the proceeds of the sale with the State. We don't have any direct costs to the cleanup but they did request that we split the proceeds of the sale with them and I think that's a reasonable outcome.

Legislator Gould: So we're getting half price.

County Attorney Abdella: Yes. That we're getting a cleaned up property.

Legislator Gould: For half price.

Chairman Chagnon: The cost of the cleanup will far exceed (*cross talk*)...

Legislator Nazzaro: Still a win.

Chairman Chagnon: Good observation Jay. Any questions or comments on the proposed resolution?

Unanimously Carried

Proposed Resolution – Authorize Electronic Poll Books Capital Grant Award from the New York State Board of Elections

Ms. Sanderson: Thank you for allowing us to have the emergency resolution back to you at this meeting. The Board of Elections received a contract late in August to be able to prefile earlier. We are receiving funding from the New York State Board of Elections to help us implement the early voting that is required for the general election for this year. So, we're estimating that cost of the E-poll books, the software, and everything associated with the approximately \$137,000. We are anticipating a second grant coming in for \$85,000. So that is

going to help us tremendously. But to do so, the contract is due back to the State on September 9th and that's the reason we're here today.

Chairman Chagnon: That was the reason it was a late entry into the agenda because of the urgency required by the contract signing. Any questions or comments on the proposed resolution?

Legislator Niebel: Folks, this grant is mostly for the E-poll books, the printing. This next grant that you are anticipating, will that be to help you to cover the cost for the early voting? Because there has been a lot of changes in the Election law this year. There is going to be a lot more burden on you guys. How does your overall budget look for this year? Do you think you are o.k.?

Ms. Sanderson: We're estimating to come in right on the dollar for this year because of the -

Legislator Niebel: There will be no surplus?

Ms. Sanderson: Yea, there will be no surplus. We're not anticipating only because of the additional cost that are coming to us that are unanticipated and there is a lot. Including staffing for these 9 days prior to the election which wasn't taken into consideration at the time of the 2019 budget was prepared.

Legislator Niebel: You had no idea.

Chairman Chagnon: I think that we'll be happy with right on budget. Any questions or comments? I had a question about the resolution. The third WHEREAS, says, that these funds will be used by the Board of Elections, etc., etc., and the question is, is to provide training on these devices for the early voting and election day workers. Who provides the training?

Ms. Sanderson: We actually will be trained, our staff, in office from the vendor and then our training staff, which we have two that does training for the election inspectors, will train those who will be running those E-poll books this year.

Chairman Chagnon: So the money from this proposed resolution will used to pay the contractor to train the Board of Election staff?

Ms. Sanderson: Yes and probably should be worded a little bit differently so I apologize for that.

Chairman Chagnon: No, no, that's o.k.. I just wanted to be clear that this is not money for the Board of Election staff to be out training.

Ms. Sanderson: No, correct and (*inaudible*) include the cost of the E-poll books, stuff like that.

Chairman Chagnon: Right, it was just that one little piece in there. Any questions or comments on the proposed resolution?

Unanimously Carried

Proposed Resolution - Authorize Lease Agreement with City of Jamestown for Office Space for the Chautauqua County Public Defender's Office

Mr. Barone: If I may Mr. Chairman, the authorization that we're looking for is for lease space that we previously rented from the City of Jamestown, in City Hall. It's located on the 3rd floor right above the City courts. We started this about 3 years ago previously and it's a space of approximately, outside the footage, is about the size of this room. A little bit larger, maybe this and the other. The reason why we rented it 3 years ago was because of the fact it's located right above the courtroom. So for convenient purposes, meeting with clients during trials, having a place where you could meet with witnesses, prepare for the cases, that sort of thing. It was just extremely, extremely convenient and it was initially, prior to us establishing the office space across the street in the Lind Building, which is a completely different setup and concept. But we felt as though it would still be extremely important for us, for the same reasons. The offices, quite frankly, which we have set up in the Lind Building are working out better than I could have hoped. It's serving the purpose that we had intended, but, it's still convenient for us to have this space right above the courtroom. Again, it's just – especially, I would anticipate during the winter time, we don't have to leave the courthouse. We keep files for the days right there, we have everything set up in there so that any of our investigators, clerical staff, whoever it is, can go in and work. So, the rent, we have a 3 year agreement, \$325 this year, \$350 next year, per month, and \$375 the final year which again, we thought was very reasonable. Again, it's just been a good set up for us. That does include all the utilities there as well.

Legislator Gould: You are not renting this now? This is something that you want to rent in the future?

Mr. Barone: No, we are renting it now. We've had it.

Legislator Gould: What is the rent on it now?

Mr. Barone: It's \$325 per month.

Legislator Gould: Same as the first year.

Mr. Barone: Yes.

Chairman Chagnon: Any questions or comments on the proposed resolution?

Unanimously Carried

Proposed Resolution - Approving Labor Contract with CSEA Unit 6322 (Part-time Deputy Sheriffs)

Ms. Wisniewski: I have a handout and Terry may already have one. I'm a visual person myself. So this is CSEA 6322, it's the part time Deputy Sheriff's so they are solely part time. The ones here in the building, the Courts, transports employees. We have 44, it's approximately 40 employees in this Union. The four bullets that you see are the main financial points of the tentative agreement. As you may be aware, the part time Deputy Sheriffs have already voted on this and it was favorable and that's why we're sitting here today to kind of discuss these items. Also I want to start out by saying that with the first one, the wage increase, with each one of these bullets, I should say, it always starts, you know, one side is higher, one side is lower, and then we agree upon an amount. So looking at the wage increase for 2019, and it did expire on December of 2018, we agreed on a 2% retroactive to 1/1/19. For 2020, a 3% and 2021 is a 2%. Right now, there is a lot of discussion about recruitment and retention of the part time Deputy Sheriffs and it is really important to have competitive wages for the Sheriff for multiple reasons. One; we are losing part time Deputy Sheriffs and Deputy Sheriffs, I will say, but, municipalities, counties and State employment. This is the pool that the full time Deputy Sheriffs come from. So he does want to have experience as a part time Deputy Sheriff to move into the full time. There was a couple of years where they were unrepresented and they didn't have an increase so we're just trying to again, stay competitive with wages. The second piece is the salary step eligibility which is effective upon ratification. They have three step increments. Step 1, of course they start into, for example, in 2018, it's \$18.01 per hour is a start of their hourly rate, Step 2 is obtained currently at 5 years, so once they receive 5 years of employment, they bumped to the increment of \$18.89, and Step 3 is, after 10 years of employment, then it's \$19.36. What we have agreed on tentatively is, instead of going to 5 years, for Step 2, it would be 3 years of employment, instead of Step 3 being 10 years, it would be 5 years of employment. The reason being is because again, this being a pool, ultimately, hopefully, being the pool into the full time Deputy Sheriffs that this isn't a long term career for these part time and it really didn't align with what the intent of this part time Deputy Sheriff pool to be.

The third bullet is, all employees who work over an 8 hour shift, shall be paid premium pay of \$1.00 per hour for the additional hours. This is very infrequent in nature and typically transports. If an inmate needs to be transferred, for example, to New York City, they are working over an 8 hour shift at times, but again, it's very infrequent, and they are working different hours but overall they are not making overtime pay because they don't reach 40 hours. So this is somewhat to help with that. It wouldn't be the whole shift. If they worked 9 hours for example, they would only get the one extra hour, not the whole 9 hours of the additional \$1.00 premium.

Legislator Gould: Does that happen very often?

Sheriff Quattrone: No it does not. As Jessica mentioned, generally when we have to do a Fed run or a run down to New York City and unfortunately this past month it's happened three times but –

Legislator Gould: Three dollars then.

Sheriff Quattrone: Unfortunately it was three time for the same inmate so we're trying to work out some of those problems.

Ms. Wisniewski: Last bullet is, after completion of probationary period, all bargaining units members are eligible to participate in the physical fitness test and receive a \$300 bonus but only if they pass. Right now the full time Deputy Sheriffs receive \$500 bonus for taking and passing this test annually, so they get it one time annually. Again, just the nature of the part timers, hopefully going into a full time position, we want to keep them healthy, we want them to be able to pass a physical fitness test, become full time they have to, either way so we have agreed to them partaking and passing to receive the \$300 bonus.

Legislator Niebel: And it's one push-up, one sit-up and run 10 yards, I guess or something like that.

Sheriff Quattrone: For every second of life, yes.

Chairman Chagnon: That was an excellent presentation, excellent explanation. Thank you. Questions or comments from the committee.

Legislator Niebel: This came up last night at Public Safety. Look, originally I was concerned about the 3% for 2020 because the inflation rate for this year is 1.8, its projected 2% for 2020 and 2% for 2021. But, as Jessica mentioned, there is a concern about the retention rate for these folks. The other thing, and I don't know if you mentioned Jess, but, half of these people work in court security and that is reimbursable by the State. I'm not sure what the percentage is but overall, we're talking about \$15,000 roughly, Kitty, plus whatever bonus, the physical fitness, but, we're not talking about a lot of money and some of it is reimbursable by the State. I'm in favor of it.

Legislator Nazzaro: That was going to be my question, the impact on 2019.

Ms. Crow: Being a small bargaining unit, part time employment, so the impact for this year, for the 2% and that being retroactive, the wage component would be about \$14,000. We don't know that – based on the eligibility right now with people being in the probation period, if they would pass probation and be eligible in time to take the PT test this year, so, I think there will be little cost associated with that, in this year. The number of members in this unit, will fluctuate, but it's really just based on total hours are expensed. Should 44 members take and pass the test, which is unlikely that that many would take and pass the test, the maximum exposure for that would be \$15,000. We don't see a huge increase associated with the dollar extra premium pay so that would be less.

Legislator Nazzaro: So what is the starting wage then for part time?

Sheriff Quattrone: Currently?

Ms. Wisniewski: It's \$18.01 currently for their current rates and then it would be a 2% on top of that.

Legislator Nazzaro: And a full time deputy starting?

Ms. Wisniewski: It's \$22.72 but that's Step 1.

Legislator Nazzaro: (*Cross talk*), I mean the gap.

Sheriff Quattrone: Jessica had mentioned that the part timers were unrepresented for several years and I believe that it was almost 14 years that they went at the same and previously to that, what they would do is, the part time deputies would stay at the same rate as the entry level, full time deputy. What did you say it was?

Ms. Wisniewski: It was \$22.72.

Sheriff Quattrone: So that is generally where it would be. That is what pushed the part timers into forming a union or getting into a union. They hadn't seen raises for nearly 14 years.

Chairman Chagnon: Other questions or comments? I have one of each. I assume that the County Executive has approved this from his perspective.

Ms. Crow: Oh yea.

Chairman Chagnon: Since he isn't here to speak for himself.

Ms. Crow: With all the negotiations we are closely working with the County Executive. This wouldn't be coming before you if it wasn't.

Chairman Chagnon: Just wanted that on the record. My comment is, like the Board of Election who has seen increased work and increased effort and is committed to bring their budget in, I'm assuming that Jennifer is going to make this same commitment to us for the Sheriff's budget.

Legislator Niebel: Absolutely.

Ms. Crow: This is an incremental cost and the context of it is, it's a newly – it will be a new agreement. Considering the small dollar amount here, we would hope that this could be absorbed this year. I'm just putting that on the record because not all agreements and not just going to be able to be absorbed in the current year budget.

Chairman Chagnon: We hope so too and now that Jennifer is committed, we're in good shape. O.k., any other questions or comments on the proposed resolution?

Unanimously Carried

Proposed Resolution – Setting Salary for Special Patrol Officer

Ms. Wisniewski: This is a new title and we're here to set the salary, hopefully for this new position. So most of you are familiar with the School Resource Officers that have been utilized through the Deputy Sheriff's Department in the schools. This position is just slightly

different and I'll explain what the differences are. The first one is, is that, this title would only be for retired police, Sheriff's Departments, retired State Police, retired Corrections, Parole, and Probation officer who hold a peace officer title. This would be a part time or you could also say, seasonal position, that's it's only for the calendar year of the school. It's not for the full time, just a Deputy Sheriff would be, throughout even the summer, when they go back on patrol or help with the schools. It's important to note that these positions will not have benefits since it is a part time and classified as a seasonal position and why we are looking to start at a higher rate. One of the reasons why is that there wouldn't be, again, benefits and also it is, and I'm sure the Sheriff can speak more to this, but it is covered under contracts. We look at all the costs, potentially to be under contract with the schools but it does give a lower cost option for the schools to use this Special Patrol Officer that has the peace office title. The reason why it starts at \$27.00 which is comparable to a full time Deputy Sheriff at Step 4 is because these are all retired employees as I said before that have the experience. These aren't new employees going into the schools, which, I know the Sheriff feels really strongly about, not having newer employees go into the schools, because you want to use those to educate the schools as well as the students. I do fully support the Sheriff's look at maybe having some more resources, having maybe a larger candidate pool than just using the Deputy Sheriffs, may be able to use these retirees who – I mean, let's face it, if you worked during the school year and you got the summers off, it might be a good gig. Some retirees might want to take advantage of.

Sheriff Quattrone: The purpose with this was, recognizing that many of the school resource contracts that we have currently were based on some of the lower stuff entry level deputy positions. As long as they continue to increase, our cost increase and if we maintain the contract levels we have, we're going to start losing money. I'm not sure where the schools – the schools may be fine with increasing their contracts but I don't know where that is and I don't want to be caught behind not having somebody to put into the schools. I will be talking with Frewsburg School today. Depending on how a couple resolutions back here in Frewsburg, SRO position is going to be coming up here too, that's going to be an increase rate. So it gives an option for the schools to choose that as Jessica mentioned, we currently do have three or four retirees who are well trained, who are interested in this position should it come up and should we need them. We may not need them but it would be nice to have that, so we didn't have that gap in services.

Legislator Muldowney: There is a savings too, right?

Sheriff Quattrone: It's a savings, depending on the school and how many hours they would have us there. It could be anywhere between \$15 and \$30,000 savings to the schools.

Legislator Gould: They never get benefits.

Ms. Wisniewski: Correct.

Legislator Gould: Some part time employees get benefits after they work so many hours. That's my question I get, never, never will any of them ever get a benefit?

Ms. Wisniewski: Correct. Maybe what you are thinking of is the Corrections current contract where at 1040 they receive.

Legislator Gould: Yes.

Ms. Wisniewski: That was a negotiated benefit that they have. These individuals will be going into 6300 and classified under the “seasonal” that do not have benefits.

Sheriff Quattrone: It’s specified in that contract under that seasonal that they do not get benefits.

Legislator Gould: O.k., I worked part time for a lot of years and that’s why I asked this question. I got some benefits and I got some that didn’t get benefits.

Ms. Wisniewski: You may be thinking of the Affordable Care Act where the 1560, if you reach 1560 hours, we discussed that as well.

Legislator Gould: Yes that is what I am thinking of.

Ms. Wisniewski: We discussed that.

Legislator Gould: That’s what brought this conversation on.

Ms. Wisniewski: And we were saying that there is a way to make sure that they don’t receive 1560, whether it’s putting – if they need extra hours, you can put an extra person in there to cover the remainder of the school year. There are different things that we can do but we do not plan to –

Legislator Gould: What happens if one of them reaches 1560 and says, I want benefit. What can you do then?

Ms. Wisniewski: If they reach 1560? I would ask the Sheriff to maybe renegotiate the contract.

Sheriff Quattrone: The way the contracts are written and we can write that in there that they are reimburse us for the cost or we can also write in that we will not exceed 1560 hours with that officer there.

Legislator Gould: But sometimes is above your control.

Sheriff Quattrone: I don’t think so. Not the 1560. Because we would have a pool of officers to select, the school year itself, the only way it would get closer to 1560 is if they have them doing like every sporting event and every activity after school.

Legislator Gould: Add a lock down at a school which is becoming quite common now a days.

Sheriff Quattrone: If a lock down happens at the end of the school year and they are at – honestly Jay, I don't think we would even get close to that, even with a lock down unless it was weeks long lock down from an operational point of view, that is not going to happen.

Legislator Gould: I just wanted to hear that it would never happen, never, never.

Sheriff Quattrone: It will not happen.

Ms. Crow: As I understand it, in the provisions of the Affordable Care Act, with the rule about if someone is averaging greater than 30 hours for the 12 month look back period, it doesn't apply to seasonal employee. So that is another reason that it wouldn't reach –

Legislator Gould: Then you can't have them working the whole year. They would have to be off in the summer.

Sheriff Quattrone: Correct.

Ms. Crow: It couldn't be a seasonal employee for 12 months.

Legislator Nazzaro: That was going to be my comment about the look back period. Great minds think alike.

Chairman Chagnon: Good questions. Any other questions or comments?

Unanimously Carried

Proposed Resolution – Authorize Agreement with Town of Charlotte for Enhanced Police Protection Services FY19

Sheriff Quattrone: This resolution was requested by the Town Supervisor in Charlotte, asking for enhanced police protection, just one day a month through the end of the year. As you can see, not to exceed the \$4,500. They will pay us the hourly rate up to that point. We scheduled the cars already, so we know that we won't be going over. Anticipating Mr. Gould's question, we have done this and if we start to get to that \$4,500, then we pull back on the hours. This came about when the Town Supervisor had requested extra patrols for traffic last year and might just have a car once in a while in the township. It's been sporadic what day of the month we'll put them there so the people don't know when we'll be there.

Chairman Chagnon: Any questions or comments on the proposed resolution?

Legislator Niebel: This is new. I don't recall any agreements with the Town of Charlotte in the past.

Chairman Quattrone: There is none that I've ever been aware of.

Chairman Chagnon: Any other questions or comments?

Unanimously Carried

Proposed Resolution - Authorize Agreement with Frewsburg Central School District for School Resource Officer

Sheriff Quattrone: The resolution was for 2019/2020 school year to be \$87,321 with the school district. We're covering our costs. Part of that would be covered under this year, as you can see, \$29,108, to cover this year. As I had mentioned, two proposals yet to go, the school was anticipating more of a \$75 to \$77,000 versus the \$87,000. That is why I'm not sure. I'll be meeting the Superintendent this afternoon to see which route they want to go, or prefer to go.

Chairman Chagnon: Questions or comments on the proposed resolution?

Unanimously Carried

Proposed Resolution – Authorize Agreements for Inmate Housing

Ms. Cresanti: This is just our attempt at simplifying this process when it comes to in-boarding and out-boarding for inmates. All of our agreements are typically reciprocal and this is just a general resolution to give us the latitude to enter into these agreements without coming to the Legislature every time that we edit or amend or enter into such agreements.

Chairman Chagnon: O.k., questions or comments. Jennifer, could you define reciprocal for us?

Ms. Cresanti: Reciprocal meaning however much they charge us is the same amount that we charge them. So for example, if we enter into agreement with Wayne County for inmate housing, they agree to charge us \$80 a day and we also in turn agree to charge them \$80.00 a day. So we make sure that all of these agreements remain – we pay the same rate they pay us.

Chairman Chagnon: And what would happen in the eventuality that another County was requesting an agreement that was not reciprocal?

Sheriff Quattrone: We would not be signing that agreement.

Legislator Niebel: We would make it reciprocal.

Sheriff Quattrone: There was one county that did propose that. We were charging, I think, \$85.00 but the sent us a contract for \$100.00 a day. That contract did not get signed and we didn't bring it to you for that reason.

Chairman Chagnon: That is the answer I was hoping for. Any other questions or comments?

Unanimously Carried

Proposed Resolution – Authorize Agreement with Chautauqua-Cattaraugus Erie II BOCES
for Culinary Arts Instruction

Sheriff Quattrone: This proposed resolution, I believe has been an ongoing contract for several years with the Erie II BOCES. Serves as an instruction for some of our inmates in the culinary arts. They are generally trustees who are working in our kitchen and are taught the skills. Hopefully and ideally for when they leave the jail that they can find employment and ideally stay out of jail. The cost is not to exceed the \$37,051.

Chairman Chagnon: Questions or comments on the proposed resolution?

Legislator Gould: Does it cover half the cost of your instructor?

Sheriff Quattrone: I'm not sure it's half, but it does cover – so the instructor is our head cook. I don't know if it covers half but it covers a good chunk of his salary.

Legislator Gould: I've always been curious if we got back half the money.

Sheriff Quattrone: The nice thing about this is, it's definitely a win/win because BOCES is paying part of our salary that we're going to have to have that head cook no matter what so this really helps to be able to afford this.

Chairman Chagnon: Good questions. Any other questions or comments on the proposed resolution?

Unanimously Carried

Proposed Resolution – Authorize Execution of United States Department of Justice Grant –
Organized Crime Drug Enforcement Task Forces (OCDETF) FY19

Sheriff Quattrone: This proposed resolution is a new one. I'm not sure that we've had this grant in the past. This has been based on an ongoing investigation in collaboration with the Feds and several other police departments in the County. The Feds have agreed to pay some of our overtime costs. Actually all of our overtime costs related to that investigation up to the \$10,000.

Chairman Chagnon: Questions or comments on the proposed resolution?

Legislator Gould: Is this in the budget?

Ms. Cresanti: No, and that is why there is actually a budget amendment that is listed below that makes that change appropriately.

Chairman Chagnon: Any other questions or comments on the proposed resolution?

Unanimously Carried

Proposed Resolution – Authorize Budget Amendments for Service Contract for Maintenance of Communication System

Chairman Chagnon: I understand that this was amended in the Public Safety committee.

Ms. Cresanti: Yes, Mr. Chairman. We have had an ongoing maintenance contract with this vendor and what this contract is, it's a new contract that would discontinue and replace the previous maintenance contract. This contract is a little bit more expensive because it includes not only maintenance but system upgrades, software enhancements, training associated with such upgrades for our communication system. This budget amendment is only for this year because a portion of it was included in this year's budget as it pertained to the original contract and this is going to be for the difference.

Chairman Chagnon: Could you or Olivia explain amendment?

Legislator Niebel: I can. Last night we amended this in Public Safety. The amount that Jennifer really wants in there is \$196,882 for an increase in appropriations and the corresponding, the exact same amount, for the increase in revenue account. And that is to reflect just for this year.

Chairman Chagnon: And the reason for the amendment?

Legislator Niebel: O.k., maybe I'll have to call in some help on that. I think I know but I better defer to these guys.

Ms. Cresanti: It's because the total cost for this year will be \$331,000 but a portion of that is already included in the budget due to the previously established maintenance contract. So the \$196,882 is the actual difference between what is and what is not budgeted. All of this contract is completely reimbursable with grant funds each year. So every year that we have this expense, it's offset by grant funds.

Chairman Chagnon: No local share?

Ms. Cresanti: No local share.

Legislator Niebel: This is just the difference?

Ms. Cresanti: Yes.

Chairman Chagnon: Any other questions or comments on the proposed resolution as amended in Public Safety?

Unanimously Carried

Proposed Resolution - Authorizing the Chautauqua County Executive to Accept Up to 6 Laptops(or 6 Tablets) on Behalf of Chautauqua County to Aid in the Battle Against the Opioid Epidemic

Mrs. Schuyler: The State is issuing laptop or tables and in our case we're ordering tablets if this goes through for the County Coroner program to help them to excess software related to the DMV programs as well as the State electronic death reporting system. NYSAC actually helped to get this through for local counties to help these costs. So we have put in a request for six tablets because they can also be used for support staff. We don't know for sure if that request will be granted or they will cut it back depending on the amount of money the State has statewide to be disbursed but this is no local share cost and it will help our program.

Chairman Chagnon: Questions or comments? I have a couple. So this resolution is authorizing the County Executive to accept them if we receive the grant. Is that what I understand?

Mrs. Schuyler: We've already been notified by the State that we are eligible to receive up to 6 laptops or tablets.

Chairman Chagnon: O.k., so we've been notified then.

Mrs. Schuyler: We've been notified and we said thank you, sign us up for that. The State came back and said, well, you may get fewer if the State allocation – if more request come in than they have money for – this is a statewide initiative.

Chairman Chagnon: That's why it's up to six?

Mrs. Schuyler: Thank you.

Chairman Chagnon: Next question. Didn't we previously provide laptops to the Coroners? Wasn't that an action that we took months and months ago?

Mrs. Schuyler: It was. So this actually saves us money because we're ahead of the State on this initiative so it's a thank you.

Chairman Chagnon: So this is paying for what?

Mrs. Schuyler: We've already (*inaudible*).

Chairman Chagnon: I like the way you roll.

Legislator Gould: Why does State law only allow us to have four Coroners and now they are giving us six laptops?

Mrs. Schuyler: The way our Administrative Code is written, we are allowed to have – permitted to appoint up to six Coroners. We currently have four appointed but the State is also

allowing us to use this equipment for office staff, such as Brea Agett or Sherri Rater who helps support the program.

Legislator Gould: Not just the Coroners?

Mrs. Schuyler: Anyone who helps support the program itself. So, I was very thankful that they were looking at the broader picture and not just Coroners themselves because of all the administrative back-up work that my staff does in support of the Coroner's program.

Legislator Gould: I wonder maybe the resolution ought to say something to say that. The way I read it, it was all Coroners.

Mrs. Schuyler: Honestly, this was the template resolution that the State sent us, so it's consistent throughout the State.

Legislator Gould: That (*cross talk*), you know that.

Mrs. Schuyler: If the Committee choses, you could say the County Coroner program.

Chairman Chagnon: I think in the 3rd WHEREAS, it says we're providing our County Coroner with tools, we could say County Coroners and support staff or the County Coroner program.

Mrs. Schuyler: The County Coroner program. That would be more inclusive.

Legislator Gould: I think that would clear it up a little bit.

Chairman Chagnon: Jay, would you like to propose that as an amendment?

Legislator Gould: I will make that amendment.

Chairman Chagnon: O.k., we have a motion to amend the proposed resolution in the 3rd WHEREAS, stating providing our County Coroner program with tools etc.

Legislator Nazzaro: I'll second that.

Chairman Chagnon: O.k., any discussion on the motion to amend the proposed resolution?

Legislator Nazzaro: I just have a question that –

Chairman Chagnon: Relates to the amendment?

Legislator Nazzaro: Yes and no – go ahead, vote on the amendment.

Chairman Chagnon: O.k., hearing no appropriate further questions or comments on the amendment, I would entertain a vote on the amendment? All those in favor?

Unanimously Carried

Chairman Chagnon: Now, onto the proposed resolution as amended, any questions?

Legislator Nazzaro: I believe my question has been answered but I just want clarification. Following up on our Chairman's question, the Coroner's already have tablets, correct?

Mrs. Schuyler: Yes.

Legislator Nazzaro: So we are still getting these six?

Mrs. Schuyler: Yes.

Legislator Nazzaro: O.k., because at first I was wondering if we were just reimbursing ourselves for tablets that we already have. So are we stretching this? I know we now added the word program in there.

Mrs. Schuyler: The tablets that the Coroners, that we purchased for the Coroners, can now be used by other staff and these tablets can be used by the Coroners as allocated by the State.

Legislator Nazzaro: So the Coroners will be using these that we're getting through the grant?

Mrs. Schuyler: Yes.

Chairman Chagnon: That's good clarification, thank you for the questions. Any other questions on the proposed resolution as amended?

Unanimously Carried

Proposed Resolution - Authorize Lease Agreement with Town of Chautauqua for Office Space for Chautauqua County Department of Mental Hygiene

Mrs. Brinkman: This is basically a continuation lease for the office space that we have for our Tapestry program, our SPOA program, and our other grant funded programs. So, there is a correction that needs to be made. If you look at the rent line, the parentheses should be stricken from the resolution. We are not paying \$479 per square foot. So if you could remove that. The actual amount is \$5.75 per square foot.

Chairman Chagnon: This proposed resolution was corrected in Human Services Committee so the typo change has been made in that committee. But thank you for pointing that out to us. Any questions or comments on the proposed resolution as corrected for the typo?

*Unanimously Carried*Proposed Resolution – Amend 2019 Budget for Additional Capital Project – Regional Broadband Internet Infrastructure Expansion Project

County Executive Borrello: A few months ago, we found out about this opportunity through ARC, the Appalachian Regional Commission, to expand broadband throughout the County which has been a concern that has been brought to my attention in a number of places. In fact, I even had one guy when I was running for County Executive that was like it was his top issue and literally like 3 weeks after I was in office, it was like, why haven't you done anything yet? So to that point, if anyone has been out in the rural areas, especially, you know that getting high speed internet is a problem. It's a very costly thing to do however, there is some newer technology that allows the combination of running fiber optic and wireless technology which expands the area and also makes it easier to expand further and upgrade. So we found this ARC grant through Southern Tier West and myself and Jay are on the Board. We put together a proposal with DFT Communication and you'll see that they are a local share sponsor in addition to the \$80,000 that DFT Communications is going to put forth. They also will have to maintain the equipment going forward. This grant allows for the development of the infrastructure but then that essentially has to be cared for by DFT who will be providing the service. If you look at the proposal here, this is going to service about 4,200 residential addresses, 437 small businesses and 87 agricultural locations. The way this works is that, we just can't pick any areas because of the regulations of that service, it has to be in areas where you cannot receive service like from a Spectrum or somebody else that already provides high speed. It has to be in areas where there is no service at all or I believe in areas where there is slower service like satellite which is slow and expensive. So, this is going to – in Chautauqua County, you are going to hit some areas that are really in desperate need areas like south of Jamestown, Villanova, Cherry Creek, and also some areas along the lakeshore up in the north County. If you've ever driven along Rt. 5, you'll know that it's even hard to get cell signal up there let alone anything else. Where I live, in the Town of Hanover, the communication infrastructure is so antiquated that we can't even get voice mail on our landline service because it's literally so old, it's old copper wire that you just can't – we have to have an old fashion answering machine at our house with our landline. You can't even get voicemail. So, this will address a quality of life issue for our residents, an issue with economic development when it comes to be able to attract and retain businesses because let's face it, now a days, having a business without high speed internet is like having a business without electricity. So, high speed internet is critical. We have a great opportunity in our County and throughout this region to have people that telecommute, people that live and work at home that also requires high speed internet access. So this is a critical component to our economic development strategy going forward especially like I said, attract and retaining businesses so that people that understand that they can get high speed internet access. That is the overall, this is 50% is being paid for through the ARC grant. Quite frankly, when we first put this out there, we thought this was a long shot and then at our last presentation, Richard Zink, said yea, this looks like we're going to get it so now we're prepared. We already did a presentation in great detail showing maps and everything else to the Planning Board at their last meeting. They are 100% on board with this. They voted to support this unanimously so I think this is a great opportunity for us to – if you look at the numbers here, for the amount of money we're going to spend to get that much coverage throughout a three county area, is pretty inexpensive. I'm grateful that Southern Tier

West was able to provide the support so we could properly fill out this grant. We've heard back from ARC that it's looking likely so now we're coming to the Legislature to fulfill the request for our portion of the local share. So that's it in a nutshell.

Chairman Chagnon: If I could just elaborate on the discussion that we had at Planning & Economic Development Committee last night, first of all, there was a typo correction to the resolution in the 3rd WHEREAS. It indicates that the grant is from the Application Regional Commission which it's actually Appalachian Regional Commission. So we made that typo correction in Planning & Economic Development and the third thing that we talked about is that the cost per address is not the same for every area that is being proposed to serve in the three county areas because some areas have a higher cost to bring service to them. So, of the total number of addresses that are being served in the three counties, in Chautauqua County there are 1,157 which if you do the math, that's a higher cost per address than in the other two counties. But it's because of the cost to provide service in those areas is higher than other areas.

County Executive Borrello: And that speaks to – if you go down to Cherry Creek or some of the other places that you can't even get cell service, the first step will have to be to run fiber optic cable and then wireless because you can't get wireless signal in an area where you can get cell signal. It's the same signal. So, thank you for explaining that, I'm glad that it was discussed last night. I mean, you can go long periods of time in this County where you cannot get cell service or something very spotty and that has a direct correlation to being able to provide this high speed internet access also.

Legislator Nazzaro: I'm assuming there is other areas in Chautauqua County that don't have service or very poor service as well. How will these, in Chautauqua County, you said Cherry Creek, Villenova, south of Jamestown, how will those – are those the critical areas? How was it determined which was the critical areas in Chautauqua County?

County Executive Borrello: First and foremost it had to be an area that you couldn't get it somewhere else. So you may have an area where you already have access to other – it could be something that and unfortunately, isn't necessarily as good as this. It could be getting it though, not Fios, but, the lesser version that Verizon provides. I can't think of what it is called but there are other services out there. It could not compete with that and that is a Federal issue, it's my understanding. So the way it was determined was, they literally went out and this is what we showed at the Planning Board, they actually had a map showing areas where the service is bad and also, that was crossed referenced with DFT's requests and there were hundreds of request from Chautauqua County for people that wanted their service. So, the determination of what the map looked like which had to be included with the application for the grant, had to show that we met the requirements of not competing with equal or close to equal service, at least in the eyes of the Federal government. Also, it was based on density of people that requested it. That is my understanding.

Legislator Nazzaro: Thank you.

County Executive Borrello: I know Jay, you were at the last meeting and we kind of went over that a little bit too and George from ARC at Albany.

Legislator Gould: The only drawback that I see is that, it doesn't cover everything that you don't get service at.

County Executive Borrello: I wish we could.

Legislator Gould: Because I have to get service where I live from Pennsylvania so I have to put in the area code if I'm calling a number in Jamestown.

County Executive Borrello: This is expandable going forward once we have this in place. There will be opportunity, it's just a matter of getting this started. As you all know, we have the – as we've dubbed it the fiber to the farm initiative that started a couple of years ago which was all fiber optic. We're running fiber optic right now out to Stoneman Park, the businesses out there so this is a big effort for us to bring a reliable high speed internet access and communication in general throughout the County.

Legislator Gould: It's a big start.

County Executive Borrello: Yea, and to me, this really kind of give us a quantum leap forward for not a lot of money.

Legislator Gould: I do have one question. How much is left in the capital reserve?

Mrs. Dennison: That's in the resolution, approximately \$1.5 million.

County Executive Borrello: This would be about 10%.

Mrs. Dennison: I would also comment that that amount reflects most of the changes, at least through the end of June, reflects changes that we've made through the year in using capital reserve.

Chairman Chagnon: Other questions or comments on the proposed resolution? I would just make an observation George. I commend you and Jay as our representatives to Southern Tier West for actually bringing and Appalachian Regional Commission grant to the County which has been a long time coming. Thank you. Any other questions or comments?

Unanimously Carried

Proposed Resolution - Amend 2019 Budget Appropriations and Revenues Based on Mid-Year Financial Results

Mrs. Dennison: This resolution is the outcome of several months of work by a sub-committee, I guess, of the Legislature. We had several meetings with myself, Finance Director Crow, Legislators Chagnon, Nazzaro, and Gould and we tasked the department heads with looking at their 19' budgets and seeing what they project would be threats and opportunities to the budget. This work was started by the 18' results that as you recall were quite unfavorable versus budget so we wanted to try and get ahead start of looking at 19' performance. So as I said,

we did ask all the department heads to offer areas where they thought they could achieve savings and/or areas where they thought they would not be able to achieve their budget. So this is the summary of those changes. These summaries only apply to the A fund and in general we have approximately \$500,000 worth of savings but we also have reduction in the budget revenue for Social Services. There's definitely a lot of little ups and downs within that overall picture but that's the take away. I would also comment that I think this is a very positive development as we look at the 19' budget but there still are some threats that we're posing. The largest threat would be the revenue in Social Services because the department actually is projecting that their revenues could be as much as \$1.7 million less than budgeted and this resolution only lowers their budget by \$500,000. So there is another \$1.2 million that is going to be a challenge to achieve as far as making the revenue, even if you accept this, even the amended budget for revenues for Social Services. So, with that backdrop, I would be happy to walk through all or some of the individual changes if you would like me to do that.

Chairman Chagnon: Anyone want to walk through this or just ask questions, related? Terry, the question that Kathleen posed, do you want to walk through each item on here or just ask general questions?

Legislator Niebel: Just general questions, I think.

Chairman Chagnon: Any questions or comments? I'd like to commend Kathleen and Kitty for their efforts on this because we're trying to be proactive and look for opportunities to, in 2019, to reduce the financial risk to the budget. As Kathleen very clearly stated, this has the potential of reducing a good deal of the risk but certainly not all of the risk. We have other challenges before us but at least at this point, we will capture the opportunity to make the changes which will then cement in the changes to the departments budgets that they have committed to at this point. So, as Kathleen said, it's a positive step in the right direction. It's not the end of the road for us. We still have other challenges in front of us for 2019 and there are other initiatives that are in the budget that are not in the bag yet, to use the term. So we have other challenges and opportunities in 2019 that we're still working through. Thank you for the work to this point and thank you Jay and Chuck for helping with this effort to this point. Any other questions or comments on the proposed resolution?

Unanimously Carried

Discussion – Tabled Res. No. 177-19 – Acceptance of Funds from NYSDOT for the Rehabilitate Hangar C (NYSDOT/Aviation Grant Program) at the Chautauqua County/Jamestown Airport

Discussion - Tabled Res. No. 189-19 – Environmental Assessment of Projects for 2020 2% Occupancy Tax Projects

Other

Chairman Chagnon: I understand that Kathleen has an “other” for us.

Mrs. Dennison: I do. I have some visual aids. We are in the process of starting to put together materials for your review of the tentative budget and my assistant Janelle Hansen proposed a very interesting option yesterday. She said, can we do any or all of this electronically? So what we generally have presented to you, this binder would be the line item detail, so it does have, as the name suggest, reports from the accounting system for all of the departments as we all the excel summaries that we ask every department to prepare. So this would be the line item detail. There is also the tentative budget book which is similar to the adopted budget book. It has a lot of exhibits in it that really are – most of them are a summary of this. In my opinion, this document doesn't provide you with a lot of useful information. It's very high level, just the totals for each classification. There is also however in this book, there is an exhibit of FTE counts for each department which I think is very helpful and there is also what we refer to as the local share spread sheet which is the summary document that calculates the tax levy and shows the local share for each of the operating departments. So, kind of what we have in mind is, possible take three or four exhibits from this that are the most useful and distribute those as paper copies but then give you an electronic version of everything that is in this book. If you find that option interesting, our idea is that each would have a laptop from I.T. and they would essentially be a folder for each department and within that folder, would have their excel summary, would have the line item detail from the accounting system. So, just want to ask if that is of any interest to you?

Chairman Chagnon: Question for clarification Kathleen. So when we come to the budget review, we would have a laptop that would have this information loaded on it?

Mrs. Dennison: Correct.

Chairman Chagnon: Would we be able to get that ourselves personally, for our personal use?

Mrs. Dennison: Yes.

Chairman Chagnon: O.k., because during the budget process, I spend a lot of time looking.

Mrs. Dennison: Yes, absolutely, we would - right now, at a certain date we present all of this hard copy information to the legislative office so by that same date, we would have everything loaded onto a website that you could access.

Legislator Nazzaro: Would it be a PDF or an excel?

Mrs. Dennison: Probably a PDF.

Legislator Nazzaro: So you can't change it which is fine. I'm just thinking of keeping notes.

Mrs. Dennison: That, honestly is subject to discussion because you're right, like with a PDF you can't make any notes on it. But, depending on how it is set up, I believe it would be a

folder where each committee could access the department under its supervision but if we had live files in there –

Legislator Nazzaro: I think that it would be bad to have live files because unintentionally you could alter – (*cross talk*)...

Mrs. Dennison: Right. It would alter ours but if you made any alterations, it would alter whatever on the committee sees.

Legislator Nazzaro: I think that it is a great idea. It is the electronic age. The only drawback is, there would be a little bit of a learning curve and also some are more savvy when it comes to that – we'd be keeping the notes too. I keep a lot of notes on a legal pad. I would just have to make sure I'm referencing – lots of times, I'll write, right in my book. So that would be the only thing. I know that this is a challenging budget year like they all are but this one, I expect I'm going to have more notes than usual.

Legislator Gould: Down here at the left end of table, we're old folks, real old folks and I do very little stuff electronically. I read my email, look at the ads, and that's about it. I'm going to be lost if I don't have this book.

Mrs. Dennison: Another possibility is that we don't – we could do it electronically and possibly do books upon request.

Legislator Gould: By the time somebody says something and I get it looked up, it's going to be three committees past.

Mrs. Dennison: I have to prepare this anyway because we're putting the files out there, we have to do it and then potentially create the files.

Ms. Crow: I didn't know you were going to be talking about this but just maybe another thought would maybe to be - I know that one is kind of like more manual for us to put together because it's a lot of pages but it seems like this document becomes more or less used because everyone focuses on that one. So maybe this could be what we do electronically.

Chairman Chagnon: I like that.

Ms. Crow: And still have the detail. This will still saves a lot of work in putting – if we just put this on the internet because we put this on the internet anyways but having to print it would save us all the printing to do for this tentative budget book. I would worry a little bit about the quality of the scanning that one in because there is already so many smaller print.

Legislator Nazzaro: I like to take a highlighter so when I thumb back – good idea.

Ms. Crow: It certainly would be nice to move toward a more electronic process but –

Legislator Gould: I think maybe we could if we did it slowly. But to come to budget hearings this year and be electronic, bang, don't count on me.

Mrs. Dennison: And we did kind of come up with this idea late in the game and Janelle mentioned it to me yesterday and was like, well Audit & Control is tomorrow so I'll ask them what they think. I think that would be a good step in the right direction and say a lot of this isn't particular useful for the hearings. Really, like this part here, is useful so we could print those and add them to the book, then we would dispense with this high level detail that isn't really used at the hearings.

Legislator Niebel: How many tentative budget books to you print? For each department head, for every Legislator.

Mrs. Dennison: No, not for the department heads. Just about 25. Mostly every Legislator and then the Finance staff, Legislature Clerk, so about 25.

Legislator Gould: At what cost? I'm just curious now being smart again?

Mrs. Dennison: I don't know because the cost goes to the Legislature.

Clerk Tampio: The Legislature is charged for that.

Ms. Crow: When I first started, we used to print, not only for – well there were more Legislators at the time but then we used to print extra copies for the Clerk to have, we used to send them to all the libraries. So it would be nice to further reduce cost.

Legislator Gould: Send them electronically to the libraries.

Ms. Crow: We do now. We don't send it to them. It's available now on the internet so anyone can access it there. But it was amazing how many copies we used to send out, have on hand for extras.

Mrs. Dennison: In 2017, printing and duplication costs for the legislative board was \$2,059. That's not just the books. The County no longer has its Print Shop so we have to use an outside company to do them. We approached them with this project, we don't have a price from them because honestly they are the only authorized provider. So, either we try and do some of it in house, we don't do it at all, or we have them do it. If we have them do it, I don't know what it is going to cost. They have not given us an estimate.

Legislator Gould: It might be easier to train me.

Ms. Crow: We've used an outside printer before sometimes if the Print Shop wasn't available for the budget material.

Mrs. Dennison: An outside printer, Janelle met with them and they have a plan to do it but we just wanted to propose this as an alternative.

Chairman Chagnon: I think personally at this stage, being so late in the game that taking the step to deal with the summary book, leave us with the detailed books, then we can think about this and talk about this while we're going through the process. If there is a way to come up with electronic solution that would allow us to take notes or whatever might make it more

attractive to us, but personally at this point, I would like to have the book. I use it throughout the year.

Mrs. Dennison: I do too. I use this everyday so I would still have to have one.

Ms. Crow: The other thing too to maybe think about and we can talk about it too because kind of right now I think the, I don't know if it is the Charter or the Admin Code, kind of defines what should be included in the budget book too so we can, during the year, take another look at that.

Legislator Nazzaro: Since we're on the printing things, all the Legislative meetings every year you ask, Kathy, do you want a book.

Clerk Tampio: A journal.

Legislator Nazzaro: Journal, I don't know why we offer that anymore? It's all on the computer. Everything is there and no books have to be printed.

Clerk Tampio: We did discuss that this year. (*Inaudible/cross talk.* but actually the cost to print the Journals this year for the same amount was half of what it was last year done by our Print Shop. Mr. Chairman said, go ahead and print it this year and then we can talk about it next year.

Legislator Nazzaro: Because this is a duplicate of everything that is already on line.

Ms. Crow: I mean the Journals are useful in doing research sometimes so I wouldn't want to see it just be – I don't care if it's a hard copy, but just so that it's in the same format. So you could search the index and things like that.

Chairman Chagnon: O.k., Kathleen, does that give you what you are looking for?

Mrs. Dennison: Absolutely.

Chairman Chagnon: Thank you for the suggestion. Any other "other" to come before the Committee?

Clerk Tampio: I have prepared the tentative budget review schedule and talked to all the other committees and informed them of the tentative dates of their reviews. I will let you look at it and say, o.k., go ahead and we'll send that out to the department heads and all of you electronically also. It gives an idea of dates and times. Of course you have to be here all the times but –

Chairman Chagnon: You got my thumbs up. Anybody else?

Clerk Tampio: Once in a while we do get responses back from department heads and they like to change something around but I'll discuss that with you when it happens.

Legislator Nazzaro: Now, I'll make my motion to adjourn.

Legislator Gould: Second.

Unanimously Carried (10:54 a.m.)

Respectfully submitted and transcribed;
Olivia Ames, Deputy Clerk/Secretary to the Legislature/Lori J. Foster, Sr. Stenographer