

CHAUTAUQUA COUNTY LEGISLATURE

10/24/18

2:00 P.M. & 6:30 P.M.

Chautauqua County Legislature

2:00 P.M.

CALL TO ORDER

ROLL CALL

PRAYER BY LEGISLATOR BANKOSKI

PLEDGE OF ALLEGIANCE

APPROVAL OF THE MINUTES FOR 9/26/18

PRIVILEGE OF THE FLOOR

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

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

**VETO MESSAGES FROM COUNTY EXECUTIVE BORRELLO
NO VETOES FROM 9/26/18**

**INTRODUCTION OF JCC PRESIDENT
DANIEL DEMARTE**

By

COUNTY EXECUTIVE BORRELLO

PUBLIC HEARING:

**2019 TENTATIVE BUDGET & SEWER
DISTRICT ASSESSMENT ROLLS**

COMMUNICATIONS:

- 1. Proof of Publication – Public Hearings – 2019 Tentative & Sewer District Assessment Rolls**
 - 2. Letters (2) – County Executive – Appmts. To Airport Comm. & STERRA**
 - 3. Investment Reports (3) – Fn. Director Crow – July/August/September-2018**
 - 4. Letter – Planning Dir. McCord – Re: Leveraging Food System as a Catalyst or Economic Development**
 - 5. Letter – T. Atwell, EMT – Re: Concerns & Ideas Regarding Fly Car System**
 - 6. Letter – B. Catanese – Re: Concerns Regarding Fly Car System**
 - 7. Drescher & Malecki LLP - County Audit Year Ending 12/31/17**
 - 8. Chautauqua County 2019 Tentative Budget**
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RENEW & AMEND RES. NO. 210-18 – Establishment of Certified Ambulance Service

CHAUTAUQUA COUNTY LEGISLATURE

10/24/18

2:00 P.M. & 6:30 P.M.

RESOLUTIONS:

- 227-18 Confirm Appointment - Chautauqua County Airport Commission**
- 228-18 Confirm Appointment – Southern Tier Extension RR Authority Board**
- 229-18 Acceptance of Funds from NYSDOT for the Hangar J Door Replacement Design & Construction Project at the Chaut. Co. Jamestown Airport**
- 230-18 Acceptance of Funds from NYSDOT for the Replacement of Existing Bulk Hangar No. 3 & Construct Public Safety Hangar Project at the Chaut. Co. Dunkirk Airport**
- 231-18 Amend 2018 Budget for Public Facilities Airport Division**
- 232-18 Amend 2018 Budget for Environmental, Public Facilities Road, & Public Road Machinery Division**
- 233-18 Adjust DPF Large Equipment Capital Account**
- 234-18 Approving Consolidation of Vital Statistics Registrar Districts Between Town of Westfield and Village of Westfield**
- 235-18 Authorize Memorandum of Understanding and Confidentiality Agreement w/ NY State Office of Mental Health**
- 236-18 Emergency Management Performance Grant for Fiscal Year 2018**
- 237-18 State Homeland Security Program for Fiscal Year 2018**
- 238-18 Fiscal Year 2018 Hazardous Materials Emergency Preparedness (HMEP) Grant Program**
- 239-18 Authorize Execution for NYS Office of Homeland Security Grant for Public Safety Answering Point (PSAP) FY 18**
- 240-18 Authorize Execution for NY Governor’s Traffic Safety Committee Grant for the Highway Safety Program FY 19**
- 241-18 Authorize Acceptance of Forfeiture Funds Held by the District Attorney**
- 242-18 Acceptance of Health Resources and Services Administration (HRSA) Grant**
- 243-18 Close Capital Projects**
- 244-18 Authorize Application for Grant Funding from the NYS Department of Agriculture & Markets to Update the Chautauqua County Agriculture & Farmland Protection Plan**
- 245-18 Authorize Lease Agreement for Department of Planning & Development at Welch Foods Building in Westfield, New York**
- 246-18 Quit Claim Deeds**

RECESS LEGISLATURE MEETING UNTIL 6:30 P.M.

6:30 P.M.

RECONVENE LEGISLATURE MEETING

**CALL TO ORDER
ROLL CALL**

CHAUTAUQUA COUNTY LEGISLATURE

10/24/18

2:00 P.M. & 6:30 P.M.

PUBLIC HEARING:

**2019 TENTATIVE BUDGET & SEWER
DISTRICT ASSESSMENT ROLLS**

**247-18 Consider 2019 Tentative Budget, with the Changes Listed Below,
and Presenting Same to the County Executive for His Consideration and
Action**

ANNOUNCEMENTS

PRIVILEGE OF THE FLOOR

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

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

RENEW & AMEND

**CHAUTAUQUA COUNTY
RESOLUTION NO. 210-18**

JCG 9/5/18
KDG 9/5/18
SMA 9/5/18
KMD 9/5/18
KLC 9/7/18
GMB 9/10/18

TITLE: Establishment of Certified Ambulance Service

BY: Public Safety and Audit & Control Committees:

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

WHEREAS, pursuant to New York State Public Health Law Article 30, section 3008(7) a, a municipality may determine that a need exists to establish an ambulance or advanced life support service (ALS-FR); and

WHEREAS, the County of Chautauqua is experiencing a serious shortage of commercial and volunteer ambulance service within the County; and

WHEREAS, such shortage has the potential to adversely affect the health and safety of the residents of Chautauqua County; and

WHEREAS, the County has previously established an ALS-FR service; and

WHEREAS, the County Legislature desires to establish a certified ambulance service by seeking authority from the State Emergency Medical Services Council to provide ambulance service within the entire geographical area of the County; now therefore be it

RESOLVED, That the County Legislature authorizes the County Executive to prepare and execute such documents as may be necessary to apply for the establishment of an ambulance service, and to eventually establish and operate such service for the benefit of County residents as may be approved in the County budget; and be it further

RESOLVED, That this resolution shall take effect January 1, 2019.

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

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10/24/18

2:00 P.M. & 6:30 P.M.

RES. NO. 227-18

Confirm Appointment - Chautauqua County Airport Commission

By Public Facilities Committee:

At the Request of County Executive George M. Borrello:

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

RESOLVED, That the Chautauqua County Legislature does hereby confirm the following appointment to the Chautauqua County Airport Commission.

Joe Gugino

Filling term of Jerry Park

5 Lowell Pl.

Fredonia, N.Y. 14063

Term Expires: 12/31/19

Signed: Hemmer, Nazzaro, Scudder, Gould

RES. NO. 228-18

Confirm Appointment – Southern Tier Extension Railroad Authority Board of Directors

By Planning & Economic Development Committee:

At the Request of County Executive George M. Borrello:

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

RESOLVED, That the Chautauqua County Legislature does hereby confirm the following appointment to the Southern Tier Extension Railroad Authority Board of Directors.

Jeff Gray

Filling Term of: Adam Gorczyca

24 Whitehill Ln.

Russell, PA 16345

Term Expired: 2/28/20

Signed: Odell, Chagnon, O'Connell

RES. NO. 229-18

Acceptance of Funds from NYSDOT for the Hangar J Door Replacement Design and Construction Project at the Chautauqua County/Jamestown Airport

By Public Facilities and Audit & Control Committees:

At the Request of County Executive George M. Borrello:

WHEREAS, Chautauqua County submitted to the New York State Department of Transportation (“NYSDOT”) a project application and received a grant from the NYSDOT to pay 90% of the allowable costs incurred in accomplishing the following project at the Chautauqua County/Jamestown Airport: Hangar Door Replacement Project No. 5903.55 (“Project”); and

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WHEREAS, the NYSDOT has approved the Project for the Chautauqua County/Jamestown Airport consisting of the Hangar Door Replacement, which is more fully described in the Project agreement; and

WHEREAS, the New York State Department of Transportation (“NYSDOT”) is offering a grant for 90% of the of the eligible costs; and

WHEREAS, funding shares for the Project are as follows:

State	\$ 271,800
Local	\$ 30,200
Total Project Costs	\$ 302,000

; and

WHEREAS, the Airport Commission has considered and recommended that the County accept this funding as the Project is crucial for the operation of the Airport; therefore be it

RESOLVED, That Chautauqua County enter into agreements with the NYSDOT for financial assistance for the Project described above at the Chautauqua County/Jamestown Airport; and be it further

RESOLVED, That the County Executive is hereby authorized to execute all necessary documents on behalf of Chautauqua County with the NYSDOT in connection with this Project; and be it further

RESOLVED, That a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary documents in connection with this Project; and be it further

RESOLVED, That A Fund Balance is appropriated as follows:

INCREASE THE USE OF FUND BALANCE:

A.----.----.878.0000 Fund Balance, Reserved Fund Balance—Reserve for Capital \$ 30,200

; and be it further

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2018 Capital Budget:

INCREASE APPROPRIATION ACCOUNT:

A.9950.----.9 Interfund Transfer—Transfer to Capital \$ 30,200

ESTABLISH AND INCREASE CAPITAL APPROPRIATION ACCOUNT:

H.5610.5610.25009.4 Contractual— Hangar Door-JHW (2018) \$ 30,200

ESTABLISH AND INCREASE CAPITAL REVENUE ACCOUNTS:

H.5610. 5610.25009.R503.1000 Interfund Transfer – Interfund Transfer \$ 30,200

H.5610. 5610.25009.R359.7001 NYS Aid – Airport Capital Grants \$ 271,800

Total \$ 302,000

Signed: Hemmer, Nazzaro, Scudder, Gould (A.C. – Tabled)

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RES. NO. 230-18

Acceptance of Funds from NYSDOT for the Replacement of Existing Bulk Hangar No. 3 and Construct Public Safety Hangar Project at the Chautauqua County/Dunkirk Airport

By Public Facilities and Audit & Control Committees:

At the Request of County Executive George M. Borrello:

WHEREAS, Chautauqua County submitted to the New York State Department of Transportation (“NYSDOT”) a project application and received a grant from the NYSDOT to pay 79% of the allowable costs incurred in accomplishing the following project at the Chautauqua County/Dunkirk Airport: Replace Existing Bulk Hangar & Construct Public Safety Hangar, Project No. 5905.94 (“Project”); and

WHEREAS, the NYSDOT has approved the Project for the Chautauqua County/Dunkirk Airport consisting of the Replace Existing Bulk Hangar No. 3, which is more fully described in the Project agreement; and

WHEREAS, the New York State Department of Transportation (“NYSDOT”) is offering a grant for 79% of the of the eligible costs; and

WHEREAS, funding shares for the Project are as follows:

State	\$ 456,620
Local	<u>\$ 121,380</u>
Total Project Costs	\$ 578,000

; and

WHEREAS, some of the local share contribution ~~can~~ will be in the form of ~~in-kind~~ personal services and employee benefits; and

WHEREAS, the Airport Commission has considered and recommended that the County accept this funding as the Project is crucial for the operation of the Airport; therefore be it

RESOLVED, That Chautauqua County enter into agreements with the NYSDOT for financial assistance for the Project described above at the Chautauqua County/Dunkirk Airport; and be it further

RESOLVED, That the County Executive is hereby authorized to execute all necessary documents on behalf of Chautauqua County with the NYSDOT in connection with this Project; and be it further

RESOLVED That a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary documents in connection with this Project; and be it further

RESOLVED, That A Fund Balance is appropriated as follows:

INCREASE THE USE OF FUND BALANCE:

A.-----878.0000 Fund Balance, Reserved Fund Balance—Reserve for Capital \$ 57,800

; and be it further

CHAUTAUQUA COUNTY LEGISLATURE

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RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2018 Capital Budget:

INCREASE APPROPRIATION ACCOUNTS:

A.9950.----.9	Interfund Transfer—Transfer to Capital	\$ 57,800
D.9950.----.9	Interfund Transfer—Transfer to Capital	<u>\$ 63,580</u>
	Total	\$121,380

DECREASE APPROPRIATION ACCOUNTS:

D.5110.----.1	Personal Services—Maintenance of Roads	\$ 38,148
D.5110.----.8	Employee Benefits—Maintenance of Roads	<u>\$ 25,432</u>
	Total	\$ 63,580

ESTABLISH AND INCREASE CAPITAL APPROPRIATION ACCOUNT:

H.5610.5612.25008.4	Contractual— Bulk Hangar #3-DKK (2018)	\$578,000
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ESTABLISH AND INCREASE CAPITAL REVENUE ACCOUNTS:

H.5610. 5612.25008.R503.1000	Interfund Transfer – Interfund Transfer	\$121,380
H.5610. 5612.25008.R359.7001	NYS Aid – Airport Capital Grants	<u>\$456,620</u>
	Total	\$578,000

Signed: Hemmer, Nazzaro, Scudder, Gould, Chagnon, Muldowney, Niebel (P.F. – Amended – see 5th WHEREAS)

RES. NO. 231-18

Amend 2018 Budget for Public Facilities Airport Division

By Public Facilities and Audit & Control Committees:

At the Request of County Executive George M. Borrello:

WHEREAS, some expenses in Public Facilities Airports Division are anticipated to exceed initial budgetary estimates, as well as some appropriations have a surplus; and

WHEREAS, the Public Facilities Airports Division will receive revenues below initial budget estimates; now therefore be it

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2018 Budget:

INCREASE APPROPRIATION ACCOUNT:

A.5610.5612.----.4	Contractual---Dunkirk Airport	\$40,000
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DECREASE APPROPRIATION ACCOUNTS:

A.5610.5610.----.1	Personal Services-Jamestown Airport	\$28,400
A.5610.5610.----.4	Contractual-Jamestown Airport	<u>\$31,600</u>
	Total	\$60,000

DECREASE REVENUE ACCOUNT:

A.5610.5612.R177.0000	Departmental Income:Fees & Rental:Airport	\$20,000
Signed: Hemmer, Nazzaro, Scudder, Gould, Chagnon, Muldowney, Niebel		

RES. NO. 232-18

Amend 2018 Budget for Environmental, Public Facilities Road, and Public Facilities Road Machinery Divisions

By Public Facilities and Audit & Control Committees:

At the Request of County Executive George M. Borrello:

WHEREAS, some expenses in Environment, Public Facilities Road, and Public Facilities Road Machinery divisions are anticipated to exceed initial budgetary estimates; and

WHEREAS, some revenues in Environment, Public Facilities Road, and Public Facilities Road Machinery divisions are anticipated to exceed initial budgetary estimates; and

WHEREAS, some revenues received and recorded in 2017 are associated with costs incurred in 2018; and

~~WHEREAS, year-to-date collections of sale tax are in excess of budget;~~ now therefore be it

RESOLVED, That D and DM Fund Balances are appropriated as follows:

INCREASE THE USE OF FUND BALANCES:

D.----.----.915.0000	Fund Balance—Assigned/Unappropriated Fund Balance	<u>\$461,700</u>
DM.----.----.915.0000	Fund Balance—Assigned/Unappropriated Fund Balance	<u>\$262,000</u>
	Total	<u>\$723,700</u>

; and be it further

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2018 budget:

INCREASE APPROPRIATION ACCOUNTS:

D.5112.391.4	Contractual - Highway Improvements	\$700,000
D.5142.----.4	Contractual - Snow Removal: Co Roads	\$500,000
DM.5130.----.4	Contractual - Road Machinery	\$150,000
DM.5130.----.4	Contractual - Road Machinery	\$180,000
DM.5130.----.4	Contractual - Road Machinery	\$100,000
EL.8160.7000.4	Contractual - Environment-Recycling	<u>\$50,000</u>
	Total	\$1,680,000

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DECREASE APPROPRIATION ACCOUNTS:

D.5010.----.1	Personal Services - Public Facilities Admin	\$10,000
D.5010.----.4	Contractual - Public Facilities Admin	\$10,000
D.5110.----.4	Contractual - Maintenance of Roads	<u>\$50,000</u>
	Total	\$70,000

INCREASE REVENUE ACCOUNTS:

D.5110.----.R270.1000	Miscellaneous--Refunds: Prior Yr Exp	\$30,000
D.5112.390.R358.9003	New York State Aid--Marchiselli Funds	\$143,985
D.5112.390.R458.9002	Federal Aid--Surface Transp Program	\$879,315
DM.5130.----.R230.0DIE	Shared Services--Chrgs: Diesel	\$55,000
DM.5130.----.R230.0GAS	Shared Services--Chrgs: Municipal Gas	\$25,000
DM.5130.----.R280.1DIE	Miscellaneous--Interfund Rev: Diesel	\$13,000
DM.5130.----.R280.1GAS	Miscellaneous--Interfund Rev: Gas	\$75,000
EL.8160.7000.R213.700	Departmental Income--Chrgs: Recyclables	<u>\$50,000</u>
A.1310.9999.R111.0000	Non-Property Tax Items--Sales Tax	\$723,700
	Total	<u>\$1,271,300</u> \$1,995,000

DECREASE REVENUE ACCOUNT:

D.5142.----.R496.0000	Federal Aid--FEMA Disaster Reimbursement	\$385,000
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Signed: Hemmer, Nazzaro, Scudder, Gould, Chagnon, Muldowney, Niebel (A.C. – Amended by strikeouts and new language underlined)

RES. NO. 233-18
Adjust DPF Large Equipment Capital Account

By Public Facilities and Audit & Control Committees:

At the Request of County Executive George M. Borrello:

WHEREAS, funds realized from the sale of surplus equipment will generate a surplus to the DPF large equipment revenue account; and

WHEREAS, additional funds are needed to complete large equipment purchases; now therefore be it

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2018 Budget:

INCREASE APPROPRIATION ACCOUNT:

H.5130.626.4	Contractual---Road Machinery,DPF Large Equipment Annual	\$16,000
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INCREASE REVENUE ACCOUNT:

H.5130.626.R266.5000	Sale of Property/Compensation-Sale of Equipment	\$16,000
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Signed: Hemmer, Nazzaro, Scudder, Gould, Chagnon, Muldowney, Niebel

CHAUTAUQUA COUNTY LEGISLATURE

10/24/18

2:00 P.M. & 6:30 P.M.

RES. NO. 234-18

Approving Consolidation of Vital Statistics Registrar Districts Between Town of Westfield and Village of Westfield

By Administrative Services Committee:

At the Request of County Executive George M. Borrello:

WHEREAS, the Town of Westfield adopted a resolution on October 3, 2018 approving the consolidation of the Town of Westfield and the Village of Westfield into one primary Vital Statistics Registration District; and

WHEREAS, the Village of Westfield also adopted a resolution on September 17, 2018 approving the consolidation; and

WHEREAS, Section 4120 of the Public Health Law requires the approval of the legislative body of the county where such vital statistics districts are located; now therefore be it

RESOLVED, That the Chautauqua County Legislature hereby approves the consolidation of the Town of Westfield and the Village of Westfield Vital Statistics Registration Districts into one District (675); and be it further

RESOLVED, That certified copies be forwarded to the Town of Westfield and the Village of Westfield.

Signed: Scudder, Davis, Muldowney

RES. NO. 235-18

Authorize Memorandum of Understanding and Confidentiality Agreement with NY State Office of Mental Health

By Public Safety Committee:

At the Request of County Executive George M. Borrello:

WHEREAS, Section 208 of the Correction Law allows the transfer of custody of inmates from a local correctional facility to the NY State Office of Mental Health (OMH) during the inmate's stay at a facility operated or licensed by the OMH; and

WHEREAS, OMH has created a procedure to transfer custody from Chautauqua County to OMH in the form of a Memorandum of Understanding (MOU) and Confidentiality Agreement; and

WHEREAS it is in the best interest of the County to enter into the MOU and Confidentiality Agreement; it is hereby

RESOLVED, That the County Executive is authorized to enter into the MOU and Confidentiality Agreement with the NY State Office of Mental Health.

Signed: Niebel, Vanstrom, Bankoski, Pavlock, Whitford

CHAUTAUQUA COUNTY LEGISLATURE

10/24/18

2:00 P.M. & 6:30 P.M.

RES. NO. 236-18

Emergency Management Performances Grant for Fiscal Year 2018

By Public Safety and Audit & Control Committees:

At the Request of County Executive George M. Borrello:

WHEREAS, the Office of Emergency Services was awarded funds from the New York State Division of Homeland Security and Emergency Services in the total amount of \$110,196.00 with a fifty percent (50%) in kind match from the County in the amount of \$55,098.00; and

WHEREAS, the grant is to help manage daily Emergency Management functions and to enhance planning, training, exercises, public preparedness, emergency alert and notification systems; and

WHEREAS, the grant period runs from October 1, 2017 through September 30, 2019, or may be amended; and

WHEREAS, the expenses and revenues for the grant agreement are within the financial parameters of the proposed 2019 County budget; now therefore be it

RESOLVED, That the County Executive is hereby authorized to sign and execute all necessary agreements to accept the award and subsequent changes to work plans.

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

RES. NO. 237-18

State Homeland Security Program for Fiscal Year 2018

By Public Safety and Audit & Control Committees:

At the Request of County Executive George M. Borrello:

WHEREAS, Chautauqua County was awarded funds of \$149,956 under the State Homeland Security Program (SHSP) to Emergency Services; and

WHEREAS, the grant is intended to provide funds to sustain and enhance regional preparedness in the Chautauqua County area through projects and initiatives that comply with the Federal grant guidelines and supports the implementation of the State Homeland Security Strategy; and

WHEREAS, the grant period runs from September 1, 2018 through August 31, 2021, and as may be extended; and

WHEREAS, upon acceptance of application and execution of contract, funds will be allocated to the proper accounts in subsequent resolutions once the County is ready to expend them; now therefore be it

RESOLVED, That the County Executive is hereby authorized to execute all necessary agreements to accept the award and subsequent changes to work plans if necessary.

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

CHAUTAUQUA COUNTY LEGISLATURE

10/24/18

2:00 P.M. & 6:30 P.M.

RES. NO. 238-18

Fiscal Year 2018 Hazardous Materials Emergency Preparedness (HMEP) Grant Program

By Public Safety and Audit & Control Committees:

At the Request of County Executive George M. Borrello:

WHEREAS, Chautauqua County and its regional partnership were awarded funds of \$15,516.00 under the FY 2018 Hazardous Material Emergency Preparedness (HMEP) Grant Program, funded by the U.S. Department of Transportation, Pipeline and Hazardous Materials Safety Administration (PHMSA) and administered by the NYS Division of Homeland Security and Emergency Services (DHSES); and

WHEREAS, the HMEP planning grants are used to develop, improve, and implement emergency plans; determine flow patterns of hazardous materials within a state and between states; and determine the need within a state for regional hazardous materials emergency response teams; and

WHEREAS, the grant period runs from October 1, 2018 through September 30, 2019, and may be extended; ~~therefore be it and~~

WHEREAS, upon acceptance of application and execution of contract, funds will be allocated to the proper accounts in subsequent resolutions once the County is ready to expend them; now therefore be it

RESOLVED, That the County Executive is hereby authorized to execute all necessary agreements to accept the award and subsequent changes to work plans if necessary.

Signed: Niebel, Vanstrom, Bankoski, Pavlock, Whitford, Chagnon, Nazzaro, Muldowney, Gould
(P.S. – Amended by strikeouts and new language underlined)

RES. NO. 239-18

Authorize Execution for New York State Office of Homeland Security Grant for Public Safety Answering Point (PSAP) FY 18

By Public Safety and Audit & Control Committees:

At the Request of County Executive George M. Borrello:

WHEREAS, the Chautauqua County Sheriff received notice the State of New York Office of Homeland Security approved the application submitted to the Office of Homeland Security and Emergency Services Program Grant for the further implementation of the Public Safety Answering Point (PSAP); and

WHEREAS, the State of New York will provide funding in the amount of \$174,353.00 with no local funds required for the contract period from January 1, 2019 to December 31, 2019; and

WHEREAS, this grant is included in the 2019 budget; now therefore be it

RESOLVED, That the Chautauqua County Executive is authorized to execute the appropriate agreement with the New York State Office Homeland Security.

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

CHAUTAUQUA COUNTY LEGISLATURE

10/24/18

2:00 P.M. & 6:30 P.M.

RES. NO. 240-18

Authorize Execution for New York Governor's Traffic Safety Committee Grant for the Highway Safety Program FY19

By Public Safety and Audit & Control Committees:

At the Request of County Executive George M. Borrello:

WHEREAS, the Chautauqua County Sheriff received notice the State of New York Governor's Traffic Safety Committee has approved the application submitted for the Highway Safety Program; and

WHEREAS, the State of New York will provide funding in the amount of \$65,984.00 for the contract period from October 1, 2018 to September 30, 2019; and

WHEREAS, it is anticipated that the grant funds will not be used during the 2018 budget period so no budget adjustments will be required at this time; now therefore be it

RESOLVED, That the Chautauqua County Executive is authorized to execute the appropriate agreement with the New York State Governor's Traffic Safety Committee.

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

RES. NO. 241-18

Authorize Acceptance of Forfeiture Funds Held by the District Attorney

By Public Safety and Audit & Control Committees:

At the Request of County Executive George M. Borrello:

WHEREAS, the District Attorney's Office periodically receives a share of forfeited funds seized by police agencies within Chautauqua County which constitute the criminal proceeds of crime; and

WHEREAS, the District Attorney's Office holds these funds in a Forfeiture Account for designated "law enforcement use" by the District Attorney's Office; and

WHEREAS, the District Attorney's Office periodically identifies permissible law enforcement expenditures that will enhance the District Attorney Office's prosecution function; and

WHEREAS, the District Attorney's Office has received a Violence Against Women (VAWA) grant which has a budgetary component to purchase equipment but requires a twenty-five percent (25%) match; now therefore it is

RESOLVED, That the County of Chautauqua hereby accepts forfeiture funds in the amount of FOUR THOUSAND TWO HUNDRED SIXTY SIX DOLLARS and 61/100 (\$4,266.61) from the District Attorney's Forfeiture account to cover the required twenty-five percent (25%) match; and be it further

RESOLVED, That the Director of Finance is authorized and directed to make the following budgetary adjustments to the 2018 Budget:

CHAUTAUQUA COUNTY LEGISLATURE

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INCREASE APPROPRIATION ACCOUNT:

A.1165.----.2 Equipment – District Attorney \$4,267

INCREASE REVENUE ACCOUNT:

A.1165.R262.5000 Fines & Forfeitures - Forfeiture Crime Proceeds \$4,267

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

RES. NO. 242-18

Acceptance of Health Resources and Services Administration (HRSA) Grant

By Legislator David Wilfong and Audit & Control Committee:

At the Request of County Executive George M. Borrello:

WHEREAS, the Chautauqua County Department of Mental Hygiene has been awarded a Health Resources and Services Administration (HRSA) grant to structure a framework for increasing collaboration across the continuum of care; and

WHEREAS, the grant covers the period of September 30, 2018 through September 29, 2019 and the maximum amount of funding over the term of the grant is \$200,000 to be distributed as follows: \$50,000 in 2018 and \$150,000 in 2019; and

WHEREAS, the Chautauqua County Department of Mental Hygiene will continue increasing collaboration across the continuum of care to complete five core activities: develop and strengthen the consortium; conduct a detailed analysis of opportunities and gaps regarding opioid use disorder in Chautauqua County; and complete strategic, workforce, and sustainability plans to address major capacity and planning needed for effective implementation of opioid use disorder prevention treatment and recovery services; now therefore be it

RESOLVED, That Chautauqua County accepts the Health Resources and Services Administration grant in the amount of \$200,000; and be it further

RESOLVED, That the County Executive is hereby authorized to enter into agreements including those with various government and municipal entities, but not limited to local school districts, towns, cities and villages, to effectuate the terms of the grant; and be it further

RESOLVED, That the Director of Finance is authorized and directed to make the following changes to the 2018 Budget:

INCREASE REVENUE ACCOUNT:

A.4320.----.R449.0000 Federal Aid—Federal Aid-Ment Hlth \$50,000

INCREASE APPROPRIATION ACCOUNT:

A.4320.----.4 Contractual—Mental Hygiene Programs \$50,000

Signed: Wilfong, Chagnon, Nazzaro, Niebel, Gould

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RES. NO. 243-18

Close Capital Projects

By Planning and Economic Development and Audit & Control Committees:

At the Request of County Executive George M. Borrello:

WHEREAS, the following capital project has been completed and can be closed:

H.6420.531 Chadwick Bay Ind Park Imp (1994)
; now therefore be it

RESOLVED, That the Director of Finance close the capital project listed above, and reconcile, post adjustments and begin capitalization as necessary; and be it further

RESOLVED, That, upon completion of audit and reconciliation of the closed capital project, any surplus or deficit be adjusted to the appropriate Fund or Reserve for Capital.

Signed: Odell, Chagnon, O'Connell, Nazzaro, Muldowney, Niebel, Gould

RES. NO. 244-18

Authorize Application for Grant Funding from the New York State Department of Agriculture and Markets to Update the Chautauqua County Agriculture and Farmland Protection Plan

By Planning and Economic Development and Audit & Control Committees:

At the Request of County Executive George M. Borrello:

WHEREAS, Sixty-one percent of land in Chautauqua County is designated as prime farmland and a total of 1,515 active farm operations make up thirty-five percent of total land area in the County; and

WHEREAS, the current Chautauqua County Farmland Protection Plan was adopted in September of 2000 and reflects agricultural and economic information that is outdated and no longer useful; and

WHEREAS, Chautauqua County's agricultural industry and agricultural markets have changed over the past eighteen years, creating new and evolving challenges, and

WHEREAS, the Chautauqua 20/20 Comprehensive Plan prioritizes strategies to protect and support the County's agricultural resources and economy and to promote agri-tourism and alternative enterprises that support the viability of farms; and

WHEREAS, the New York State Department of Agriculture and Markets makes available to counties grants of up to \$50,000 to develop new farmland protection plans or update farmland protection plans that were approved ten or more years ago; and

WHEREAS, the Chautauqua Region Community Foundation has pledged \$30,000 towards the required match for this important project; and

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WHEREAS, Chautauqua County's Cornell Cooperative Extension and the Division of Planning and Community Development are collaborating to provide the balance of the local match in staff time; and

WHEREAS, in order to apply for funding from this grant, the County is required to authorize the submission of an application; therefore be it

RESOLVED, That the County is authorized to submit an application for funding for County Agriculture and Farmland Protection Planning Grants from the New York State Department of Agriculture and Markets; and be it further

RESOLVED, That the County Executive is hereby authorized and empowered to execute any and all documents associated with the application for funding for County Agriculture and Farmland Protection Planning Grants from the New York State Department of Agriculture and Markets.

Signed: Odell, Chagnon, O'Connell, Nazzaro, Muldowney, Niebel, Gould

RES. NO. 245-18

Authorize Lease Agreement for Department of Planning and Development at Welch Foods Building in Westfield, New York

By Planning and Economic Development and Audit & Control Committees:

At the Request of County Executive George M. Borrello:

WHEREAS, Chautauqua County has 42 municipalities located across approximately 1,100 square miles; and

WHEREAS, the Chautauqua County Department of Planning and Development (CCDPD) collaborates with municipal entities on a wide variety of projects and initiatives; and

WHEREAS, Chautauqua County's municipalities benefit from having a technical resource available to support their efforts to improve their communities, implement their land use efficiently and secure grant funding; and

WHEREAS, the establishment of an office location within our villages and towns will provide easier access to the majority of CCDPD's municipal customers; and

WHEREAS, the Village of Westfield has exhibited itself as a community that is growing and is located strategically in the western quadrant of the County; and

WHEREAS, the Town of Westfield has been actively attempting to develop the Welch Foods Building at 2 South Portage Street in the Village of Westfield, a cornerstone within the community; and

WHEREAS, Welch Foods has agreed to lease 1,441 square feet of office space to Chautauqua County at a rate of \$916.67 per month, which will include heat and electric; and

WHEREAS, CCDPD will terminate its lease with the County of Chautauqua Industrial Development Agency at 201 W. Third Street, Jamestown, New York; therefore be it

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RESOLVED, That the County Executive is hereby authorized and empowered to negotiate and enter into a lease with the Town of Westfield for office space at 2 South Portage Street, Westfield, New York on substantially the following terms and conditions

1. Premises: 1,441 square feet at Welch Foods Building, 2 South Portage Street, Westfield, New York.
2. Rent: A monthly rate of \$916.67.
3. Utilities: Landlord to pay for heat and electric; County to pay for telephone and Internet.
4. Term: commencing on November 1, 2018, and terminating July 31, 2020.
5. Other: As negotiated by the County Executive.

; and be it further

RESOLVED, That the County Executive is hereby authorized to terminate the lease agreement between Chautauqua County and the County of Chautauqua Industrial Development Agency

Signed: Odell, Chagnon, O'Connell, Muldowney, Nazzaro, Niebel, Gould (PED – Amended by new language underlined)

RES. NO. 246-18
Quit Claim Deeds

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

WHEREAS, the Administrative Services Committee of the County Legislature has received and hereby recommends acceptance, pursuant to Section 1166 of the Real Property Tax Law, the following offers for the County's Tax Liens as detailed on the attached Schedule 1 under tax sale certificates noted on original papers on file in the office of the Director of Finance; and

WHEREAS, that unless otherwise noted, the County Tax Enforcement Officer has confirmed that the offers received are in compliance with the County's policy regarding tax foreclosure as set forth in Resolution No. 110-17; now therefore be it

RESOLVED, That the Executive and Chairman of this Legislature be hereby authorized to execute Quitclaim Deeds conveying to the offers herein mentioned, the interest of Chautauqua County in said properties under said tax sale certificates; and be it further

RESOLVED, That the Director of Finance of Chautauqua County be hereby authorized to cancel any outstanding taxes, fees, interest and other charges. In adopting this resolution, the Legislature intends to adopt each transaction separately, in the usual form of Resolution, and the

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failure of any particular transaction to be completed shall in no manner affect the validity of any of the others.

Offer Number	Municipality	S/B/L	Purchaser	Offer Amount	Taxes Owning
PA-77-2017	City of Jamestown	060800-387.08-1-8	Peggy M Harris	\$ 1.00	\$ 8,888.41
PA-163-2014	City of Jamestown	060800-387.25-1-34	Royal Housing LLC	\$ 10.00	\$ 18,729.30
PA-246-2018	Ellington	064000-272.04-1-45	Thomas & Cleone Fox	\$ 2,101.00	\$ 5,434.87
			Total	\$ 2,112.00	\$ 33,052.58

Signed: Scudder, Davis, Muldowney, Chagnon, Nazzaro, Niebel, Gould

6:30 P.M Meeting

RES. NO. 247-18

Consider 2019 Tentative Budget, with the Changes Listed Below, and Present Same to the County Executive for His Consideration and Action

By Audit & Control Committee:

At the Request of Legislators Chagnon, Gould, Niebel, Muldowney, Nazzaro:

WHEREAS, the Chautauqua County Legislature has received the County Executive's 2019 Tentative Budget and the Audit & Control Committee has reviewed the budget and has recommended changes to the tentative budget; therefore be it

RESOLVED, That the 2019 Tentative Budget, with the changes listed herein, be presented to the County Executive for his consideration and action:

INCREASE APPROPRIATION ACCOUNTS:

A.1162.1120.1	Personal Services - Conflict Administrator	\$79,616
A.1162.1120.8	Employee Benefits - Conflict Administrator	\$28,839
A.1185.----.1	Personal Services - Med Examiners & Coroners	\$34,270 \$59,273
A.1185.----.8	Employee Benefits - Med Examiners & Coroners	\$3,485 \$7,990
A.3110.----.8	Employee Benefits - Sheriff	\$260
A.3110.GRNT.1	Personal Services - Sheriff-Grants	\$43,701
A.3110.GRNT.8	Employee Benefits - Sheriff-Grants	\$18,936
A.3140.----.1	Personal Services - Probation	\$108,296
A.3140.----.8	Employee Benefits - Probation	\$49,567
A.3989.----.1	Personal Services - Emergency Medical Service	\$132
A.3989.----.8	Employee Benefits - Sheriff	\$1,346
A.4017.JAIL.1	Personal Services - Clinics-Jail	\$20,148
A.4017.JAIL.4	Contractual - Clinics-Jail	\$10,292
A.4017.JAIL.8	Employee Benefits - Clinics-Jail	\$7,271
A.4320.----.4	Contractual - Mental Hygiene Programs	\$150,000
A.6123.RTA.1	Personal Services - Juvenile Delinquent Care-Raise the Age	\$76,696
A.6123.RTA.8	Employee Benefits - Juvenile Delinquent Care-Raise the Age	\$44,806

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A.6420.TOUR.4	Contractual - Promotion of Industry--Tourism	\$21,600
A.8020.WTRS.4	Contractual - Planning-Watershed Administration	\$14,400
D.5112.391.4	Contractual - Capital Improvements-Highway Improvements	<u>\$223,513</u>
	Total	<u>\$937,174</u> \$966,682

DECREASE APPROPRIATION ACCOUNTS:

A.1162.1120.4	Contractual - Assigned Counsel	\$130,154
A.1185.----.4	Contractual - Med Examiners & Coroners	\$15,000
A.1450.----.4	Contractual - Board of Elections	\$250
A.3110.----.1	Personal Services - Sheriff	\$1,156
A.3150.----.4	Contractual - Jail	\$10,292
A.3989.EMS.1	Personal Services - Emergency Medical Service	\$61,642
A.3989.EMS.8	Employee Benefits - Fly Car	\$156,387
A.6010.----.1	Personal Services - Social Services Admin	\$97,714
A.6010.----.4	Contractual - Social Services Admin	\$272,814
A.6010.----.8	Employee Benefits - Social Services Admin	\$56,139
A.6140.----.4	Contractual - Safety Net	\$400,000
A.9950.----.9	Interfund Transfers - Transfer to Capital	\$100,000
D.5112.390.4	Contractual - Capital Improvements-County Bridge Program	<u>\$223,513</u>
	Total	\$1,525,061

INCREASE REVENUE ACCOUNTS:

A.1162.1120.R308.9000	New York State Aid - Other State Aid	\$65,147
A.3110.GRNT.R338.9000	New York State Aid - Other Public Safety	\$65,984
A.4320.----.R449.0	Federal Aid - Federal Aid--Ment Hlth	\$150,000
A.6123.RTA.R362.3000	New York State Aid - Juvenile Delinquent	\$121,502
A.6420.TOUR.R111.3000	Non Property Tax Items - Hotel Room Occupancy Tax	\$21,600
A.8020.WTRS.R111.3000	Non Property Tax Items - Hotel Room Occupancy Tax	<u>\$14,400</u>
	Total	\$438,633

DECREASE REVENUE ACCOUNTS:

A.3989.EMS.R158.9100	Departmental Income - Other Public Safety Income- Medicare Payments	\$29,365
A.3989.EMS.R158.9107	Departmental Income - Other Public Safety Income- Paramedic Health Care	\$188,664
A.6010.----.R361.0	New York State Aid - Social Services Admin	\$100,000
A.6010.----.R461.0	Federal Aid - Social Services Admin	\$82,038
A.6140.----.R364.0	New York State Aid - Safety Net	\$112,000
A.6140.----.R464.0	Federal Aid - Safety Net	\$4,000
A.6420.----.R122.0	Departmental Income - Occupancy Tax Admin Fees	\$21,600
A.8020.----.R122.0	Departmental Income - Occupancy Tax Admin Fees	\$14,400
A.8730.----.R265.2000	Sale of Property/Compensa - Sale of Forest Projects	<u>\$11,000</u>
	Total	\$563,067

; and be it further

RESOLVED, That exhibits and schedules presented in the 2019 Tentative Budget be modified as necessary to reflect the above amendments; and be it further

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RESOLVED, That the 2019 Tentative Budget as amended above by the Legislature's Audit & Control Committee reflects the Real Property Tax Levy at \$61,911,147~~\$61,940,655~~ and an estimated Full Value Rate of \$8.38.

Signed: Chagnon, Nazzaro, Muldowney, Niebel, Gould (A.C. – Amended by strikeouts and new language underlined)