

CHAUTAUQUA COUNTY LEGISLATURE

10/27/10

Chautauqua County Legislature

**2: 00 P.M. & 6:30 P.M. CALL TO ORDER
ROLL CALL
PRAYER BY LEGISLATOR KINDBERG
PLEDGE OF ALLEGIANCE
APPROVAL OF THE MINUTES FOR 09/22/10
PRIVILEGE OF THE FLOOR**

COMMUNICATIONS:

- 1. Proof of Publication – Budget Hearings**
 - 2. Letter – Co. Executive – Re: Appt. Traffic Safety Board**
 - 3. Letter – Dr. Sheik – Re: Roadway Easement – Town of Ellicott**
 - 4. Letter – Portland Town Clerk – Re: Adding Peerless St. Bridge to County Bridge List**
 - 5. Minutes – Chaut. Co. Soil & Water Conservation District – Sept. 2010**
 - 6. Letter – Cornell Co-op Extension – Re: Supports maintaining funding to Watershed Stewardship Program**
 - 7. Res. – Niagara Co. Leg. – Re: Reject Nat'l. Grid Rate Increase Proposal**
 - 8. Letter – NYS Dept. of Taxation & Finance – Ack. Receipt of Res. # 192-10**
 - 9. Minutes – NYS Fish & Wildlife - September 2010**
 - 10. NYSDEC – Re: Frequently Asked Questions Re: Crossbow Law**
 - 11. NYSDEC – Re: (2)Highlights–Fish & Wildlife – 6/16 – 7/15/10 & 7/16-7/15/10**
 - 12. NYSAC – NY Property Tax Funded Mandates**
 - 13. Chautauqua County 2011 Tentative Budget**
-

**VETO MESSAGE FROM COUNTY EXECUTIVE EDWARDS
VETO #1 FROM 9/22/10**

**RES. NO. 205-10 – THE CHAUTAUQUA COUNTY REINVESTMENT ACT:
AMENDING RESOLUTION 137-09 REGARDING RPTL ARTICLE 11 TAX
FORECLOSURES**

On September 22, 2010 the Chautauqua County Legislature voted and passed Resolution 205-10 entitled: The Chautauqua County Reinvestment Act: Amending Resolution 137-09 Regarding RPTL Article 11 Tax Foreclosures. The amendments to the prior legislation focused on a "pilot program" in the City of Jamestown that would by this resolution become part of the County foreclosure process, with an option for other municipalities to participate.

My concerns with the provisions of the Resolution that result in this Veto are, in part, as follows:

CHAUTAUQUA COUNTY LEGISLATURE

10/27/10

1. There was no presentation in Committee or on the Floor of the Legislature of how many properties were already identified as #4, #5, or #6 in the City of Jamestown, or the number that could potentially be identified by other municipalities.
2. There was no evidence of any analysis of the actual impact on the auction proceeds by requiring a \$5,000 deposit on each home identified a #5 and #6.
3. There was no evidence of how to assure that owners would be able to renovate these properties in less than a year or lose the \$5,000 as required by the terms.
4. There was no evidence of a plan to deal with those homes not sold because of the Resolution.
5. There was no evidence presented that any official in the City of Jamestown Administration was aware of the legislation, or supported or opposed the legislation.
6. There was evidence presented that it would increase the cost of County operations.
7. There was evidence presented that the impact would be to increase the obligations of the Tax Dept. and it's staff, and;
8. There was an inference in the legislation that the County would be required find resources for annual demolition of properties not owned by the County, adding to the costs of County Government.

As I listened to the discussion during the debate on the floor of the Legislature the most compelling reason for this veto was the admission by the author of this Resolution that this Legislation could be improved and that there was no compelling time pressure for passage that evening. Added to this admission is the reality that this would impose a series of new regulations, and obligations on the County and taxpayers. Finally, a significant number of good suggestions were made from Legislators on the Floor of the Legislature that evening that may serve to address some of the 8 issues raised in this Veto message. I am vetoing this Resolution because I do not agree that a partially complete Resolution "that can be modified later", is the best approach in this situation. I also note that the next tax foreclosure commencing this Fall will be the first foreclosure under the County Legislature's shortened 2 year foreclosure procedure. It might be wise to judge the results of the shortened tax foreclosure procedure prior to instituting a new policy regarding conditions of sale.

County Executive, Gregory J. Edwards

**PUBLIC HEARING – 2011 TENTATIVE BUDGET & SEWER DISTRICT
ASSESSMENT ROLLS**

ACTION ON:

RENEW AND AMEND RES. NO. 118-08 – 2009 BED TAX DISTRIBUTION

CHAUTAUQUA COUNTY LEGISLATURE

10/27/10

**TABLED RES. NO. 198-10 – ACCEPT GRANT FROM FAA TO ACQUIRE
SNOW REMOVAL EQUIPMENT (SNOW PLOW TRUCK)**

**TABLED RES. NO. 199-10 – ACCEPT GRANT FROM FAA FOR LAND
ACQUISITION FOR EXISTING R/W 6-24 AT THE DUNKIRK AIRPORT**

LOCAL LAW:

**LOCAL LAW INTRO. 8-10 - AUTHORIZING LEASE OF REAL PROPERTY
FOR AN EXTENDED TERM FOR DUNKIRK FIREMAN'S TRAINING
GROUNDS**

LAI D ON DESKS FOR ACTION AT NEXT MEETING (11/17/10)

**LOCAL LAW INTRO. 9-10 – A LOCAL LAW AMENDING THE
CHAUTAUQUA COUNTY CODE OF ETHICS**

RESOLUTIONS:

- 208-10 Confirm Appts. - Chautauqua County Traffic Safety Board
- 209-10 Confirm Appt. - Chautauqua County Ag. & Farmland Protection Board
- 210-10 Appting. Director of Chaut. County Capital Resource Corp.
- 211-10 Auth. P.H. Re: Sublease Agrmt. w/ Gulfstream International–Jmst. Airport
- 212-10 Auth. P.H. Re: Lease w/ CTASC at Jamestown Airport
- 213-10 Adjust Accounts for Replacement of Equipment
- 214-10 Adjust Accounts – Landfill Gas to Energy Project
- 215-10 Auth. Participation in Defense of Real Estate Assessment – Nat'l. Fuel Gas & Chaut. Regional Properties LLC & Future Challenges Seeking Aggregate Value Reduction of \$1,000,000
- 216-10 Auth. Acceptance of Grant from NYS Local Govt. Records Management – Improvement Fund for Disaster Recovery Planning
- 217-10 Auth. Grant. Agrmt. w/US Dept. of Justice–COPS Secure our Schools Prgm.
- 218-10 Auth. Grant Agrmt. w/US Dept. of Justice – COPS Technology Program
- 219-10 Auth. Lease Agrmt. w/ C/Dunkirk – Dunkirk Firemen's Training Grounds
- 220-10 Auth. Agrmt. in Support of Dept. of Justice – Re: Violence Against Women
- 221-10 2011 Distribution of the 3% Occupancy Tax to Various Organization
- 222-10 Consent to C/Dunkirk Planning Agency as Lead Agency for Roberts Rd. Redevelopment Project
- 223-10 Auth. Agrmt. w/Catt. Co. to Extend Term of Conewango Watershed Comm.
- 224-10 Auth. County to Accept Alternatives to Incarceration Grant
- 225-10 Auth. Transfer of Tax Foreclosure Property to DLDC Real Property LLC
- 226-10 Quit Claim Deeds

CHAUTAUQUA COUNTY LEGISLATURE

10/27/10

**RECESS LEGISLATURE MEETING UNTIL 6:30 P.M.
TO CHAUTAUQUA LAKE CENTRAL SCHOOL AUDITORIUM**

6:30 P.M.

RECONVENE LEGISLATURE MEETING

**CALL TO ORDER
ROLL CALL**

**PUBLIC HEARING – 2011 TENTATIVE BUDGET & SEWER DISTRICT
ASSESSMENT ROLLS**

**227-10 – Consider 2011 Tentative Budget with the Changes Listed Below, and
Presenting Same to the County Executive for this Consideration and Action**

ANNOUNCEMENTS

PRIVILEGE OF THE FLOOR

Renew & Amend per Planning & Economic Development Committee on 10/14/10.

* Amendment will be forwarded as soon as calculated.

RES. NO. 118-08
2009 Bed Tax Distribution

By Planning and Economic Development and Audit & Control Committees:
At the Request of Legislator Cornell, Kindberg, and Croscut:

WHEREAS, pursuant to Section 2.05(c) of the Chautauqua County Charter, the County Legislature is empowered to adopt general policy for County government; and

WHEREAS, pursuant to Local Law 12-03 of the County of Chautauqua, there has been an occupancy or "bed tax" on the rental of lodging units within the County; and

WHEREAS, Section 2 of Local Law 12-03 provides that the purpose of the adoption of the tax is to promote Chautauqua County in order to increase tourism and convention business in the County; and

WHEREAS, Section 12 of Local Law 12-03 and Section 1202-j(9) of the New York State Tax Law further provide that all revenues derived from the imposition of the occupancy tax, after deducting the amount provided for administering such tax, shall be allocated only for the purposes of enhancing and promoting Chautauqua County, its cities, towns and villages through the promotion of tourism, conventions, trade shows, special events and other directly related and supporting activities including, but not limited to, programs to improve the aesthetic qualities of the County, to enhance the environment, to improve infrastructure related to tourism, conventions and trade shows, to develop, operate and maintain parks, recreational facilities and tourist attractions, and such other programs as authorized by local law; and

WHEREAS, the Chautauqua County Visitors Bureau (CCVB) conducted a "Tourism Conversion and Marketing" study in 2005 that indicated that 23% of visitors that participated in the survey were in Chautauqua County for Festivals, with 16% for other events; and

WHEREAS, in an August 2007 report, sponsored by the CCVB and other Chautauqua County entities, Mr. Roger Brooks from Destination Development Inc. reported that "while marketing efforts are important, product development is the most important factor of a successful tourism industry"; and

WHEREAS, Mr. Brooks reported that successful tourist communities must have attractions that are activity or experience based and are supported by a mix of amenities; and

WHEREAS, it would be beneficial for the County Legislature to establish guidelines for the allocation of occupancy tax revenues generated by Local Law 12-03 in support of the aforementioned principals: therefore be it

RESOLVED, That the Chautauqua County Legislature establishes the following policy guidelines for the allocation of the original 3% occupancy tax revenue generated by Local Law 12-03:

1. 55% of the occupancy tax budgeted shall be provided to the CCVB to support the CCVB's efforts to the market, promote and publicize Chautauqua County and its municipalities as well as recruiting group functions to the County and working to support and enhance all tourism efforts.
2. 15% of the occupancy tax budgeted shall support the maintenance and operation of the County Parks and trail system including the Sheriff's Marine and Snow Patrol.
3. 5% of the occupancy tax budgeted shall be utilized by the Chautauqua County Department of Finance for collection and enforcement purposes.
4. 5% of the occupancy tax budgeted shall be utilized to support arts and culture Through the provision of funding to the following organizations:
 - a. United Arts Appeal – 76.2% of the funds allocated to arts and culture.
 - b. Fenton Historical Society – 18.4% of the 5% allocated to arts and culture.
 - c. Historical Society of Dunkirk – 5.4% of the 5% allocated to arts and culture.
5. 20% of the occupancy tax budgeted shall be utilized to support the development of attractions and events that help develop Chautauqua County as a point of destination for visitors and support existing efforts that act as attractions within the County. The following method shall be utilized to determine how the 20% is distributed annually:
 - a. Up to a seven (7) member tourism panel made up representatives from the following organizations shall make funding recommendations to the Legislative Planning and Economic Development Committee for projects and organizations that submit for the 20% portion of the occupancy tax: CCVB (Director of CCVB and one (1) CCVB member, one (1) Chautauqua County Chamber of Commerce member, one (1) Industrial Development Agency Board member, ~~the Director of the Northern County Community Foundation, the Director of the Chautauqua Region Community Foundation~~ and one (1) member of the Chautauqua County Planning Board.
 - b. All requests for funding shall be submitted on forms as originally prescribed by the Legislative Planning and Economic Development Committee. All requests will conform to parameters established by the Legislative Committee. All requests will be evaluated against the County's planning, development and tourism agency priorities to ensure the County's tourism development goals are obtained. The Tourism panel charged with evaluating projects and organization requests may recommend modifications to the forms and parameters to better suit the needs of the panel and better serve the purpose of the County.
 - c. All requests shall be initially ranked on an "Occupancy Ranking Form" prior to final prioritization and recommendations by the Tourism Panel to the Legislative Committee.

Signed: Heenan, James, Cornell, Kindberg, Croscut, Duff, Nazzaro, Gould

MOVED by Legislator Kindberg, SECONDED by Legislator Croscut to amend in Section 6 (a).
Insert: Up to at the beginning of the sentence, and delete where indicated by strikethrough.

Adopted as amended – Legislator Wilder voting “no” – May 28, 2008

THE CHAUTAUQUA COUNTY REINVESTMENT ACT: AMENDING
RESOLUTION 137-09 REGARDING RPTL ARTICLE 11 TAX
FORECLOSURES

Resolution No. 205-10
Dated: October 1, 2010

VETO MESSAGE

Gregory J. Edwards, County Executive, Chautauqua County

On September 22, 2010 the Chautauqua County Legislature voted and passed Resolution 205-10 entitled: The Chautauqua County Reinvestment Act: Amending Resolution 137-09 Regarding RPTL Article 11 Tax Foreclosures. The amendments to the prior legislation focused on a "pilot program" in the City of Jamestown that would by this resolution become part of the County foreclosure process, with an option for other municipalities to participate.

My concerns with the provisions of the Resolution that result in this Veto are, in part, as follows:

1. There was no presentation in Committee or on the Floor of the Legislature of how many properties were already identified as #4, #5, or #6 in the City of Jamestown, or the number that could potentially be identified by other municipalities.
2. There was no evidence of any analysis of the actual impact on the auction proceeds by requiring a \$5,000 deposit on each home identified a #5 and #6.
3. There was no evidence of how to assure that owners would be able to renovate these properties in less than a year or lose the \$5,000 as required by the terms.
4. There was no evidence of a plan to deal with those homes not sold because of the Resolution.
5. There was no evidence presented that any official in the City of Jamestown Administration was aware of the legislation, or supported or opposed the legislation.
6. There was evidence presented that it would increase the cost of County operations.
7. There was evidence presented that the impact would be to increase the obligations of the Tax Dept. and it's staff, and;
8. There was an inference in the legislation that the County would be required find resources for annual demolition of properties not owned by the County, adding to the costs of County Government.

As I listened to the discussion during the debate on the floor of the Legislature the most compelling reason for this veto was the admission by the author of this Resolution that this Legislation could be improved and that there was no compelling time pressure for passage that evening. Added to this admission is the reality that this would impose a series of new regulations, and obligations on the County and taxpayers. Finally, a significant number of good suggestions were made from Legislators on the Floor of the Legislature that evening that may serve to address some of the 8 issues raised in this Veto message. I am vetoing this Resolution because I do not agree that a partially complete Resolution "that can be modified later", is the best approach in this situation. I also note that the next tax foreclosure commencing this Fall will be the first foreclosure under the County Legislature's shortened 2 year foreclosure procedure. It might be wise to judge the results of the shortened tax foreclosure procedure prior to instituting a new policy regarding conditions of sale.

Up for Action 10/27/10
@ 2:00 pm. meeting

LOCAL LAW
INTRODUCTORY NO. 8 - 10
CHAUTAUQUA COUNTY

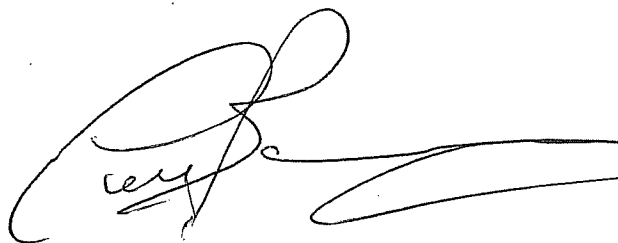
AUTHORIZING LEASE OF REAL PROPERTY FOR AN EXTENDED TERM FOR
DUNKIRK FIREMAN'S TRAINING GROUNDS

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

Section 1. Purpose. The purpose of this local law is to modify and supersede the lease term limitations contained in County Law Section 215 and Local Law 8-1975 for the Dunkirk Firemen's Training Grounds.

Section 2. Authorization. The County of Chautauqua is hereby authorized to enter into a lease for the Dunkirk Firemen's Training Grounds with the City of Dunkirk for a term not exceeding forty (40) years.

Section 3. Effective Date. This Local Law, which is subject to permissive referendum pursuant to the provisions of Municipal Home Rule Law Section 24, shall take effect 45 days after adoption, except that in the event it shall become subject to referendum on petition, it shall take effect upon approval by the affirmative vote of a majority of the qualified electors voting on the proposition for its approval.



Robert Woff

Rudy Mully
Doug Hinkley

Paul Sp

Mike B. Cornell

Patricia Johnson

Ronald A. Lemon

Douglas V. Richmond
John W. Rice

Tabled @ Legislature

9/22/10

GPS 9-4-10
DRP 9/6/10
KLC 9/7/10

CHAUTAUQUA COUNTY
RESOLUTION NO. 198-10

TITLE: Accept Grant from FAA to acquire snow removal equipment (snow plow truck)

BY: Public Facilities and Audit & Control Committees:

AT THE REQUEST OF: County Executive Gregory J. Edwards:

WHEREAS, a Project to acquire snow removal equipment at the Jamestown Airport, is eligible for funding through FAA under Air Improvement Project No. 3-36-0048-39-10; and

WHEREAS, Chautauqua County has a surplus in interest earnings in the 2010 budget; and

WHEREAS, the County of Chautauqua desires to advance the Project by making a commitment funding of the full local share of the costs of the Project; the funding share being:

Federal	\$296,400
State	\$7,800
Local	\$7,800
Total	\$312,000; therefore be it

RESOLVED, That the Chautauqua County Legislature hereby approves the above-subject project; and be it further

RESOLVED, That Chautauqua County hereby accepts the grant offer from the Federal Aviation Administration for financial assistance for FAA AIP Project No. 3-36-0048-39-10 at the Chautauqua County Airport at Jamestown; and be it further

RESOLVED, That the County Executive be and hereby is authorized to execute all necessary documents and agreements on behalf of Chautauqua County with New York State, FAA, engineers and contractors in connection with this project; and be it further

RESOLVED, That the Director of Finance is authorized to make the following changes to the capital budget:

DECREASE APPROPRIATION ACCOUNT:

A.9950.----.9 Interfund Transfers – Transfer to Capital (A-H) \$ 7,800

INCREASE REVENUE ACCOUNT:

A.9950.9999.R240.1RSV Interest & Earnings: Capital Reserve \$ 7,800

ESTABLISH AND INCREASE CAPITAL APPROPRIATIONS ACCOUNT:

H.5610.25748.4 Contractual – Snow Removal Equipment, Jamestown Airport \$312,000

ESTABLISH AND INCREASE CAPITAL REVENUE ACCOUNTS:

H.5610.25748.R459.2000	Federal Aid: Airport Capital Grants	\$296,400
H.5610.25748.R359.7001	NYS Aid: Airport Capital Grants	7,800
H.5610.25748.R503.1000	Transfer to Capital: Interfund Transfer	7,800
		<u>\$312,000</u>

Chad Noyes

Richard O'Rourke

Thomas J. Blane

APPROVED

VETOES (VETO MESSAGE ATTACHED)

RES. NO. 208-10

Confirm Appointment – Chautauqua County Traffic Safety Board

By Public Safety Committee:

At the Request of County Executive Gregory J. Edwards:

WHEREAS, Gregory J. Edwards, County Executive, has submitted the following appointments for action by the Chautauqua County Legislature; therefore be it

RESOLVED, That the Chautauqua County Legislature does hereby confirm the following appointments to the Chautauqua County Traffic Safety Board.

Tim Card
5282 Washington
Ashville, N.Y. 14710
Term Expires: 7/31/13

Harry Snellings
PO Box 302
Jamestown, N.Y. 14701
Term Expires: 7/31/13

Signed: Richmond, Runkle, Duff, Mueller, Himelein

RES. NO. 209-10

Confirm Appointment - Chautauqua County Agriculture & Farmland Protection Board

By Planning & Economic Development Committee:

At the Request of Chairman Fred C. Croscut:

WHEREAS, Legislature Chairman Fred C. Croscut 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 Agriculture & Farmland Protection Board for terms in accordance with Section 302 of the Agriculture & Markets Law:

James Joy
9825 Farel Road
Fredonia, N.Y. 14063 (Replaces: Tom Davenport)
Term Expires: 12/3/12

Signed: Park, Tarbrake, Kindberg, Borrello, Heenan

Renew & Amend per Planning & Economic Development Committee on 10/14/10.

* Amendment will be forwarded as soon as calculated.

RES. NO. 118-08
2009 Bed Tax Distribution

By Planning and Economic Development and Audit & Control Committees:
At the Request of Legislator Cornell, Kindberg, and Croscut:

WHEREAS, pursuant to Section 2.05(c) of the Chautauqua County Charter, the County Legislature is empowered to adopt general policy for County government; and

WHEREAS, pursuant to Local Law 12-03 of the County of Chautauqua, there has been an occupancy or "bed tax" on the rental of lodging units within the County; and

WHEREAS, Section 2 of Local Law 12-03 provides that the purpose of the adoption of the tax is to promote Chautauqua County in order to increase tourism and convention business in the County; and

WHEREAS, Section 12 of Local Law 12-03 and Section 1202-j(9) of the New York State Tax Law further provide that all revenues derived from the imposition of the occupancy tax, after deducting the amount provided for administering such tax, shall be allocated only for the purposes of enhancing and promoting Chautauqua County, its cities, towns and villages through the promotion of tourism, conventions, trade shows, special events and other directly related and supporting activities including, but not limited to, programs to improve the aesthetic qualities of the County, to enhance the environment, to improve infrastructure related to tourism, conventions and trade shows, to develop, operate and maintain parks, recreational facilities and tourist attractions, and such other programs as authorized by local law; and

WHEREAS, the Chautauqua County Visitors Bureau (CCVB) conducted a "Tourism Conversion and Marketing" study in 2005 that indicated that 23% of visitors that participated in the survey were in Chautauqua County for Festivals, with 16% for other events; and

WHEREAS, in an August 2007 report, sponsored by the CCVB and other Chautauqua County entities, Mr. Roger Brooks from Destination Development Inc. reported that "while marketing efforts are important, product development is the most important factor of a successful tourism industry"; and

WHEREAS, Mr. Brooks reported that successful tourist communities must have attractions that are activity or experience based and are supported by a mix of amenities; and

WHEREAS, it would be beneficial for the County Legislature to establish guidelines for the allocation of occupancy tax revenues generated by Local Law 12-03 in support of the aforementioned principals: therefore be it

RESOLVED, That the Chautauqua County Legislature establishes the following policy guidelines for the allocation of the original 3% occupancy tax revenue generated by Local Law 12-03:

1. 55% of the occupancy tax budgeted shall be provided to the CCVB to support the CCVB's efforts to the market, promote and publicize Chautauqua County and its municipalities as well as recruiting group functions to the County and working to support and enhance all tourism efforts.
2. 15% of the occupancy tax budgeted shall support the maintenance and operation of the County Parks and trail system including the Sheriff's Marine and Snow Patrol.
3. 5% of the occupancy tax budgeted shall be utilized by the Chautauqua County Department of Finance for collection and enforcement purposes.
4. 5% of the occupancy tax budgeted shall be utilized to support arts and culture Through the provision of funding to the following organizations:
 - a. United Arts Appeal – 76.2% of the funds allocated to arts and culture.
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5. 20% of the occupancy tax budgeted shall be utilized to support the development of attractions and events that help develop Chautauqua County as a point of destination for visitors and support existing efforts that act as attractions within the County. The following method shall be utilized to determine how the 20% is distributed annually:
 - a. Up to a seven (7) member tourism panel made up representatives from the following organizations shall make funding recommendations to the Legislative Planning and Economic Development Committee for projects and organizations that submit for the 20% portion of the occupancy tax: CCVB (Director of CCVB and one (1) CCVB member, one (1) Chautauqua County Chamber of Commerce member, one (1) Industrial Development Agency Board member, ~~the Director of the Northern County Community Foundation, the Director of the Chautauqua Region Community Foundation~~ and one (1) member of the Chautauqua County Planning Board.
 - b. All requests for funding shall be submitted on forms as originally prescribed by the Legislative Planning and Economic Development Committee. All requests will conform to parameters established by the Legislative Committee. All requests will be evaluated against the County's planning, development and tourism agency priorities to ensure the County's tourism development goals are obtained. The Tourism panel charged with evaluating projects and organization requests may recommend modifications to the forms and parameters to better suit the needs of the panel and better serve the purpose of the County.
 - c. All requests shall be initially ranked on an "Occupancy Ranking Form" prior to final prioritization and recommendations by the Tourism Panel to the Legislative Committee.

Signed: Heenan, James, Cornell, Kindberg, Croscut, Duff, Nazzaro, Gould

MOVED by Legislator Kindberg, SECONDED by Legislator Croscut to amend in Section 6 (a).
Insert: Up to at the beginning of the sentence, and delete where indicated by strikethrough.

Adopted as amended – Legislator Wilder voting “no” – May 28, 2008

RES. NO. 210-10

Appointing Director of the Chautauqua County Capital Resource Corporation

By Planning & Economic Development Committee:

At the Request of Chairman Fred C. Croscut:

WHEREAS, pursuant to Resolution 223-09, the County Legislature approved the form and substance of the proposed certificate of incorporation (the "Certificate") for the Chautauqua County Capital Resource Corporation (the "Corporation") and the formation of the Corporation; and

WHEREAS, pursuant to Paragraph TWELFTH of the Certificate, the Corporation consists of a Board of Directors consisting of members and officers of the County of Chautauqua Industrial Development Agency ("CCIDA"); and

WHEREAS, under the Certificate, Legislator Shaun Heenan was appointed by the County Legislature as an initial Director of the Corporation due to his capacity as an ex-officio member of the CCIDA by virtue of being Chairman of the County Legislature's Planning & Economic Development Committee; and

WHEREAS, Legislator Jerry Park is now serving in the capacity of Chairman of the County Legislature's Planning & Economic Development Committee, and should succeed Legislator Heenan on the Corporation's Board of Directors; therefore be it

RESOLVED, That effective immediately, the County Legislature hereby approves the appointment of Legislator Jerry Park to the Corporation's Board of Directors.

Signed: Park, Tarbrake, Kindberg, Borrello, Heenan

RES. NO. 211-10

Authorizing Public Hearing for Sublease Agreement with Gulfstream International at the Chautauqua County Airport at Jamestown

By Public Facilities and Audit & Control Committees:

At the Request of County Executive Gregory J. Edwards:

WHEREAS, Chautauqua County leases facilities at the Chautauqua County Airport – Jamestown to the Chautauqua County Industrial Development Agency (CCIDA); and

WHEREAS, Gulfstream International Airlines desires to lease a portion of that space for ticket counter, baggage handling and office space at the County Airport for a two year period beginning on October 1, 2010 thru September 30, 2012 and has been awarded the Essential Air Service contract for such period; and

WHEREAS, it is appropriate for the smooth and efficient operations of the County Airport to continue commuter airline operations at the airport; and

WHEREAS, Article 14 of the General Municipal Law requires a public hearing before the County Legislature can authorize such lease agreement; therefore be it

RESOLVED, That pursuant to General Municipal Law a public hearing shall be held on the sublease of the airline operating space at the Jamestown Airport at the meeting of the County Legislature on November 17, 2010 at 6:45 pm in the Legislative Chambers, Gerace Office Building, Mayville, New York 14757 upon substantially the following proposed terms and conditions:

1. Premises: Approximately 1,738.5 square feet of office space, counter space, baggage areas and storage space in the Chautauqua County Terminal Building at the County Airport in Jamestown.
2. Rent: Payment of \$2,500.00 per month plus \$6.00 per flight landing fee.
3. Term: A term beginning October 1, 2010 and ending September 30, 2012.
4. Other: As negotiated by the County Executive; and be it further

RESOLVED, That the Clerk of the Legislature is authorized and directed to publish notice of this public hearing at least ten (10) days prior thereto in the official newspapers of the County of Chautauqua.

Signed: Babbage, Barmore, Nazzaro, DeJoe, Gould, Gullo, Park, Richmond

RES. NO. 212-10

Authorize Public Hearing on Lease with CTASC at Chautauqua County Airport in Jamestown

By Public Facilities and Audit & Control Committees:

At the Request of County Executive Gregory J. Edwards:

WHEREAS, the Chautauqua Tobacco Asset Securitization Corporation (CTASC) was incorporated by County officials in 2000 for the securitization of the County's share of revenues from the settlement agreement arising from New York State's litigation with tobacco manufacturers; and

WHEREAS, CTASC is required to have an actual physical office location designated as its corporate headquarters, and the County Airport has vacant space available for such purpose that would allow the County to generate lease revenue; and

WHEREAS, Article 14 of the General Municipal Law requires a public hearing before the County Legislature can authorize such an agreement; therefore be it

RESOLVED, That pursuant to General Municipal Law a public hearing shall be held before this Legislature on the above-referenced proposed lease agreement with CTASC on November 17, 2010 at 6:50 p.m. in the Legislative Chambers, Gerace Office Building, Mayville, New York 14757; and it is further

RESOLVED, That the Clerk of the Legislature is authorized and directed to publish notice of this hearing at least ten (10) days prior thereto in the official newspapers of the County of Chautauqua.

Signed: Babbage, Barmore, Nazzaro, DeJoe, Gould, Gullo, Park, Richmond

RES. NO. 213-10

Adjust Accounts for the Replacement of Equipment

By Public Facilities and Audit & Control Committees:

At the Request of County Executive Gregory J. Edwards:

WHEREAS, the trade-in value of large equipment scheduled to be replaced in the 2010 capital budget was lower than expected; and

WHEREAS, additional funds are now needed to complete the large equipment purchases planned in the 2010 capital budget; and

WHEREAS, the Road Machinery fund has a surplus from the sale of equipment; now therefore be it

RESOLVED, That the Director of Finance is hereby directed to make the following changes to the 2010 budget:

ESTABLISH AND INCREASE APPROPRIATION ACCOUNT:

DM.9950.----.9	Interfund Transfers – Transfer to Capital	\$149,000
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INCREASE REVENUE ACCOUNT:

DM.5130.----.R266.5000	Sale of Equipment - Road Machinery	\$149,000
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INCREASE CAPITAL APPROPRIATION ACCOUNT:

H.5130.626.4	Contractual – DPF Large Equipment	\$149,000
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INCREASE CAPITAL REVENUE ACCOUNT:

H.5130.626.R503.1000	Interfund Transfers - DPF Large Equipment Signed: Richmond, Babbage, Barmore, Nazzaro, DeJoe, Gould, Gullo, Park	\$149,000
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RES. NO. 214-10

Adjust Accounts – Landfill Gas to Energy Project

By Public Facilities and Audit & Control Committees:

At the Request of County Executive Gregory J. Edwards:

WHEREAS, the County accepted a grant from the United States Department of Energy for approximately \$2.4 Million for the landfill gas to energy project; and

WHEREAS, there is sufficient flow of landfill gas to support the addition of two additional engines at the landfill gas to energy plant; and

WHEREAS, an appropriation of the remaining grant funds is necessary to purchase the two additional engines; therefore be it

RESOLVED, That the Director of Finance is hereby directed to make the following 2010 budgetary adjustments:

INCREASE CAPITAL ACCOUNT:

EE.8410.075.4 Contractual – Energy Plant Infrastructure \$1,903,000

INCREASE CAPITAL REVENUE ACCOUNT:

EE.8410.075.R499.7002 Federal Aid: Methane Energy Grant \$1,903,000
Signed: Richmond, Babbage, Barmore, Nazzaro, DeJoe, Gould, Gullo, Park

RES. NO. 215-10

Authorizing Participation in Defense of Real Property Tax Assessment Challenges by National Fuel Gas, Chautauqua Regional Properties, LLC, and Other Future Challenges Seeking an Aggregate Value Reduction of \$1,000,000

By Administrative Services and Audit & Control Committees:

At the Request of County Executive Gregory J. Edwards:

WHEREAS, pursuant to Resolution 216-98, the County Legislature established a policy for participation by the County in the defense of legal challenges to real property tax assessments; and

WHEREAS, said policy provides that the County shall participate in the defense of valid real property tax assessment challenges seeking an aggregate value reduction of \$1,000,000 or more; and

WHEREAS, legal challenges have been made to real property tax assessments in the Town of Arkwright involving various properties owned by National Fuel Gas wherein the plaintiffs are seeking an aggregate reduction of their assessments in excess of \$2,000,000; and

WHEREAS, a legal challenge has been made to a real property tax assessment in the Town of Chautauqua involving property owned by Chautauqua Regional Properties, LLC wherein the current assessment of the subject property totals \$4,000,000 and the plaintiff is seeking a reduction of their assessment to the sum of \$1,870,000 representing a total reduction of \$2,130,000; therefore be it

RESOLVED, That the County Legislature hereby authorizes the County's participation in the procurement of appraisals and payment of necessary legal fees in the defense of the aforementioned real property tax assessments and in the defense of other future assessment challenges seeking an aggregate value reduction of \$1,000,000, with the County share of the expense to be calculated based on its proportional interest as reflected by the full value tax rate, and be it further

RESOLVED, That the County Executive or his designee is authorized and empowered to execute all documents necessary to accomplish the purposes of this resolution, including any necessary intermunicipal agreements.

Signed: Barmore, DeJoe, Cornell, Scudder, Lemon, Gould, Nazzaro, Gullo, Park, Richmond

RES. NO. 216-10

Authorizing Acceptance of Grant from the NYS Local Government Records Management Improvement Fund for Disaster Recovery Planning

By Administrative Services and Audit & Control Committees:

At the Request of County Executive Gregory J. Edwards:

WHEREAS, the County of Chautauqua has successfully applied for and received a grant from the NYS Education Department and Department of Archives for electronic records disaster recovery purposes under special grant project # 0580-11-1250 for \$9,890; and

WHEREAS, funds from such grant are targeted to develop and document disaster management procedures which specifically define plans of action to assist in the recovery of electronic records; therefore be it

RESOLVED, That the County Executive is hereby authorized to execute the appropriate grant agreement and related documents to accept such funds; and be it further

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

INCREASE EXPENSE ACCOUNT:

A.1680.----.4 Contractual – Information Technology \$9,890

ESTABLISH & INCREASE REVENUE ACCOUNT:

A.1680.R306.0RDR NYS Aid: Records Mgt: Records Disaster Recovery \$9,890
Signed: Barmore, DeJoe, Cornell, Scudder, Lemon, Gould, Nazzaro, Gullo, Park, Richmond

RES. NO. 217-10

Authorize Grant Agreement with U.S. Department of Justice – Office of Community Oriented Policing (COPS) Secure our School Program

By Public Safety and Audit & Control Committees:

At the Request of County Executive Gregory J. Edwards:

WHEREAS, the Office of the Sheriff in a partnership with Erie 2 BOCES has successfully applied for a grant from the U.S. Department of Justice Office of Community Oriented Policing (COPS) for Technology; and

WHEREAS, the Sheriff has been approved to receive \$151,222.00 from the COPS grant program to provide funding for the purchase of security equipment for BOCES; and

WHEREAS, this funding will be available in 2011 and it will be necessary to amend the 2011 budget at such time that the equipment will be purchased; and

WHEREAS, it is necessary for the County to enter into an agreement with the U.S. Department of Justice Office of Community Oriented Policing (COPS) in order to obtain these grant funds; therefore be it

RESOLVED, That the Chautauqua County Executive is hereby authorized to execute the appropriate award agreement or other appropriate document to secure \$151,222.00 in COPS Technology Funds with the U.S. Department of Justice Office of Community Oriented Policing.
Signed: Richmond, Runkle, Duff, Mueller, Himelein, Gould, Nazzaro, Gullo, Park

RES. NO. 218-10

Authorize Grant Agreement with U.S. Department of Justice – Office of Community Oriented Policing (COPS) Technology Program

By Public Safety and Audit & Control Committees:

At the Request of County Executive Gregory J. Edwards:

WHEREAS, the Office of the Sheriff has successfully applied for a grant from the U.S. Department of Justice – Office of Community Oriented Policing (COPS) for Technology; and

WHEREAS, the Sheriff has been approved to receive \$100,000 from the COPS grant program to assist in funding the purchase of fiber optic cable and installation for the benefit of the Mayville County complex; and

WHEREAS, this grant extends through December 15th, 2012; and

WHEREAS, it is necessary for the county to enter into an agreement with the U.S. Department of Justice – Office of Community Oriented Policing (COPS) in order to obtain these grant funds; therefore be it

RESOLVED, That the Chautauqua County Executive is hereby authorized to execute the appropriate award document to secure \$100,000 in COPS Technology Funds with the U.S. Department of Justice – Office of Community Oriented Policing (COPS).

Signed: Richmond, Runkle, Duff, Mueller, Himelein, Gould, Nazzaro, Gullo, Park

RES. NO. 219-10

Authorize Lease Agreement with the City of Dunkirk for the Dunkirk Firemen's Training Grounds

By Administrative Services, Public Safety, and Audit & Control Committees:

At the Request of County Executive Gregory J. Edwards:

WHEREAS, the County of Chautauqua provides training facilities for the various fire departments of the County; and

WHEREAS, the County of Chautauqua has an agreement with the City of Dunkirk to lease the premises commonly known as the Dunkirk Firemen's Training Grounds; and

WHEREAS, it is in the best interest of both the City and the County to amend this agreement and extend it for forty (40) years; and

WHEREAS, it would be advantageous to both the County of Chautauqua and the City of Dunkirk to share services in utilizing these facilities to train county firefighters, therefore be it

RESOLVED, That the County Executive is authorized and hereby empowered to execute a lease agreement with the City of Dunkirk on substantially the following terms and conditions:

1. Premises: Approximately 2.9 acres at 665 Brigham Road Dunkirk, New York commonly known as the Dunkirk Firemen's Training Grounds.
2. Term: Immediately following adoption of Local Law Introductory 8-10, and terminating forty (40) years thereafter.
3. Rent: \$1 per year.
4. Utilities: Paid by City of Dunkirk.
5. Other: As negotiated by the County Executive.

Signed: Barmore, DeJoy, Cornell, Scudder, Lemon, Park, Richmond, Runkle, Duff, Mueller, Himelein, Gould, Nazzaro, Gullo

RES. NO. 220-10

Authorizing Agreements in Support of the Department of Justice Office on Violence Against Women Grant Award

By Audit & Control Committee:

At the Request of County Executive Gregory J. Edwards:

WHEREAS, Chautauqua County Department of Social Services (CCDSS) has been awarded \$394,800.00 in grant funds through the U.S. Department of Justice, Office on Violence Against Women for The Safe Havens: Supervised Visitation and Safe Exchange Grant Program; and

WHEREAS, the award is authorized for a three-year pilot program in collaboration with the Salvation Army Anew Center, the Center for Family Unity and the 8th Judicial Circuit Court; and

WHEREAS, this funding will support supervised visitation and safe exchange options for families with a history of domestic violence, child abuse, sexual assault and stalking; and

WHEREAS, the 2010 County budget must be adjusted to accommodate these funds; and therefore be it

RESOLVED, That the County Executive is authorized to enter into contracts with the U. S. Department of Justice and its Office on Violence Against Women and other contractors to provide the services under this grant; and therefore be it further

RESOLVED, That the Director of Finance be and hereby is authorized and directed to make the following 2010 budgetary changes:

ESTABLISH AND INCREASE APPROPRIATION ACCOUNTS:

A.6010.SHVN.1	Personal Services – Safe Havens	\$ 2,372.00
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A.6010. SHVN.4	Contractual – Safe Havens	\$12,312.00
A.6010. SHVN.8	Fringe Benefits - Safe Havens	\$ 769.00
		<u>\$15,453.00</u>

ESTABLISH AND INCREASE REVENUE ACCOUNT:

A.6010.SHVN.R.461.0000	Federal Aid –Social Services Admin	<u>\$15,453.00</u>
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Signed: Lemon, Gould, Nazzaro, Gullo, Park, Richmond

RES. NO. 221-10

2011 Distribution of the 3% Occupancy Tax to Various Organizations

By Planning & Economic Development and Audit & Control Committees:

At the Request of Chairman Croscut and Legislator Kindberg:

WHEREAS, the County of Chautauqua established an Occupancy Tax by Local Law 12-03 pursuant to Chapter 366 of the Laws of 1989 of the State of New York; and

WHEREAS, it is appropriate for the County to make plans for the use of the Occupancy Tax net proceeds; and

WHEREAS, the Occupancy Tax Tourism Panel, created by Resolution #118-08, has carefully reviewed and prioritized requests for Occupancy Tax funding in 2011 for the promotion of tourism and visitors; therefore be it

RESOLVED, That the following organizations be awarded the following amounts of Occupancy Tax funds in the 2011 County Budget:

Concord Grape Belt Heritage Plan Implementation	\$13,320
Southern Tier Cup Pond Hockey	\$16,320
Tri Dunkirk – Triathlon	\$15,920
Figure Skating Events	\$7,540
Snowmobile Marketing	\$1,974
Snowmobile Trail Infrastructure	\$7,260
Chautauqua-Lake Erie Art Trail	\$5,808
Strider Field Tech. Upgrade	\$13,028
International Humanitarian Law Dialogues	\$5,085
Light the Lakes – Bemus Bay Pops	\$12,720
Chautauqua County Bicentennial Celebration	\$12,600
3 rd Annual RTPI Birding Festival	\$9,450
Summer Concert Series – Bemus Bay Pops	\$3,775
Total	\$124,800

Signed: Park, Tarbrake, Kindberg, Borrello, Heenan, Gould, Nazzaro, Richmond

RES. NO. 222-10

Consent to City of Dunkirk Planning Agency as Lead Agency Status for Roberts Road
Redevelopment Project

By Planning & Economic Development Committee:

At the Request of County Executive Gregory J. Edwards:

WHEREAS, the City of Dunkirk has received an application for environmental review in conjunction with the Roberts Road Redevelopment Project and has preliminarily determined the matter to be a Type 1 action under the New York State Environmental Quality Review Act (SEQRA); and

WHEREAS, in an effort to coordinate review under SEQRA on behalf of interested parties the City of Dunkirk has notified this Legislature that the City of Dunkirk Planning Board is intending to act as Lead Agency for the environmental review of this project; and

WHEREAS, the County of Chautauqua has been identified as an 'involved agency' with authority over a portion of this project and a designation of the City of Dunkirk Planning Board is appropriate for Lead Agency status under SEQRA; and

WHEREAS, the City of Dunkirk has requested the consent of the County to the service by the City of Dunkirk Planning Board as Lead Agency for this project; therefore be it

RESOLVED, That the County of Chautauqua consents to Lead Agency status of the City of Dunkirk Planning Board in order to undertake the appropriate review under the New York State Environmental Quality Review Act and associated regulations; and it is further

RESOLVED, That the County Executive is hereby authorized to execute the necessary consent or other appropriate documents to effectuate this purpose.

Signed: Park, Tarbrake, Kindberg, Borrello, Heenan

RES. NO. 223-10

Authorize Agreement with County of Cattaraugus to Extend Term of the Conewango Watershed
Commission

By Planning & Economic Development:

At the Request of County Executive Gregory J. Edwards:

WHEREAS, pursuant to Resolution 160-07, the County Legislature authorized an agreement with the County of Cattaraugus to extend the term of the Conewango Watershed Commission until December 31, 2010 to manage the flood control structures in the Conewango Creek Watershed and to clean the 12.5 mile New York State Drainage Ditch, otherwise known as the Dredge; and

WHEREAS, the Conewango Watershed Commission and the County of Cattaraugus wish to extend the term of this agreement on the same terms and conditions as the previous agreement; therefore be it

RESOLVED, That the County Executive is authorized and empowered to enter into an extension agreement with the County of Cattaraugus as described above to extend the term of the

Conewango Watershed Commission to December 31, 2013 on the same terms and conditions as the previous agreement, including the following:

1. Operation and Maintenance Expense: Subject to appropriation, to be shared equally by the counties for both Conewango Watershed Protection Projects and the Dredge.
2. Capital Expense: Subject to appropriation, counties each responsible for capital improvements located within their borders.
3. Termination. Upon ninety (90) days written notice.
4. Other. As negotiated by the County Executive

Signed: Park, Tarbrake, Kindberg, Borrello, Heenan

RES. NO. 224-10

Authorize County to Accept Alternatives to Incarceration Grant

At the Request of County Executive Gregory J. Edwards and Legislator Doug Richmond:

WHEREAS, The New York State Division of Probation and Correctional Alternatives has approved and offered a funding level of \$16,582.00 for the operational period of January 1, 2010 through December 31, 2010, for the Alternatives to Incarceration Program for this calendar year; and

WHEREAS, the County of Chautauqua has participated in this program in the past and is desirous of accepting such grant for the current year; and

WHEREAS, such project funds will assist the County in providing criminal courts with individualized treatment and supervision plans for selected, non-violent defendants, which will reduce crime and promote public safety by providing community based supervision and treatment that will increase offender accountability and lower recidivism; and

WHEREAS, these revenues have been included in the adopted 2010 budget; now therefore be it

RESOLVED, That the County of Chautauqua hereby authorizes and approves the funding application and confirms acceptance of the funding of the grant for Alternatives to Incarceration Program for the 2010 calendar year in the amount of \$16,582.00; and be it further

RESOLVED, That the County Executive be and hereby is authorized to sign any and all contract documents to confirm the application and acceptance and receipt of such grant; and be it further

RESOLVED, That a certified copy of this resolution be forwarded to the New York State Division of Probation and Correctional Alternatives

Signed: Richmond

RES. NO. 225-10

Authorizing Transfer of Tax Foreclosure Property to DLDC Real Property LLC

By Administrative Services Committee:

At the Request of Legislators Ahlstrom, Barmore, Heenan, and County Executive Gregory J. Edwards:

WHEREAS, pursuant to Resolution 137-09, upon receipt of a request from local development organizations, the County Legislature may choose to approve transfer of tax foreclosure properties to such entities subject to terms and conditions as may be appropriate; and

WHEREAS, the Dunkirk Local Development Corporation ("DLDC") has proposed that a tax foreclosure property be transferred to its real estate holding company without cost for the purpose of completing a demolition of a blighted building on the premises; therefore be it

RESOLVED, That the County Executive is authorized and empowered to transfer to DLDC Real Property LLC the tax foreclosure property at 418 Woodrow Avenue (060300-79.18-2-76) without cost conditioned upon DLDC completing a demolition of the building on the premises and upon such other terms and conditions negotiated by the County Executive.

Signed: Barmore, DeJoy, Cornell, Scudder, Lemon

RES. NO. 226-10

Quit Claim Deeds

By Administrative Services Committee:

At the Request of County Executive Gregory J. Edwards:

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. 137-09; therefore be it

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

RESOLVED, That the Director of Finance of Chautauqua County be hereby authorized to cancel any outstanding taxes, fees, interest and other charges. In adopting this resolution, the Legislature intends to adopt each transaction separately, in the usual form of Resolution, and the failure of any particular transaction to be completed shall in no manner affect the validity of any of the others.

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Offer Number	Municipality	S/B/L	Property Location	Successful Bidder	Bid Amount	Taxes Owning
PA-7-2010	C/Dnk.	060300-79.11-7-18	115 S Zebra St	Jesus Torres	\$ 7,000.00	6903.37
PA-8-2010	C/Dnk.	060300-79.11-7-19	S Zebra St	Jesus Torres	\$ 500.00	147.79
PA-9-2010	C/Dnk.	060300-79.11-7-20	119 S Zebra St	Jesus Torres	\$ 500.00	7538.00
PA 284-08	C/Dnk.	060300-79.14-3-63	115 Pelican	Giovany J Carmona	\$ 700.00	1467.75
PA 18-09	C/Dnk.	060300-79.14-8-16	423 Swan St	Luis F Aparicio	\$ 5,500.00	16260.06
PA-23-2010	C/Dnk.	060300-79.14-9-28	Plover St	Johnathan J Accardo	\$ 1,700.00	687.33
PA-46-2010	C/Dnk.	060300-79.19-6-19	622 Leopard St	Lucian Raimondo	\$ 100.00	725.80
PA 335-08	C/Dnk.	060300-79.57-1-43	206 Columbus	Lucian Raimondo	\$ 175.00	1902.02
PA-84-2010	C/Jmst.	060800-370.19-2-36	1006 N Main St	Matthew R Walker	\$ 1,000.00	3203.42
PA-85-2010	C/Jmst.	060800-370.19-3-70	N Main St	Ronald L Pigman	\$ 50.00	20309.79
PA-413-2010	C/Jmst.	060800-370.20-4-40	853 E 2nd St	Royal Housing LLC	\$ 8,000.00	4960.71
PA-94-2010	C/Jmst.	060800-386.16-7-35	Trenton St Rear	Anthony D Porpiglia	\$ 50.00	437.92
PA-97-2010	C/Jmst.	060800-387.06-1-11	W 10Th St	William Soto	\$ 275.00	1422.30
PA-106-2010	C/Jmst.	060800-387.06-6-50	Cherry St	Tamella J Blackwell	\$ 25.00	590.42
PA-109-2010	C/Jmst.	060800-387.08-1-54	Cheney St	Eric Anderson	\$ 100.00	893.55
PA-110-2010	C/Jmst.	060800-387.08-1-7	Bush St	Etonia S Raj	\$ 25.00	385.74
PA-114-2010	C/Jmst.	060800-387.08-2-9	8 Thayer St	Scott Herman	\$ 25.00	29936.45
PA-116-2010	C/Jmst.	060800-387.08-8-21	245 Willard St	William Soto	\$ 2,000.00	1444.64
PA-117-2010	C/Jmst.	060800-387.08-9-77	558 Allen St	Danielle D Eckberg	\$ 1,750.00	5393.11
PA-125-2010	C/Jmst.	060800-387.12-4-46	118 King St	Thomas L Bailey Jr	\$ 5,500.00	2449.46
PA-414-2010	C/Jmst.	060800-387.13-1-37	325 Norton Ave	David Lipari	\$37,000.00	27096.92
PA-133-2010	C/Jmst.	060800-387.14-5-1	107 Baker St	William Soto	\$ 25.00	1353.73
PA-142-2010	C/Jmst.	060800-387.14-7-4	62 Forest Ave	William Soto	\$ 600.00	22952.05
PA-145-2010	C/Jmst.	060800-387.15-10-16	236.5 S Main St	Joshua Stahlman	\$ 1,200.00	10365.11
PA-147-2010	C/Jmst.	060800-387.15-7-43	345.5 Foote Ave	Frank L Davis	\$ 100.00	2345.71
PA-163-2010	C/Jmst.	060800-387.26-1-28	503 E 6Th St	Mary A Campbell	\$ 100.00	1516.26
PA-165-2010	C/Jmst.	060800-387.26-4-46	36 Bush St	Eric S Hagglund	\$ 5,500.00	4208.13
PA-172-2010	C/Jmst.	060800-387.32-2-22	701-705 N Main St	David Lipari	\$ 75.00	7469.45
PA 142-09	C/Jmst.	060800-387.34-4-23	Chandler	William Soto	\$ 10.00	3858.98
PA-182-2010	C/Jmst.	060800-387.49-1-10	101 Harrison St	William Soto	290,000.00	413915.02
PA-187-2010	C/Jmst.	060800-388.13-2-15.1	Sanford Dr	Luis F Aparicio	\$ 1,050.00	2167.85
PA-192-2010	C/Jmst.	060800-405.05-1-9	Fairdale Ave	David Lipari	\$ 10.00	565.30
PA-206-2010	Busti	062289-384.11-2-10	2230 Dell Ave	Victor P DeFrisco	\$ 275.00	423.10
PA-214-2009	Chaut.	062889-314.00-1-19	6191 Davis Rd	Andrew K M Snyder & Malisa S Bal	\$ 17,000.00	516.05
PA-223-2010	V/Cherry Creek	063001-237.08-1-32	Maple Ave	Gary Seivert	\$ 5,500.00	8817.85
PA-238-2010	Ellery	063689-333.14-2-25	Park Ave Dr	Ricardo D Hernandez	\$ 25.00	794.95
PA-280-2010	Gerry	064489-318.00-3-16	4302 Route 380	Scott Herman	\$ 1,500.00	4890.53
PA-286-2010	V/Silver Creek	064603-49.06-4-4	13 Burgess St	Jacob W Schnur	\$ 9,000.00	16685.14
PA-322-2010	Pomfret	065889-112.08-1-33	Van Buren Rd	Henry J Leworthy	\$ 25.00	577.68
PA-335-2010	V/Brocton	066001-145.17-2-45	10 E Main St	Melissa A Thompson	\$ 1,200.00	13173.80
PA-357-2010	Ripley	066200-240.12-3-20	4 W Main St	Karl & Etonia Strassel	\$ 900.00	23212.26
PA-358-2010	Ripley	066200-240.12-3-24	7 S State St	Ripley Fire District	\$ 25.00	29565.58
PA-359-2010	Ripley	066200-240.15-2-14	W Main St	Royal Housing LLC	\$ 5,000.00	11237.07
PA-360-2010	Ripley	066200-241.13-1-1	24 S State St	Royal Housing LLC	\$ 4,000.00	21604.49
PA-363-2010	Ripley	066200-241.13-1-2	28 S State St	Royal Housing LLC	\$ 1,500.00	10055.92
PA-368-2010	Sheridan	066400-97.00-1-10	New Rd Rear	Luis F Aparicio	\$ 40.00	353.99
PA 387-09	V/Westfield	067201-193.17-4-72	3 Bells Parkway	Darrell W & Yvonne A DeHaven	\$19,000.00	19215.47
PA-389-2010	V/Westfield	067201-209.12-1-30	37 E Campbell St	Jeffrey F Carr	\$ 7,000.00	7702.94
TOTALS					442,635.00	773,700.96

Signed: Barmore, DeJoy, Cornell, Scudder, Lemon

RES. NO. 227-10

Consider 2011 Tentative Budget, with the Changes Listed Below, and Presenting Same to the County Executive for his Consideration and Action

By Audit & Control Committee:

At the Request of Legislators Gould, Park, and Richmond:

WHEREAS, the Chautauqua County Legislature has received the County Executive's 2011 Tentative Budget and the Audit & Control Committee has reviewed the budget and has recommended changes to the tentative budget; and

RESOLVED, That the 2011 Tentative Budget, with the changes listed herein, be presented to the County Executive for his consideration and action:

DECREASE APPROPRIATION ACCOUNTS:

A.1170.----.4	Contractual - Public Defender	\$2,180
A.1310.----.4	Contractual - Finance	3,415
A.1410.----.4	Contractual - County Clerk	545
A.1410.1411.4	Contractual - Motor Vehicles	1,045
A.1420.----.4	Contractual - District Attorney	6,540
A.1450.----.4	Contractual - Board of Elections	2,475
A.1460.----.4	Contractual - Records Management	545
A.1610.----.4	Contractual - Office Services	400
A.1620.----.8	Fringe Benefits - Buildings & Grounds	4,800
A.1680.----.4	Contractual - Information Technology	5,000
A.3110.----.5	Fixed Contractual - Sheriff	12,243
A.3140.----.4	Contractual - Probation	9,715
A.3150.----.1	Personal Services - Jail	45,412
A.3150.----.8	Fringe Benefits - Jail	31,109
A.4010.----.4	Contractual - Public Health Administration	5,000
A.4010.HE.4	Contractual - Health Education	1,090
A.4010.NURS.4	Contractual - Nursing	9,810
A.4059.----.4	Contractual - Early Intervention	2,725
A.4090.----.4	Contractual - Environmental Health	5,995
A.4310.----.4	Contractual - Mental Hygiene Administration	8,175
A.5630.5625.4	Contractual - CARTS	5,995
A.5630.MED.4	Contractual - CARTS/Medicaid	1,090
A.6010.----.4	Contractual - Social Services Administration	56,250
A.6420.----.4	Contractual - Promotion of Industry	43,693
A.7110.----.1	Personal Services - Parks	9,301
A.9901.9000.9	Interfund Transfers - Transfer to County Road Fund (A to D)	52,767
A.9901.9100.9	Interfund Transfers-Transfer to Road Machinery Fund(AtoDM)	4,800
A1620.----.4	Contractual - Buildings and Grounds	545

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D.5010.----.1	Personal Services - Maintenance of Roads	6,500
D.5010.----.4	Contractual - Public Facilities Administration	18,530
D.5010.----.8	Fringe Benefits - Maintenance of Roads	2,400
D.5110.3310.4	Contractual - Pavement Marking	25,337
DM.5130.----.8	Fringe Benefits - Road Machinery	<u>4,800</u>
		\$390,227

INCREASE APPROPRIATION ACCOUNTS:

A.1010.1	Personal Services - Legislative Board	\$24,965
A.1010.8	Fringe Benefits - Legislative Board	1,962
A.6420.TOUR.4	Contractual - Toursim	188,279
A.8020.WTRS.4	Contractual - Watershed Administration	<u>156,234</u>
		\$371,440

DECREASE REVENUE ACCOUNTS:

A.3189.1112.R111.3000	Other R/Property Tax Items: Hotel Room Occupancy Tax	\$90,641
A.3189.3111.R111.3000	Other R/Property Tax Items: Hotel Room Occupancy Tax	156,234
A.7110.R111.3000	Other R/Property Tax Items: Hotel Room Occupancy Tax	97,638
D.5142.9999.R503.1000	Interfund Transfers - Interfund Transfer (A to D)	52,767
DM.5190.9999.R503.1000	Interfund Transfers - Interfund Transfer (A to DM)	<u>4,800</u>
		\$402,080

INCREASE REVENUE ACCOUNTS:

A.1620.R266.0000	Sale of Property/Compensation: Sale of Real Property	32,500
A.3020.TECH.R156.0000	Departmental Income: Radio Repair Fees	75,906
A.3110.----.R158.9003	Departmental Income: Oth PS Inc: Drug Enforcement	17,202
A.3110.----.R265.5000	Sale of Property/Compensation: Minor Sales	13,640
A.3110.----.R438.9COP	Federal Aid: COPS Grants	50,268
A.3150.----.R308.9000	NYS Aid: Other State Aid	1,095
A.5610.5610.R177.0000	Departmental Income: Fees & Rentals: Airport	12,000
A.6420.TOUR.R111.3000	Other R/Property Tax Items: Hotel Rm Occupancy Tax	188,279
A.8020.WTRS.R111.3000	Other R/Property Tax Items: Hotel Rm Occupancy Tax	<u>156,234</u>
		\$547,124

and be it further

RESOLVED, That the 2011 Tentative Budget as amended above by the Legislature's Audit & Control Committee reflects the Real Property Tax Levy at \$59,433,131 and an estimated Full Value Rate of \$8.90.

Signed: Gould, Park, Richmond (Nazzaro, Gullo voting "no")