

Minutes

Audit & Control Committee

January 17, 2019, 8:35 a.m., Room 331

Gerace Office Building, Mayville, NY

Members Present: Chagnon, Nazzaro, Niebel, Muldowney

Members Absent: Gould

Others: Tampio, Ames, Dennison, Abdella, Almeter, Bentley, Griffith, McCoy, Crow, McCord, Cresanti, Quattrone, Borrello, Caflisch, Brickley

Chairman Chagnon called the meeting to order at 8:37 a.m.

Approval of Minutes (12/13/18)

MOVED by Legislator Niebel, SECONDED by Legislator Nazzaro

Unanimously Carried

Privilege of the Floor

No one chose to speak at this time

Proposed Resolution- Authorize Federal and State Aid Applications for the Chautauqua County Dunkirk Airport Five-Year Capital Improvement Plan (ACIP) For FY 2019-2024

Mr. Bentley: This effort here is a notification to the committees and I've asked Ron to do the brief version for you today. So, we're going to cut through a lot of the technical stuff, but feel free to ask questions. Really, we've been to the Planning Commission to explain the five year plan and what it means and all the details in it, between all the FAA grants and the New York State grants and for both the airports. We were at Public Facilities Committee on Monday. So, we've actually had a lot of in-depth discussion with those committees and a lot of discussion as far as what's in the plan- the projects around that. So, with that, I'll have Ron do the five minute version.

Legislator Nazzaro: Ron did a very nice job in Pubic Facilities. We went over each project in pretty good detail. The committee was comfortable with-

Mr. Bentley: Even though both of these were tabled-

Legislator Nazzaro: They weren't tabled. We only had three Public Facilities members and it was two to one and you can figure out who voted no.

(Cross-talk)

Mr. Bentley: It was a good discussion and Mr. Scudder did have a lot of good questions and he obviously has reason for voting no on the resolution, but he also knew that it would be continuing forward. So, that's kind of the background of this.

Mr. Almeter: We are at the stage in the federal aviation administration airport capital improvement program process where we have to submit pre applications for the projects we would like FAA funding in fiscal year 2019. We have a deadline of January 31st to submit that. The process, which I'm sure you're all aware of, starts in the fall. We do a five year look ahead on the capital program for each of the airports under the FAA (*inaudible*) program. They approve that five year capital plan and then we have a pre-application submission that's due by the 31st of January. They (*inaudible*) those, they make the grant offers and then we come back to the Legislature with the grant offers usually in August or September.

I'll focus on the 2019 projects that are in the resolution since those are the ones that we'll be submitting the pre-applications for on the 31st. At the Dunkirk Airport we are in the second phase of a six year effort to do obstruction removal on the approaches to the runways. We have primarily tree obstructions on all four approaches to the runways, which limit the utility of those runways specifically for instrument flying rule approaches to the airport. Those current restrictions are highly restrictive to jet aircraft because we're only able to use the GPS approaches and they have fairly high minimums where if they don't see the runway they have to divert. So, getting these obstructions removed will improve the utility and certainly improve the safety on the approaches to the airports.

The second phase is the acquisition of easements and in a couple cases, parcels of land in the runway protection zone that will subsequently allow us to go in and remove the trees. Those projects are scheduled in the out years for the design and removal in two phases; the primary runway in 2020 and the secondary runway in 2021. I've also included in the resolution this year the projects that we've submitted for New York State aviation grant funding. It's something that we haven't done in years passed because that solicitation cycle comes in- those grants are published in May and June. We submit the application and then we typically don't hear anything back for a year or more, but just so the Legislature is aware of the big picture, we've also submitted grant applications to New York State for the replacement of hangar door one and two over at the Dunkirk Airport and we may submit a grant application for removal of the underground fuel farm. That is kind of a fall back or a contingency plan because those tanks actually belong to the Nalbones and the FBO that vacated the airport a year ago and it's their responsibility to remove them. If for some reason they were bankrupt or if we had a fuel spill, those tanks would become our responsibility and we would have to close them. That's the only reason that's on the plan.

I've prepared a briefing for the Planning Commission, which we delivered last week and if any of you would like more details on the entire five year effort I can send you this presentation and you can dig into that a little bit deeper. Any questions on the Dunkirk plan?

Chairman Chagnon: Questions? Ron, the Planning Board was in favor of the plan? They approved the plan?

Mr. Almeter: Yes they did.

Chairman Chagnon: Any other questions or comments? All those in favor please say aye. Opposed?

Unanimously Carried

Proposed Resolution- Authorize Federal and State Aid Applications for the Chautauqua County Jamestown Airport Five-Year Capital Improvement Plan (ACIP) for FY 2019-2024

Mr. Almeter: Mr. Chairman, the five year look ahead for the Jamestown Airport has two major efforts that are broken out in sequential years. The first, which is reconstruction of the main runway, that actual construction effort is scheduled for 2021 and is an expensive project-almost \$6 million. Before we get to that we have to do a design effort, which is on the plan for this fiscal year and that's a \$430,000 project and that is already- there are actually some predecessor activities that are being completed now. Once the design is completed then we'll apply in 2021 for the reconstruction.

The other major effort in our five year plan is the rehabilitation of the airport perimeter fence. For the 2019 fiscal year we're submitting a grant application for the design phase of that. The construction phase is scheduled for two phases; 2020 and 2021. The fence is obviously part of our security perimeter, but the other purpose it serves is primarily wildlife management. We have to keep the critters off the airport and we have quite a problem with that in Jamestown-coyotes, deer, a lot of waterfowl and of course the fence doesn't help with that. We've had wildlife on the runway with aircraft taking off and landing. FAA pays for it and it's something we have to pay a lot of attention to. The current fence is- we have a lot of erosion around the airport because as you're probably aware, the airport sits kind of on a plateau and the terrain drops off on three sides. So, we have a lot of run off problems and erosion problems.

Part of this project is not just to replace the fence, but improve on the drainage and the storm water management features around the perimeter. Those are the two big themes going forward. As with Dunkirk, we also have included in the plan the projects for which we are applying for New York State Aviation Division grants. Last summer we submitted a grant application for rehabilitation of hangar C, which is the old UJC hangar. It's currently being used to store Sheriff's Department equipment and airport maintenance equipment. It's not usable as a hangar right now, but it was built as a large jet hangar and the restoration work put in a grant application for about a half a million dollars to put a new hangar door on that, fix the mechanical (*inaudible*) and basically put the thing back into service as an aircraft hangar. So, those are the-

Mr. Bentley: It's currently being used as a bird sanctuary. Like Ron said, the hangar is actually a very large hangar and could be used to store jets. I think it's a worthwhile effort.

Mr. Almeter: Those are the big ticket items in the five year plan and specifically the 2019 applications.

Mr. Bentley: The rest can be found in the presentation.

Legislator Nazzaro: I would like to get a copy of that.

Mr. Almeter: I would be happy to get you a copy.

Chairman Chagnon: OK. Questions? Comments?

Legislator Nazzaro: Just a comment. We appreciate getting a plan so we're aware of what projects are going to be presented. So, when they do come to us again for approval we should not be surprised. We appreciated having you come and present it to us so we're aware of what is going to be happening over the next five years.

Mr. Bentley: My goal, as you guys have known, is to be as transparent as I can with as much as possible. We're trying very hard to make sure that whatever our plans are, you guys have access to it and are able to ask questions before we have to call any emergency sessions.

Mr. Almeter: I'd like to make mention of one other thing because I don't want to miss an opportunity to lobby for resumption of commercial air service. When we lost commercial air service we kept our 139 certification as a commercial air field, but our entitlement to FAA grant funds dropped from 95% to 90%. Applying that 2.5% loss of (*inaudible*) to the projects that we have scheduled for the next three years represents a loss of capital project revenue from the FAA of over \$200,000. Getting the airline back will put us back at that 95% reimbursement level and will effectively save us over \$200,000 and that's in this presentation too.

Chairman Chagnon: Any other questions or comments? All those in favor of the proposed resolution please say aye. Opposed?

Unanimously Carried

(Cross-talk)

Proposed Resolution- Authorizing Lease with Cornell Cooperative Extension for the Frank W. Bratt County Agricultural Center in the Town of Ellicott

Mr. Bentley: So, this is a renewal of the lease that Cornell has with us through the Ag Center. On the surface, we're keeping the dollar amounts the same. The reason why it's late is I've actually been trying to find another home for them. The building is in a little bit of a state of disrepair. Ever since the USDA moved out they're the only tenants in there. It would be beneficial on multiple fronts to find another home for them, but their space requirements are quite lofty. They need kitchen facilities, they would like some grounds, they need meeting space in the evenings three times a week, a large meeting facility and they also need offices for about nine

staff members. At the rate that they're currently paying, that's a very difficult challenge. I've been working with them for awhile now trying to find them some different homes. My expectation is while we're renewing this lease for another year, is that we're going to be addressing this situation hopefully sooner than later. In order to enter into a lease agreement we need to have the Legislature approval. So, that's why it's coming.

Chairman Chagnon: Brad, our expectation was that we would be able to sell that building but we were awaiting FAA approval. I understand we've gotten some information on that?

Mr. Bentley: Yes. The updates on that are the FAA- we stopped with the approval because what we're trying to do is actually get it out of the airport master plan altogether so that we do not require the FAA approval. So, we're updating the airport master plan as we speak and one of the things we're doing right now is survey work to plot out the land that we need to divest from the airport master plan because it doesn't have an airport use. With that step of getting it out of the airport master plan, now we can sell it without having to worry about the whole FAA approval and any potential paybacks or (*inaudible*) or anything like that where we don't know where the FAA might go with that because there's a long history and it's a little confusing. I think the cleanest step is take it out of the airport master plan and once it's out of there we can work towards selling it once Cornell is out of the building.

Chairman Chagnon: When do you plan to have FAA approval of the change to the airport master plan?

Mr. Bentley: Did Ron leave?

Mr. Almeter: Two years.

Mr. Bentley: Two years.

Chairman Chagnon: OK.

Mr. Bentley: So, yes, it's a process. I think that's the cleanest step instead of engaging the FAA to figure out some of the other nuances that are confusing. It's better to just take it out of the airport master plan and get that approval. You're effectively getting the FAA approval through that airport master plan.

Chairman Chagnon: Right.

Mr. Bentley: Whether you go- I'd rather do it this way because I think it's cleaner and resolves some of the issues faster, actually.

Chairman Chagnon: OK.

Mr. Bentley: So, yes. The plan would be to put it up for sale or find another use for it, but as of right now I don't have a use for that building. I would expect it to be sold.

Chairman Chagnon: Thank you for that update. Other questions or comments on the proposed resolution? All those in favor please say aye. Opposed?

Unanimously Carried

Proposed Resolution- Quit Claim Deeds

Chairman Chagnon: Anyone here to speak to the proposed resolution? What am I going to do with my questions?

Mrs. Dennison: You can try it on us and Steve and I can try to answer it.

Chairman Chagnon: OK, I'll try it on you. My question is that the proposed resolution indicates that the property has taxes owing of \$178.70. Looking at the tax history on this parcel, the taxes were roughly ranging between 25 and 60 dollars a year and they were unpaid from at least 2005 until 2016. In 2016 there was a delinquent tax amount of \$179.42, which is reflected in the resolution, but that's not the sum of the delinquent taxes for that period of time. What is further confusing- I'm sorry. Let me back up. Let me rephrase that- The taxes were paid in each of those years from 2005-2015. In 2016 the taxes were \$52.14, but the delinquent amount is reflected as \$179.42. Then, what's really confusing to me is in the next two years, 2017 and 2018 the taxes on the parcel were paid. So, how are we selling the parcel when the taxes have been paid for the last two years and except for 2016, were paid every year prior.

Mrs. Dennison: I just sent an email to Mr. Caflisch because that question is beyond the scope of my understanding.

Mr. Abdella: I can just speak generally.

(Cross-talk)

Chairman Chagnon: Mr. Caflisch is coming up right now to bail you out.

Mr. Abdella: Generally, even if you have a delinquent tax it doesn't prevent you from paying the current taxes as they come due. That might seem like strange phenomena, but it does happen and it appears to have happened here. The tax bills- you let one tax go, the next bill comes out and you just pay them. It doesn't cure that earlier delinquent tax. So, if you pay during the initial collection period there's no application of that payment to a prior delinquent tax.

Chairman Chagnon: OK.

Mr. Abdella: If you pay during the warrant period- during the initial collection period. It's unusual, but not unprecedented for someone to go delinquent on a tax and then pay subsequent taxes as they come due. Legislator Chagnon was asking how it could be that they would have paid taxes in 2017 and 2018, but 2016 remains delinquent.

Mr. Caflisch: If there was a bankruptcy involved is one possibility. I'd have to look up that parcel to do that. I don't recognize the number- it's a Jamestown parcel, but I'm not sure how that- without going into a file and looking at it.

Chairman Chagnon: It's a vacant lot.

Mr. Caflisch: OK.

Chairman Chagnon: The taxes in 2016 were \$52, but in 2016 the delinquent amount was \$179?

Mr. Caflisch: I'd have to research it for you, Mr. Chairman. I don't- it's hard for me to give you an answer just off the cuff. I will look it up for you.

Chairman Chagnon: OK.

Mr. Abdella: Would that include the charge that's made to all parcels that go into foreclosure?

Mr. Caflisch: The \$150 service fee is what is probably in there.

Mr. Abdella: Well, that's lower than if a \$150 was put in there-

Mr. Caflisch: I would have to look at all the (*inaudible*) to figure it out.

Mr. Abdella: Maybe you could do that now and come back later in the meeting?

Mr. Caflisch: Yes.

Legislator Niebel: Before you go, I guess my question is if the gentleman paid 2017 and 2018 would the Tax Department- would we have advised him to pay 2016 or his property would go into foreclosure or not necessarily?

Mr. Abdella: Well, he would-

Legislator Niebel: He paid 2017 and 2018, but he missed 2016-

Mr. Abdella: He would have been getting all of the normal delinquent notices and the petition of foreclosure.

Legislator Niebel: I understand.

Chairman Chagnon: The owner is currently a bank.

Mr. Caflisch: OK.

Mr. Abdella: It appears there was a decision to just let this property go.

Mr. Caflisch: That's what it looks like.

Legislator Niebel: Well, was there because they still paid for 2017 and 2018? I don't know if there really was a decision to let it go.

Mr. Abdella: Well, they would have received the foreclosure petition.

Legislator Niebel: I understand, but why would they be paying for the last two years and not pay three years ago?

Mr. Caflisch: That happens all the time.

Mr. Abdella: We see that-

Mr. Caflisch: A bank will all of a sudden decide to start paying the taxes not realizing because they don't keep track unless the property has an escrow account with it. So, if there's an escrow it will get paid, but if not sometimes they just start paying to try to preserve a right.

Mr. Abdella: And then a foreclosure might force them to finally take a hard look at it. I mean, we're not talking much money that they've been paying. The foreclosure may have forced them to take a look at it and they decide it's a vacant parcel and not worth their money to try to manage it and try to sell it.

Mr. Caflisch: Yeah. This does happen a lot.

Mr. Abdella: The sale price is \$1,000? I mean, there's an expense involved in managing-

Legislator Niebel: They might have just let it go.

Mr. Caflisch: Since the offers come forward this is going to be wiped out anyway as part of the transaction. I'll find out.

Legislator Niebel: Mr. Chairman, as long as Mr. Caflisch is here I have a quick question. We have had some problems with the 2019 tax bills and I wondered if you could just give us a quick explanation of what has happened and what the remedy might be going forward.

Mr. Caflisch: We had some staff transition and I have a new person working with me.

Legislator Niebel: Pam retired?

Mr. Caflisch: Pam retired. I have a new person working with me and we had some input errors. So, we have to be more careful in the future looking at how budgets are put together. I have 27 budgets to put together 27 different ways and we had some issues of communication

between ourselves and the towns. We had late information coming into us from the schools. It was a combination of things that just caught up with us this year.

Legislator Niebel: Mr. Caflisch, some of the tax bills were incorrect. What about some of the tax warrants?

Mr. Caflisch: The warrants were correct.

Legislator Niebel: You might want to check with the Town of Sheridan because they actually received Ripley's tax warrant.

Mr. Caflisch: I have emailed them out. It's possible I attached the wrong file to it. They didn't notify me, but I will go back and look. I'll make sure they get their correct one.

Legislator Niebel: And just one other question. In the past, some of the town clerks have voluntarily come into the Tax Department to help fold and get the tax bills out.

Mr. Caflisch: No.

Legislator Niebel: They haven't?

Mr. Caflisch: No. We do it all here. We print and fold. We have a machine downstairs that folds everything. So, when they go out they are in box and that's how they go. The Town of Sheridan did not request that their bills be folded.

Legislator Niebel: No, they did not.

Mr. Caflisch: I'm sure Becky- I think in the future I think she is going to request that service, which is very easy to do.

Legislator Niebel: She may or may not because when you have six lines on an address sometimes the fold doesn't come out correct.

Mr. Caflisch: Sometimes it does. That's true. Most everybody folds. I think the Town of Sheridan and the City of Dunkirk are the only two to my recollection that do not ask us to fold their bills.

Legislator Niebel: This year you did not have anybody come in to help you?

Mr. Caflisch: No. We haven't had anybody come in since I've been here.

Legislator Niebel: OK. Years ago they used to.

Mr. Caflisch: With our equipment downstairs we can do it all.

Chairman Chagnon: We'll leave this quit claim deeds proposed resolution until Mr. Caflisch gets back with more answers.

Proposed Resolution- Amend Capital Project Accounts

Mr. Griffith: In our capital project account for 2018 we had monies to day pavement work at both the training centers in Dunkirk and Jamestown- the Murphy Training Center and the Taylor Training Center. Working with DPF- very grateful that they helped us out with millings and took care of that problem so we did not need to do that paving project. We had \$60,000 dedicated to that. We did need to put in security systems at both training centers. If you've ever been to either one of the training centers they sit way off the road and there is no way really to monitor them unless you drive right back in. There is a lot of County assets in there in the form of flat screen tv's, projectors, computers and things like that. Plus, we needed to have low heat monitoring there for freezing water. By moving the monies for that- \$6,500 would take care of those two things. At the same time we took some of that money- or asked capital projects and they approved it to move some monies over to purchase a better ambulance than what we had originally planned for. Originally I had asked for \$20,000 out of the (*inaudible*) to buy a better grade ambulance than the one that we had looked at for less money. This would give us a better ambulance, much more reliable, much more maintenance free to go forward because we don't have monies for maintenance in our budget. At their request, they upped that from \$20,000 to \$30,000 and I was grateful for that. That would move the total of \$36,500 from the capital account over and the remainder of that account would transfer back into the general fund.

Chairman Chagnon: OK, questions? Comments? John, in essence you're returning money to the capital project fund and just to be clear, you reviewed this with the Planning Board and the Planning Board is the one who made the approval from their perspective of this action and actually increased your request from \$20,000 to \$30,000?

Mr. Griffith: It doesn't happen very much but yes, it did work that way.

Chairman Chagnon: I just wanted to make sure we heard that correctly.

Mr. Griffith: I was pretty stunned myself, to be honest with you.

Chairman Chagnon: OK.

(Cross-talk)

Chairman Chagnon: Questions? Comments? All those in favor please say aye. Opposed?

Unanimously Carried

Proposed Resolution- Authorize Agreement Between Chautauqua County and City of Dunkirk for ALS-BLS Medicare Billing

Mr. Griffith: This is a program we've had in place for quite a long time and I'd like to thank Kurt Gustafson from the Law Department, who is no longer with us, and the Law Department for working with us and Chief Mike Edwards from Dunkirk Fire for working through this. This will allow us when we work with Dunkirk Fire in their ambulance to receive a portion of what they bill back to the County to offset our expenses and offset the cost of our program. They would then bill the call as an ALS call. The billing rate is much higher for an ALS transport call than a BLS transport call and whatever they receive in monies from their billing company, they would send a percentage of that back to the County. I think the program is extremely well done. I think it was very fair. Mr. Niebel showed me an article that the City of Dunkirk has approved it, so it's moving forward.

Legislator Niebel: It was unanimous.

Chairman Chagnon: Any questions? Comments? John, I have a question. Just to be clear, what we're talking about is when you provide ALS intercept services?

Mr. Griffith: Yes.

Chairman Chagnon: And the City of Dunkirk is doing the transport?

Mr. Griffith: Yes.

Chairman Chagnon: OK, so they're sharing the revenue- a portion of which would be for the ALS intercept-

Mr. Griffith: Right. They would give us a percentage of what they received for that ALS transport. It's not a fixed amount; it's a percentage.

Legislator Niebel: It's 40%?

Mr. Griffith: It's 40%.

Chairman Chagnon: That makes sense. So, the follow up question is in the future when we have an ambulance in service, if the County is also doing the transport what would be the arrangement there?

Mr. Griffith: If we would transport in our ambulance with our ALS we would keep all the money.

Chairman Chagnon: You're full of right answers today.

Legislator Muldowney: You'd only do that if Dunkirk-

Mr. Griffith: Dunkirk would have to be out of service.

Chairman Chagnon: They would request-

Mr. Griffith: They would have to request us. We have no plans to do 911 work with our ambulance at this time.

Chairman Chagnon: Other questions or comments? All those in favor please say aye. Opposed?

Unanimously Carried

Mr. Griffith: You asked me to comment on the email that I sent you yesterday.

Chairman Chagnon: Regarding the fly car?

Mr. Griffith: Did you share those numbers?

Chairman Chagnon: I did not. I was hoping that you would.

Mr. Griffith: OK.

Chairman Chagnon: And since Kathleen is so generously stepping forward, she can assist.

Mr. Griffith: I worked with Kathleen to put these numbers together. What we did is we looked at all of our calls that we've done and tried to come up with a month by month budget for the fly car system as we are going forward. It's really difficult to track if you look at financial statements because we do our services and we don't receive our income back for- medical billing can be 90-120 days before you get paid. So, we just basically put it together- Kathleen put it together that if we looked and we did a certain number of calls broke down by type of call, either Medicare, Medicaid, or a private insurance call and then how that would work against our expenses. Right now, for the first fifteen days of January since we've gone to 24/7, we're running 5.8 calls per day. That's the average we're running right now. The number is up significantly from what it was. As those calls go up, of course our revenues go up. Our expenses stay relatively the same, but our revenues go up quite a bit. So, we- Kathleen was very kind and ran two scenarios for us. The first one we ran was as if we ran three calls per day on Medicare and two calls on private insurance and looking at all the things we do-

(Cross-talk)

Mr. Griffith: And taking into 70% reduction of the private pay to offset copays and not-for-pays. If we could run two calls per day and look at it in a month by month basis because we don't have the ambulance up and running and we probably will not have it up for the first quarter. We have to get the ambulance and then go through all the logistics with the State of New York to get it certified. The local share for the first quarter would be \$42,176. That would be for the first quarter. If we could add one more call on a private insurance per day, then the local share for that three month period would be \$8,709. You can see this program just as we had

talked back when we had done the budget is really starting to come into fruition. It's starting to reach a point where it will become self-sufficient. By adding the ambulance piece later in the year where we can do those medical transport ambulance service work, we'll be able to generate the revenues to offset that local share. I'm confident that we can make this a local share neutral program- I think for fiscal year 2019 year end. It will take some time to roll in and we have to try to put it together in month by month and look at it as we go and we'll continue to adjust that. Are there any questions on any of that?

Chairman Chagnon: Thank you for sharing that with the Committee and thank you for sending that to me yesterday.

Mr. Griffith: I sent it to Terry, also.

Chairman Chagnon: And thank you to Kathleen for your assistance with this.

Mr. Griffith: Yes. Kathleen is the one who puts the numbers into this format for us.

Chairman Chagnon: This is something that we're very interested in keeping track of as the year develops because this is a program that is in significant transition and we have a budget that we're hopeful that we can achieve. So far the indications are that it's looking hopeful that we can do that.

Mr. Griffith: It's much more positive than what we (*inaudible.*)

Chairman Chagnon: Appreciate any positivity you can give us.

Mrs. Dennison: We do have a model set up now and we can pretty easily run some different scenarios. It's a very adaptable model, so we can very quickly change some different scenarios- also in the staffing too. We built it based on the current staffing assuming that we're adding back the EMT's once we get to April 1st, but we can quickly look at some different scenarios if we find that the current financial picture isn't coming together as we thought.

Mr. Griffith: The call numbers we're using is only billable calls. We answer a lot more calls than that. For basic, we cannot bill for. We transport with the Cities where up until now in the City of Dunkirk we'll be able to, but in the City of Jamestown it's not a billable call. I'm only focusing our numbers on billable calls. I think to use non-billable numbers would be a pie in the sky thing. I think we've really tried to keep the numbers very conservative to not overshoot ourselves as far as where we want to go. By keeping the numbers conservative if I can hit the conservative marks, then the liberal marks will be really fun.

Chairman Chagnon: Kathleen I appreciate the fact that you're keeping the model dynamic so that as our experience grows and we learn more you can improve the projections going forward.

Mr. Griffith: That's the other thing is our experience changes monthly as our program expands and we do more.

Chairman Chagnon: Sure.

Legislator Niebel: John you are still trying to work out agreements with the City of Jamestown?

Mr. Griffith: Yeah, I met with Chief Harry Snelling and Deputy Chief Sam Salemmi of Jamestown Fire and we've started to have conversations that way. Not to be misled- that will be a long drawn out process, but at least we've started.

Legislator Niebel: Because they don't even bill?

Mr. Griffith: They do not bill. We've started that conversation.

Chairman Chagnon: Thank you.

(Continued Discussion on Proposed Resolution- Quit Claim Deeds)

Chairman Chagnon: I see Mr. Caflisch has returned, so we can backup to number four.

Mr. Caflisch: The \$179.42 is a result of a \$150 service charge plus an interest charge of \$5.04 and the tax of \$24.38. That will be wiped out when the receipt is done. So, upon your approval of the resolution we have the check downstairs to apply against it and then it wipes it out.

Chairman Chagnon: Right. OK, you've answered my questions. Any other questions or comments from the Committee on this proposed resolution?

Legislator Niebel: So, how much is owed? \$179.42?

Mr. Caflisch: Yes.

Legislator Niebel: But it says taxes owing on this is \$178.70?

Mr. Caflisch: Every charge becomes a tax. So, the service charge which is a \$150 fee we put on a property going into foreclosure to cover the abstract cost and the legal cost as allowed by state law. There's an interest charge of \$5.04 and a tax of \$24.38 from- we call it a tax sale amount from 2016. So, those three amounts add up to \$179.42.

Legislator Niebel: So, taxes owing- instead of \$178.70 should be \$179.42? Our resolution says taxes owing is \$178.70

Mr. Caflisch: Well, I have on the system \$179.42. That was picked up when she filed the resolution last-

Legislator Niebel: It's not a big discrepancy, but I'm just wondering why it's not the same.

Mr. Caflisch: I can't tell you because when she picked it up to put it on the resolution it was probably last month and there is interest added.

Chairman Chagnon: It typically happens between the filing of the resolution and the current- I've noticed that as well, but I've assumed it was interest.

Mr. Caflisch: A lot of times we prepare the resolution the month before and interest would have been added.

Legislator Niebel: Alright, thanks.

Chairman Chagnon: Any other questions or comments? All those in favor of the proposed resolution please say aye. Opposed?

Unanimously Carried

Proposed Resolution- Authorize Acceptance of Indigent Legal Services Grant for the Period of July 1, 2017 to June 30, 2020

Mrs. Dennison: This resolution is to accept- it's a three year grant, \$100,000 of revenue per year. The grant has been included in the budgets for the appropriate periods and the revenues have been accrued each year. The Public Defender, assuming that the grant is authorized and accepted, will be able to bill back for the services it already provided. It is an ongoing grant that they typically have and we'd like the acceptance so we can earn that \$300,000.

Chairman Chagnon: OK. Questions or comments on the proposed resolution? All those in favor please say aye. Opposed?

Unanimously Carried

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

Sheriff Quattrone: Good morning. So, this first one is Silver Creek. It's an existing contract we've had with schools. We had to renew it as of the first of the year. It's budget neutral-

(Cross-laughter)

Chairman Chagnon: You're a quick learner.

Legislator Niebel: You've been well coached.

Sheriff Quattrone: So, it's to get us through this year and it's something that's already existing.

Chairman Chagnon: OK. Questions or comments on the proposed resolution? All those in favor please say aye. Opposed?

Unanimously Carried

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

Sheriff Quattrone: This is a similar- although it's an existing contract, the question was asked- the amount is a little different than last year and that's due to this being a full year service and last year was a partial year. This is also budget neutral.

Legislator Niebel: That is correct. I asked that question last night and I did check it afterward. Forestville's contract last year didn't start until March 12th.

Chairman Chagnon: Other questions or comments on the proposed resolution? All those in favor please say aye. Opposed?

Unanimously Carried

Proposed Resolution- Authorize Agreement with Wyoming County for Inmate Housing

Sheriff Quattrone: This is for in-boarding of inmates- those who would be coming in from Wyoming County at \$85 a day. There is an addition to previous contracts with them for the \$170 a day for inmates that are on constant watch because that would require us to have an additional CO sitting there the entire time. That would cover that position.

Chairman Chagnon: Questions? Comments?

Legislator Nazzaro: Sheriff, does this cover our cost?

Sheriff Quattrone: I believe it does. The \$170 would cover that additional officer that was there. Generally, we'll have the CO's that are already present there.

Legislator Nazzaro: It's good that you have it in there that Wyoming County will pay for any medical bills.

Sheriff Quattrone: Yes. I think that's general across the State in contracts we have with other Sheriff's Offices.

Legislator Nazzaro: I know we have a number of contracts going the other way. How many do we have for inmates coming here?

Ms. Cresanti: I believe three.

Sheriff Quattrone: We have two that are Niagara County and Cattaraugus County and I believe they expire in two years. And then we have these two.

Legislator Nazzaro: And this is a new agreement?

Ms. Cresanti: Yes.

Legislator Muldowney: Can you tell us how the population is going?

Sheriff Quattrone: The jail population- I just got a report. It's down to 228 as of today with 40 feds.

Legislator Muldowney: Is that part of the 228?

Sheriff Quattrone: Yes. So, we have about 75 open spaces, which has allowed us to close down the one wing.

(Cross-talk)

Sheriff Quattrone: We have a whole block that we've temporarily closed down.

(Cross-talk)

Chairman Chagnon: Any other questions or comments on the proposed resolution? All those in favor please say aye. Opposed?

Unanimously Carried

Proposed Resolution- Authorize Agreement with Allegany County for Inmate Housing

Sheriff Quattrone: For incoming inmates from Allegany County the rate is \$90 a day or \$180 for a constant watch.

Legislator Nazzaro: The reason for the \$5 difference?

Sheriff Quattrone: That is what we are paying if we have to take an inmate to Allegany County.

Legislator Nazzaro: So, it's reciprocal?

Sheriff Quattrone: Yes.

Ms. Cresanti: Yes, in both cases.

Chairman Chagnon: OK. Any other questions or comments on the proposed resolution? All those in favor please say aye. Opposed?

Unanimously Carried

Proposed Resolution- Commitment of Community Development Block Grant Program
Income and Funds

Mr. McCord: The resolution you have before you is a result of our longstanding micro-enterprise loan fund program. The loan fund program was actually started in 2000 as a result of 1998 HUD grant. In 2001 the State took over the program. We subsequently received \$100,000 for women and minority loan fund to establish that and another \$200,000 in 2002 to re-establish or re-capitalize the original loan fund that was put in place. The loan fund has acted as a revolving loan fund, so all principal and interest has just went back in with about an 18% administrative fee coming off the top to manage the loans. The loans have been managed (*inaudible*) by Chautauqua Opportunities and we have followed all the State requirements for this since the State took over the program in 2001.

There was an audit done over the last couple of years by the Federal government because these really are federal funds. That created a situation where the State changed the rules and had to look backwards. So, now they are requesting with we- with the rule change, repurpose the CDBG funds that we have on hand and any future program income that may come out of this particular program. We have two options. We can look at the number, which is approximately \$15,000 we have in the form of program income on hand and return that by March 31st of 2019 and then for every loan payment that comes in the future, send that back to the State with no administrative (*inaudible*) to the COI or the County. The other option is to do what this resolution proposes, which is to commit this to a new program that meets the CDBG objectives before March 31, 2019.

Chairman Chagnon: OK. Questions or comments on the proposed resolution? All those in favor please say aye. Opposed?

Unanimously Carried

Proposed Resolution- Implementing Resolution 172-18 - Commitment of Matching Funds
For Grant Application to the NYSDEC Water Quality Improvement
Program for Chautauqua Lake Mechanized Floating Vegetation
Collection Project

Ms. Brickley: Good morning.

Chairman Chagnon: Good morning Erin. I would like to point out that there was a typo changed in this proposed resolution last night at the Planning and Economic Development Committee meeting. In the fourth "WHEREAS," where it's referring to the 2020 budgets we added the word "anticipated" 2020 budget since the 2020 budget has not yet been established.

Ms. Brickley: This resolution is a combination of our efforts last summer. We came before you in July as we were working on our State (*inaudible*) and our partner projects. At that time the County committed to in-kind services utilizing the agency allocation from the 2% funding that traditionally goes to the Chautauqua Lake Association each year for all of their services and overarching service package.

In regards to the timing of the match- just to go over that a little bit. Since we were awarded the grant for the capital equipment skimmers- when that State assistance contract goes into place it will backdate to the opening of the CFA, which would be May 1, 2018. So, we're going to use the second payment that was already made to the CLA for operation maintenance and storage of capital equipment. We're going to use a portion of that from 2018 as part of our in-kind services. At the time that we were before you in July, that had been an annual allocation. Since then, there has been some changes where it was determined that the agency allocation that went directly to the CLA will now funnel through the Alliance. That's some of the language differences that you see in this resolution but it's still money that's sourcing from the County 2% funding.

Also included in this is a cash match from the Alliance itself of \$20,000. So, the overall budget was \$500,000, the capital equipment grant is for \$375,000 and then we put in the (*inaudible*) the in-kind in cash.

Chairman Chagnon: OK. Anything to add to the proposed resolution?

Mr. McCoy: I'd like to add that this is a very creative use of the 2% occupancy tax funds. Looking forward to being able to leverage \$375,000 from New York State. I think the use- the purchase of these skimmers to do less cutting and more skimming is probably a trend that we'd like to see going forward, but I think it's going to be impactful with respect to the public's use and enjoyment of Chautauqua Lake.

Chairman Chagnon: I would like to point out to the Committee that this is no new appropriation of funds from the 2% reserve. This is funds that have been previously committed as match funds to the Alliance, which we approved on Resolution 172-18- the use of some of those for this grant application. Now that we've received the grant, this is the follow through to utilize those funds for the equipment purchase.

Legislator Nazzaro: Thank you for that clarification.

Chairman Chagnon: You're welcome. I paid attention last night. Any other questions on the proposed resolution? All those in favor please say aye. Opposed?

Unanimously Carried

Proposed Resolution- Funding to Assist the Village of Lakewood for Stormwater Project Implementation & Confirm Prior Match Commitments

Ms. Brickley: Part of this resolution is exactly like the previous resolution, which is simply confirming the commitment for the match on two awarded projects for the Village of Lakewood. That was committed in July, so we're just confirming that commitment as part of this

resolution. The larger part is the request to assist with funding for the Village of Lakewood. Just to give you some context, this is really a culmination of two years of direct work in partnership with the Village and the Town of Busti. Back in 2016 the Alliance partnered in order to get a grant to do an engineering storm water study- \$100,000 towards that and the County participated in the match needs for that project in 2016 as well. So, for two year a project team at the Village and the Town worked together and the result report is here if anyone would like any light reading. This report finalized in May and we went after funding for three out of the six recommended project from the storm water study- two under the Village of Lakewood and one under the Town. We were extremely excited to see that the Village of Lakewood was awarded both the grant opportunities that we went after. However, the dollar amounts are slightly intimidating when you're talking about a small village municipality. The overarching grant amount for the two projects is \$950,000 plus and the total project budgets are about \$1.1 million. One of the big challenges for the Village is that these State grants are reimbursable in nature, meaning that they have to expend the funds and then wait on reimbursement. One of the major concerns that the Village has with the success of these grants is the (*inaudible*) of bonding for such an amount. This is really an effort to continue the County's support that started years ago in order to really help them proceed with these projects. I would be glad to answer any questions.

Chairman Chagnon: Questions?

Legislator Nazzaro: Could someone just elaborate a little bit on the last resolved clause? It makes reference to the zero percent- the County shall commit to extending a zero percent loan for up to \$450,000. Could we have some detail on that?

Ms. Brickley: Absolutely. The project (*inaudible*) are \$1.1 million. You typically will expend funds, ask for reimbursement periodically from the State, those come in- so, they're never going to need full funding for the \$1.1 million. Again, this is big success that there is some (*inaudible*) about so the dollar amount is something that I chose to make sure we could have the capital funds that were needed to cover the project costs because sometimes there's large spikes in cost, but also to alleviate some of the concerns that the Village has. In regards to the term- the five year term, this would match up with the State assistance contract that the Village would enter into with both of the funding agencies for the grants. So, the loan would only be available during the timeframe that the grants were open under contract.

Legislator Nazzaro: So, there's actually not- a loan has not been given? The loan is between the County and who?

Ms. Brickley: This would be a loan between the County and the Village of Lakewood. The request is to offer this loan as assistance.

Legislator Nazzaro: My only question on that is the zero percent interest. Are we allowed to do that? You don't have to have a computed amount of interest in there? You're allowed to state interest at zero percent? I guess I would direct that question to Mr. Abdella. I'm not against any of this, I just want to- when you see zero- I just want to make sure we're allowed to do that.

Mr. Abdella: Yes, you would be allowed to do that. In essence, it ends up being a contribution by the County to some measure as far as any lost interest earnings.

Legislator Nazzaro: I just get concerned with something like that when I see zero.

Chairman Chagnon: Right. This is- we have precedence with this, Chuck. We have done this with Soil and Water Conservation District in the past. That's a really good question.

Mr. Abdella: We have a- there's a local law that was passed back in the 1990's that would cover this type of assistance. It allows us to provide assistance to other municipalities in the form of grants or loans. You can call zero percent interest, in essence, a partial grant. Yes, it's for a public purpose, it's with another municipality so we can do this.

Legislator Nazzaro: OK, I just wanted to make sure.

Mr. Abdella: That popped off the page to me too.

Chairman Chagnon: I thought you were going to follow that with a question about the amount and the duration. Just to be clear, the proposed resolution is that we would be able to extend to the Village up to \$450,000, but that would not be a \$450,000 for the whole five years. That may be up to \$450,000 for a few months until the reimbursement comes in and then it may drop down to zero for a period of time and then build back up to some number until reimbursement comes in.

Legislator Nazzaro: It's like a bridge loan.

Chairman Chagnon: That's exactly it.

(Cross-talk)

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

Mr. McCoy: I would like to add that these projects, if implemented, will result in water quality improvements in Chautauqua Lake for years to come and as such, they're the result of nearly a decade of planning and policy for Chautauqua Lake dating back to the local waterfront revitalization plan, the Chautauqua Lake Watershed management plan, the Macrophyte management strategy and other efforts that we've done over the years for Chautauqua Lake.

Chairman Chagnon: Thank you. It's been a long road and now we're starting to get the grants to take action. All those in favor please say aye. Opposed?

Unanimously Carried

Discussion- Proposed Amendments to the County Administrative Code-
County Attorney Abdella

Other-

Discussion- Internal Audit with Freed Maxick- Legislator Nazzaro and Kitty Crow

Discussion- Investment Advisor- Kitty Crow and County Attorney Abdella

MOVED by Legislator Nazzaro, SECONDED by Legislator Niebel to adjourn.

Unanimously Carried (10:17 a.m.)

Respectfully submitted and transcribed,
Olivia L. Ames, Committee Secretary