

Minutes

Audit & Control Committee

March 21, 2019, 8:35 a.m., Room 331

Gerace Office Building, Mayville, NY

Members Present: Chagnon, Niebel, Muldowney, Gould

Others: Tampio, Ames, Dennison, Abdella, Borrello, Geise, Barone, Zafuto, McCoy, Cummings, Wisniewski, DeAngelo, Crow, Lis, J. Anderson, Martello, Quattrone, Caflisch, Cresanti, Hayes

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

Approval of Minutes (02/21/19)

MOVED by Legislator Niebel, SECONDED by Legislator Muldowney

*Unanimously Carried*

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Privilege of the Floor

*No one chose to speak at this time*

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Chairman Chagnon: I would ask the Committee that our Public Defender, who has a trial going on and he has two resolutions on the agenda, I would ask that we pull those forward to this point in the agenda so we can get the Public Defender back to work.

Mr. Barone: Thank you very much Mr. Chairman.

Chairman Chagnon: So, the first proposed resolution that we will discuss is number thirteen on the agenda.

Proposed Resolution- Authorize Acceptance of Indigent Legal Services Grant for the Period April 1, 2018 to March 31, 2023

Mr. Barone: I appeared in front of Public Safety last evening to discuss both these matters that are on for today. This particular- and thank you very much for taking me out of order this morning- this particular issue we have been addressing for the last couple of years with New

York State Office of Indigent Legal Services and as everyone may know, that particular office has been instrumental and the driving force behind the Hurrell settlement action involving the five counties in upstate New York regarding effective indigent representation. So, this particular grant- the purpose behind the settlement is to provide effective representation on an equal basis throughout each county in New York State- all 62 counties. So, the purpose is to provide each one of us indigent providers with the resources to provide effective representation. Now, this particular grant is very important because the huge benefit to Chautauqua County is that it will relieve Chautauqua County of all costs associated with the Public Defender's Office. For all these years, since the 1970's, since Chautauqua County's been (*inaudible*) the cost for indigent representation, this particular grant will relieve the County of that. Think of the millions it will save. Most importantly- that's the bottom line approach, but most importantly to me and my office is the ability to provide effective representation to every individual within the community and that's what this grant does. It basically gives us the resources and the availability of funds to hire additional attorneys, to hire additional support staff, to hire additional resources in regards to equipment, technology, and office space for example- all of those different things that are absolutely necessary for us to provide the community with the services that they need and that they're entitled to constitutionally and fundamentally. So, it truly is transformational. It's something that we've been working at for the last several years and it's come to fruition.

Now, the other thing, and this came up during Public Safety last night and it was great question; what happens in 2023 if the state no longer provides this funding and as a matter of fact, Mr. Chagnon was involved in a lot of the discussions I've had with OILS. He's been working hard at this as well and one of the things- and he asked the same question and representatives from the Office of Indigent Legal Services (OILS) told us at a meeting in this very room if New York State does not pass additional funding in 2023 the county is not responsible for any of the additional costs or any of the costs that are associated with this. That means that we have to deal with that issue, but the county won't be responsible for keeping on all the additional manpower or whatever else it has incurred as a result to the grant. Personally, I don't see that happening because already we're seeing a tremendous impact with the distributions that we've been getting (*inaudible*.) Keep in mind that this particular grant- we've already started receiving grant money on a very limited percentage, but it's been going on for the last couple of years now. So, this grant is 100% and that's what we're working towards. Like I said, in order for us to keep up with- just one other example I talked with Public Safety about was centralized arraignment. We are the first- I believe the first county in the 8<sup>th</sup> judicial district to implement a centralized arraignment procedure through my office and my jail. The jail has been tremendously helpful and what this has required us to do is provide attorneys- literally every one of us attorneys, including myself, are working 24/7. We are working seven days a week, twenty four hours a day. We are required to be on call through Raise the Age centralized arraignment we are doing additional arraignments in addition to centralized arraignment here in the jail in Mayville. We are doing separate arraignments in Jamestown City Court on weekends and now Dunkirk City Court. So, what that does is this grant will provide additional funding so that I can provide the funding necessary to our attorneys to cover that additional work they're doing and ultimately, that's a huge savings to the County because the jail will tell you and everyone else will tell you that the jail population has been increasingly decreasing and that's a huge savings to the County because you have less inmates that you're responsible to take care of and it increases your ability to house federal inmates, which you're going to make money in. So, all the way around it's a tremendous transformational grant that is changing not only the way we

provide services to the community, but it changes everything about what the County's responsible for financially. It saves the tax payers of the County a tremendous amount of money.

Chairman Chagnon: Ned, you didn't mention the impact on assigned council.

Mr. Barone: Oh, yes. Thank you. The other issue that comes up and as you're all aware of every year it's an issue, is the assigned council. Assigned council, as everybody knows, is a necessary evil- I don't want to say necessary evil, but it's necessary because our office runs into conflicts all the time. When that happens we have to do a couple of things to try to waive those conflicts and if they're not waivable conflicts then we have to have the court assign separate council- private attorneys. They in turn will represent the individual that's entitled to representation and then ultimately, provide a voucher to the County for reimbursement. That cost has been a huge amount of money. It's reaching, or has almost reached a million dollars per year. That's a tremendous amount of money. Now, that can fluctuate every year. What this grant will do, and this is transformation for this County and Mr. Chagnon has been involved in this from the beginning- what this grant will do is provide a separate office to represent conflict cases- first tier conflicts, which are the bulk of conflicts. What that means is we'll be given additional funding to- the County will- to hire and maintain a separate office to represent those conflicts. So, what happens is when we have a conflict we'll turn those conflicts over to the office of the conflict administrator or the case conflict office. They'll take that and they'll be on a funding every year for X amount of dollars and it's increasing over the next several years until 2023. So, the County will be able to maintain a separate conflict office that will hire the attorney or attorneys to handle those cases on a yearly salary, which is provided through this grant. That, I can tell you, will reduce that assigned council cost by at least 50% per year. Now, it's not going to remove all conflicts because there's several cases where there may be more than two co-defendants and those will have to be taken and assigned out, but the bulk of all conflict cost is at the first tier, which is either the public defender can't represent for whatever conflict, or in cases where we have to defendants or more. As Mr. Chagnon indicated, that's a tremendous savings to the County as well. It's huge, it truly is.

Chairman Chagnon: Thank you for the explanation. Any questions or comments on the proposed resolution? All in favor? Opposed?

*Unanimously Carried*

Proposed Resolution- Authorize Lease Agreement with Lynn Development, Inc. for Office Space for the Office of the Public Defender

Mr. Barone: Yes, thank you. Again, I met with Public Safety last night. This particular lease is with Lynn Development. As some of you may already be aware, we're currently renting through the City of Jamestown a single office in City Hall, which is located on the third floor directly above the courtroom. It's been tremendous for us. It's given us a place to hang our hat for the cases when we're in Jamestown. Just so that the committee is aware, we've got approximately 60-70% of our case load comes out of the City of Jamestown. It's a tremendous amount. These figures I talk about these cases I talk about, we've worked with OILS in developing these grants and these plans for the future and what we project will continuously

increase over the next few years. I've discussed with Judge LaMancuso in Jamestown City court for the last year the importance, and I will give him credit because he appreciates- being the presiding judge in Jamestown he appreciates the caseloads that our office handles down there. Pretty much, it requires us to be there on a daily basis every day, all day long, even on weekends. Well, the grant that you just approved will allow us to increase our attorneys. Right now we have ten full time public defenders, including myself. We'll be able to initially hire on four more right away. We're projecting that by 2023 we should have approximately 20-24 attorneys. More importantly, however, and I say this because I really mean it, our support staff will increase and that's one of the most important aspects of our office, which is clerical, investigators and we'll even be entitled to hire on our own social worker and mental health councilors because our approach and what we've tried to transform into the last few years is a holistic defense. It's no longer just about representing people on the criminal charges that they come into our office with; it's about representing them with everything. Again, an arrest is just the beginning of a domino effect. It affects them, their families, their wives, their children. It could involve mental health counseling, it could involve some type of social aspect. There are a number of different things. It's a huge web. We have to be able to have a presence in the community, in the south end of the County in Jamestown. We need to be an important anchor in the community where people can have access to our office. They don't just call us once they're arrested, there's a (*inaudible*) of issues that come up before they're arrested and even after they're arrested. So, through the discussions I've had with Judge LaMancuso, with OILS, with other agencies, there's no question that we need to have a presence in that community. The space we've proposed to the County that we want to lease is through Lynn and it's directly across- it's the old post office and it's directly across from Jamestown City court. Now, our attorneys have to be over at the courtroom on a moment's notice, on evenings, on weekends when we're doing arraignments, so we need more than just a place where we can hang our hat because we need to be in the community all the time. So, we've proposed this based on- the old post office is right across from City Hall, the space they've given us is as soon as you walk in the front doors. So, it's right there. People can walk right off the street and right into our offices and the space that they've given to us will be built to our specifications from the ground up. Everything in there will be built according to our specifications as well as OILS. One of the things OILS was requiring is that we have sufficient space for the future needs they project- the additional work load, which this space will provide. It's absolutely perfect for us and one of the issues that came up yesterday at Public Safety was the cost per square foot. We thought that it was a reasonable amount based on a couple of things. Number one is that the utilities are all included, we're provided two parking spots and more importantly the renovations. Now, again, I can't tell you the exact amount. I've been told that it's in excess of \$35,000, but I don't have any actual documentation for that. In any regard, as you'll see there is no increase or costs recoument for what they're doing other than what may be in that per square foot rate. That's where we are. We think it's a tremendous space for us and they've worked with us and will continue to work us. There is even additional space that can be available in the future if we need to. So, we believe that it would be very beneficial and extremely important to us. The other thing that I've mentioned is being in City Hall has worked out great, but it's an office space that's probably the size of this room. I told Public Safety that we have several clients- anytime that you come into our office in City Hall, they have to go through security. Believe it or not, that can be an inconvenience. There are several clients that don't even have a license or identification and they're not going to be allowed in there sometimes. That's a problem depending on whose working. We're looking at access for

individuals. We want them to have free open access and they can't do that the way it is, not to mention that the building closes down at 4:30-5 o'clock. It's not open on evenings or weekends. We have- the attorneys have been provided with fobs, but we're only given so many, so we have entrance to the side door near the police department and we use that predominantly for our weekend arraignments when we're there. Otherwise, it's very difficult for clients to even get in and out, even for appointments, even for our investigators who don't have fobs. So, we thought this was one of the best spots we could come up with.

Chairman Chagnon: Ned, this proposed lease has been approved by the Office of Indigent Legal Services for 100% coverage for the grant?

Mr. Barone: Yes. As a matter of fact, we had to give this lease and the projected cost and everything about it to OILS for approval on their part because every dime that they're giving us as part of the grant, we had to break down for them. One thing I do want to mention is that this particular lease- OILS approved I think it was approximately \$27,000 for lease in Jamestown. We're under that amount and the additional amount we're using for lease space in Dunkirk for Dunkirk City Court. So, we'll be able to actually get two lease spots for what OILS has approved for the one and that's instrumental because we'll need a fulltime attorney and secretary in Dunkirk for Dunkirk City Court and we're already looking for space at the Stearns building, which some of you may know is attached to Dunkirk City Court. So, that will provide us the opportunity to do that as well.

Chairman Chagnon: Questions or comments on the proposed resolution?

Legislator Niebel: The price per square foot is a little high; we discussed that last night in Public Safety, but I think there are some advantages. Ned mentioned the parking spaces, the utilities paid by Lynn Development and you just mentioned the fact that OILS has already pre-approved this, so based on those things we did approve this last night in Public Safety and it was unanimous.

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

*Unanimously Carried*

Local Law Intro. 1-19 – A Local Law Amending Local Law 7-90 Providing for a Management Salary Plan for County Officers and Employees  
(Re: Probation Department)

Ms. Wisniewski: This is solely just a title change for three of our probation positions. It is being required by New York State codes and rules and regulations. Currently we have a probation supervisor, it has to be a probationary one. Deputy probation director two has to have a group B and similarly the probation director two has to have a group B as well. So, it's just basically that. There is no job description change and there's no salary change. It's just a requirement that the State is making everyone do.

Chairman Chagnon: OK, no money; we like that.

Ms. Wisniewski: That's right. It's budget neutral.

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

*Unanimously Carried*

Tabled Resolution 56-19- Amend 2018 Budget for Year End Reconciliations – Transfer to  
Capital

Chairman Chagnon: I understand we have a replacement resolution, which is on the table for you.

Mrs. Dennison: Do you have to take action on the tabled one, or we're just discussing the new one?

Chairman Chagnon: That's a good question.

Clerk Tampio: You tabled it in committee, so you should have a motion to bring it off the table.

Chairman Chagnon: I would entertain a motion to bring it off the table.

Legislator Gould: So moved.

Legislator Niebel: Second.

Chairman Chagnon: All in favor? Opposed?

*Unanimously Carried to Bring the Resolution off the Table*

Mrs. Dennison: Last month you asked me to do some additional research about the capital projects involved. So, I did that and that is why I'm proposing a new resolution to replace the tabled resolution because there is quite a bit more information that came to light when we looked into this a little bit further. There are actually two capital projects, both for Jamestown Community College, that were closed by resolution 20-18 and we found that those projects actually were not complete. As you may recall in 2017 we did a review of all capital projects and at that time of the review the college indicated that they expected those projects to be completed by December 31<sup>st</sup> of 2017. So, given that information they were on my resolution to close. I did circulate that information and asked the department heads to advise me if any of them should not be closed and I did receive late information from the College that they wanted to keep these two open, but that information didn't make it all the way through the prefile process, so they were closed by resolution 20-18, but the college is still working on these projects and that's why we had some invoices come through in the middle of 2018. So, the new resolution proposes to re-open the two projects and to reinstate the budgets that were in place at the time the projects were

closed in error. So, it would take money out of the capital reserve. When the projects were closed, money would have been put into the reserve because there was a remaining balance. So, the resolution proposes to take that money back out of the reserve and re-open the projects for Carnahan Center and Science Building. As I said, again, reinstating budgets that were in place at the time of the closure.

Chairman Chagnon: So, just for clarity Kathleen, what we're doing is restoring these project budgets to their original dollar amounts?

Mrs. Dennison: Yes, to the original remaining dollar amount- the dollar amounts that were in place at 12/31/17.

Chairman Chagnon: Right. Questions or comments?

Legislator Muldowney: Weren't these projects pretty old?

Mrs. Dennison: They are pretty old. Mr. Martello from JCC is here this morning. He has informed me after we discussed these projects earlier this month that they really will be finished soon.

Mr. Martello: Real soon. They will be finished in the next two months. The reason that you've probably seen spending in other projects, as opposed to this one, is because these are building specific. So, we had to have expenditures associated with that particular building. We have some- a couple of projects that we will complete in the next two months.

Chairman Chagnon: Other questions or comments? Now, we have a replacement for the previously tabled resolution. Madam Clerk, how do we deal with this now?

Clerk Tampio: I was just conferencing with County Attorney Abdella on that question.

Mr. Abdella: If the committee is disposed to approve this amended version then I think we would just bring that to the floor of the full Legislature where the original resolution is sitting on the table and then similar to what this committee did, it will be moved off the table at the full Legislature and then a legislator could make a motion to amend by substitution the new version.

Chairman Chagnon: So, is that what we would do this morning?

Mr. Abdella: I think we could have you go ahead and act on the amended resolution if you want just to signify your support of that so that when we go to the floor it could be stated that the Audit & Control Committee voted to recommend this amendment by substitution.

Chairman Chagnon: Alright. With that understanding, we have the proposed replacement resolution which Kathleen has somewhat spoken to, but is there any additional clarifications to the replacement resolution that we need to discuss? As the attorney indicated-

Legislator Muldowney: I'll make that motion-

Legislator Niebel: Motion to substitute?

Chairman Chagnon: Motion to substitute.

Legislator Niebel: I'll second.

Chairman Chagnon: OK, then we are voting to approve the replacement proposed resolution. So, all those in favor please say aye. Opposed?

*Unanimously Carried to Recommend the Proposed Amended Resolution to the Full Legislature*

Mr. Abdella: There is no need to sign the new one, we will just bring that up on the floor and report that it was recommended by the committee.

Chairman Chagnon: Great, thank you.

Renew and Amend Resolution No. 32-19- Acceptance of CARTS 5311 2017-2018  
Consolidated Grant and 2017 Accelerated  
Transportation Capital Grant

Mrs. Dennison: As you can see in this resolution, we're proposing to change some of the capital project numbers and change the title of one of the capital projects. When this resolution was originally proposed, we knew that there were four capital projects involved and I asked my coworker, senior account clerk Jenelle Hansen, to give me four project numbers. I didn't really identify what those projects were and then when Jenelle was starting to implement the new project she realized that one of them was for a vehicle. We now have a new policy that any vehicles- any capital vehicle purchases will use a sub-department number of 999. So, that is the first change for the administrative vehicle project to change the sub-department from 25014 to 999.

Then, since we're not using the 25014 for the vehicle, we proposed to use number for the fourth project which was originally titled miscellaneous capital projects. It's a compilation of several projects approved by the accelerated transit grant and the other thing that Jenelle found in our history was that we've had one of these grants in the past and the title was "Accel Transit Grant Funding" and then the funding year. So, we are now proposing that that would be a more appropriate title for that particular project and then we would be making the same changes under the revenue section- just changing the sub-department numbers. No change in any of the dollar figures for any of the projects.

Chairman Chagnon: Any questions or comments? This is for discussion only, so no action is required.

Renew and Amend Resolution No. 46-19- Amend 2018 Budget for Year End Reconciliation-  
North Chautauqua Lake Sewer District

Mr. Cummings: So, this is one that we just talked about this past Monday at Public Facilities. There's just a word change and a category change.

Mrs. Dennison: This is kind of the same situation with the previous resolution. When we were actually implementing these changes I realized that we had neglected to include the classification number under the decrease appropriation account, so we would like to add the 7 which indicates that the classification is interest and there was a word error. It is an adjustment to the interest expense, rather than the principal. Again, the numbers are as they were originally adopted.

Chairman Chagnon: OK. Questions? Comments? Again, this is for discussion item. We will now move to the next item on the agenda.

Proposed Resolution- Amend 2018 Budget for Year End Reconciliations – North Chautauqua Lake Sewer District (NCLSD)

Mr. Cummings: Again, this is for 2018. Kathleen can probably explain this a little better than I can, but it's for the depreciation of our new assets for our treatment plant that was just upgraded for part of 2018.

Mrs. Dennison: Scott is completely correct in his explanation. The only thing I want to add is that the reason we have to amend the budget for this is that the depreciation budgets are determined based on assets that are in existence- in this case at the end of 2017. The phosphorous project was completed in October of 2018, so there was no depreciation expense included in the budget. So, this will realize that we had to expense two months' worth of depreciation in 2018. There were sufficient revenues- surplus revenues in the sewer district to cover that additional expense.

Chairman Chagnon: Questions or comments? All those in favor? Opposed?

*Unanimously Carried*

Mrs. Dennison: Mr. Chairman I would like to ask a question. I would like to suggest that we take resolution number seven in advance of number six because there are some conditions of resolution seven that affect resolution number six.

Chairman Chagnon: We will leave aside resolution number six and move to resolution number seven on the agenda.

Proposed Resolution- Amend 2019 Budget Appropriations and Revenues in the County Road Fund (D Fund)

Mrs. Dennison: This resolution is the outcome of going through the year end process in the D fund and as we were doing that we realized that there are some ways that we could better display the budget. So we are proposing some changes to the 2019 budget and what we did in Public Facilities was talk about each of the whereas clauses and just give the background

information and then if you'd like we can go through the accounting details to match those topics to the extent that you would like us to.

So, the first whereas clause pertains to capital road and bridge programs. Right now there is one revenue category for those items and then there is one sub-department for roads and one sub-department for bridges and the revenues are not in those sub-departments for the roads and the bridges, so it's difficult to determine how much revenue really goes with specific projects. So, what we're proposing in the resolution is to create a new sub-department for funded bridges and that sub-department would include the expenditures and the associated reimbursements for any bridge projects for which we receive funding from outside sources and if there is a local share component, which there always is, we would take that local share component out of the local share bridge department and move it into the funded project. So, right now all of the bridge projects are in D.5112.390 and our proposal is to create sub-department 389 and again, we would put new funding for new bridge projects into that sub-department and move any local share out of the 390 and into the 389 to the extent that that's necessary. Also, in the road projects we have some revenues specifically Pave NY revenue, which now is in kind of a generic sub-department where all the revenue sits and we want to move that Pave NY revenue into the sub-department that's specifically for capital road projects. So, that's item number one. Any questions on that before we move on.

Number two pertains to the Complete Streets project. In the 2019 budget we have \$850,000 in funding from the capital reserve and it is designated for the Complete Streets initiative. Right now, as has been historically done, it's been put into the sub-department for capital road projects and we want to separate that into its own capital project to ensure that the special funding from the capital reserve- that \$850,000 is spent just on Complete Streets initiatives. So, our proposal is to create a new capital project sub-department for Complete Streets and move the funding from the roads capital projects into Complete Streets.

Number three is about permit fees. In the past permit fees for overweight vehicles has- the revenue has been received in the engineering department, but the reality is that the money is spent on road improvements. So, the money is spent in the capital roads sub-department. So, in this resolution we would just like to just move that revenue- it's \$60,000- move it out of engineering in the A fund and put it into the D fund for road construction.

The last item pertains to the interfund transfer- the transfer of money from the A fund into the D fund. In the past and in the 2019 budget as it stands now, that transfer goes into sub-department D.5412.9999, which happens to be a sub-department of snow removal. When we were working on the budget last summer Sam and George Spanos and I were talking about it and at the time we thought there was an accounting rule that it had to be there. We've done a little more research on that and found that there is no such rule. What we would like to do is take the interfund transfer out of snow removal and put it into its own sub-department, which is called interfund transfers. There is this- it's sub-department 9901.9000. It is used in other funds for interfund transfers so we just think it's a lot cleaner that we use that sub-department for the transfer from the A fund into the D fund.

So, we have two resolved clauses. The first resolved clause is what I referred to earlier as establishing the new sub-department for funded bridges and the accounts necessary. At this time we're not putting any money into those, we're just setting them up so they can be used. The second resolved clause is all of the accounting movements and changes that are necessary to implement the new structure for the D fund budget for 2019.

Chairman Chagnon: OK, that's a mouthful.

Mrs. Dennison: It is.

Chairman Chagnon: Kathleen, the accounting treatment for the first whereas will be in the next proposed resolution?

Mrs. Dennison: Yes. The next resolution will- assuming that you approve this one, the next resolution does use that newly created 389 sub-department.

Chairman Chagnon: OK. I had to spend a little time with Kathleen and Sam to get my head wrapped around this, but I'm good with this.

Mrs. Dennison: Mr. Chairman, if I could make one more comment. The other thing we are going to do is assuming this is adopted, Sam and I have been working on the existing- we have some existing budgets that are going to- they've been appropriated in 2018 and the unused portion is going to roll into 2019. We are going to work through those unused funds and determine exactly which funds should be going into the funded bridges sub-department as well as what revenue should be attached to that. So, we are planning at next month's meeting to have all of that sorted out and we would propose a resolution to amend the budget to add to the 389 sub-department funds for any existing, already approved projects.

Chairman Chagnon: I'll just make a comment that I think this is a great step to improve the clarity of the accounting for D fund. I think this is a great improvement and I commend both of you. Any other questions or comments? Almost those in favor please say aye. Opposed?

*Unanimously Carried*

Proposed Resolution- Authorize Director of Finance to Increase Appropriations for PIN  
5762.12 County Bridge 998 Replacement

Chairman Chagnon: We do have an amended version of the resolution in front of us.

Mrs. Dennison: This is the first time we would be using the sub-department for funded bridges. This project as the resolution indicates- there is already a component that has been funded and most of it used. We are not at this time proposing any amendments pertaining to the \$300,000 dollars that was already funded and appropriated. This would just be the new portion and so we would put the entire appropriation for the new piece into the 389 funded bridges. That's the one million \$702,000 and then the \$85,100 at a local share component of the new part of this project. Normally that local share would have been in the 390 department. That's where we have done all-in the past all of our bridgework both the funded and the local share component. So since \$85,000 is from the local share we're going to move the money out of the 390 sub-department because it will be expanded and 389 instead. Then we have going into the new 389 sub-department the revenue from the outside source – the Federal source.

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

*Unanimously Carried*

Proposed Resolution- Approving SEQRA Findings in Relation to the Second Modification of The Map and Plan for the North Chautauqua County Water District

Clerk Tampio: Good morning. As you recall, and this will be the first time Mr. Gould is hearing this, last month the Legislature and committees approved the public hearing at next week's meeting for the amendment to the map and plan for the north Chautauqua county water district. This is the second amendment. Previous one was approved in 2017 and then the district itself –the original map and plan was approved in 2015. So, we're now in a process made possible by the addition of a grant received in the amount of three million dollars and because of that the engineers discussed this with the North Chautauqua County Water District Board and offer suggestions as to how to increase our project to realize more regional benefit and they approved the project map and plan amendment (*inaudible*) legislature to consider to approve it also. So, several additions to the project –I'll get to that in a minute- the SEQR findings are required after the public hearing is held by the Legislature and the SEQR resolution follows to approve the negative declaration on the SEQR findings. So, we (*inaudible*) part three and a second addendum. The first addendum to the environment assessment forms were done in 2017 for the first map and plan amendment and now we have another addendum which describes the changes that have occurred in the project due to this new map and plan amendment. So, Chairman Chagnon had several questions related to the SEQR document and we forwarded those to our engineer yesterday and I have answers to all of your questions.

One of the questions was compared to the original EAF the total acreage of the site of the proposed action- has that changed. Their answer was "The 206 acres was based on approximately 128,000 feet of water main. The current projected total is less than 100,000 feet, under the amount listed in Part 1 of the EAF. We could lower the amount via the addendum, but felt the change was not needed."

The total acreage to be physically disturbed- their answer was "The 45 acres was based on approximately 128,000 feet of water main. The current projected total is less than 100,000 feet, under the amount listed in Part 1 of the EAF. We could lower the amount via the addendum, but felt the change was not needed."

Then, the total number of structures- their answer- "The original project includes 4 new pump stations and 2 new tanks, accounting for the 6 in Part 1 of the EAF The project as currently proposed includes 1 new pump station and 2 new tanks, 3 less than the 6 identified in the Part 1 EAF."

How much impervious surface will the project create in relation to total size? –"The amount of impervious area created is minimal, less than 1%, compared to the area to be disturbed." They also felt that wasn't significant enough to make a change to the EAF.

Land uses and overtypes on the project site- this project is "Similar comment to the acreage above, the current project is smaller in area than originally projected. This includes all of the land use categories listed. We could lower the amount via the addendum, but felt the change was not needed."

These were very good questions.

Chairman Chagnon: Steve, are you comfortable with those answers?

Mr. Abdella: Yes, I think so. I'd recommend that in some manner we have this appended to the SEQR documentation package, so it's on record and we could go ahead and distribute this to all legislators ahead of the meeting next week.

Chairman Chagnon: I appreciate you running through that. As I've said before, the last whereas of this resolution, which says that the County Legislature has reviewed the full environmental assessment form- I take those words very seriously. I did the review and it generated some questions. We now have the answers that the changes would have a (*inaudible*) impact on the full environmental assessment form, so I'm comfortable with that. I appreciate your suggestion to append it to the full environmental assessment form. I'm fine with this.

Legislator Niebel: These are excellent questions.

Clerk Tampio: We certainly appreciate a thorough review.

Chairman Chagnon: Are there any other questions or comments on the proposed resolution?

*Unanimously Carried*

Proposed Resolution- Determining that it is in the Public Interest to Make a Second Modification to the Map and Plan for the North Chautauqua County Water District

Clerk Tampio: So, following the SEQR negative declaration resolution, we move on to the determination. It's basically accepting the Map and Plan as amended. You heard this last month, but I'll run through it quickly for Mr. Gould since he was not in attendance. So, basically what we're doing in light of the increased funding and the approval of the boards is improving some- adding some things to the project that were actually kind of part of the original plan, but now are (*inaudible.*) The Village of Brocton had an additional sixteen hundred linear feet added to the line that was a transmission main that came from the new water tank that was installed in the Village of Brocton. So, this extra money will help pay for that addition. The east side Fredonia interconnect is an addition. The second amendment called for a water tank on the east side of Dunkirk and since that time we've had discussions about moving that tank to a new location, which would be proposed for the Town of Sheridan, which meets the original purpose of the water tank, which is to supply the appropriate water flows and pressures to the new water main that's going to go along Route 5 in the Town of Sheridan. Since that time, as you know, there have been some changes with locations of the new Brooks Hospital and in order to add some redundancy and backup water supply to our water system as well as the Village of Fredonia's system, we've moved that tank location and are proposing to construct a connection to the Fredonia system to be used in the event of a water supply emergency in order to keep water supply to the Village of Fredonia and vice versa if we had an issue with our water supplier in the City of Dunkirk they could also use a backup supply from the Village of Fredonia.

We also need to upgrade the current pump station on the east side in the Town of Dunkirk. There's an upsizing- the Town of Dunkirk has a project to install a new water main- an eight inch water main in the east Town of Dunkirk, which will also be a connection that we will work off of to supply our new water tank location. The district approved the project to upgrade that water supply main to 12 inches and pay the difference in cost to enable the whole main to be 12 inches.

Now, there is a possibility of additional funding from the Department of Corrections- New York State Department of Corrections. If that were to come to pass there is also a proposal to create a west side Fredonia interconnect. There's a current water district in the Town of Pomfret that goes west. It's supplied by the Village of Fredonia and its only 1,500 feet from our current- the Town of Portland line. Also, there would be- in addition to that there would also have to be an additional water main coming from the Village of Brocton area to meet that line. There is proposed to utilize money to demolish a water tank that's located on Route 5 in the Town of Portland that is currently out of service because we built the new tank in Brocton, which is part of the regional system. In addition to that, with our new tank that we'll be putting in the Town of Sheridan we will no longer have to utilize the water tank on Progress Drive, which is the tank that supplies the North County Industrial Water District. So, money would be available to demolish that tank also. There is a proposal for a Westfield interconnect, which would bring our water main on Route 5 from the extent of the Portland Town District to the Portland Town line, which joins the Town of Westfield. We found out yesterday there is no existing water main in the Town of Westfield that goes to that current line, but there- I guess there have been some discussions with the Town of Westfield officials of extending their current water districts to do that. So, that's a future idea, but they felt they could include it in case that were to come to pass and then we could connect to that system and be another redundancy for them and for the regional system.

Mr. Abdella: In the resolution it incorrectly referred to Route 20- that would actually be Route 5.

Chairman Chagnon: That's in the fifth whereas.

Mr. Abdella: That's right- number nine in the list of modified projects. So, you could treat that as a typo and substitute 5 for 20.

Chairman Chagnon: OK. Questions or comments on the proposed resolution?

Legislator Niebel: The North County Water District is a huge project. From time to time there will be changes. There will be modifications and these are just the latest changes and modifications. I think it's noteworthy to mention that a lot of these changes have occurred because we have an additional \$3 million grant and as we get more grants there will hopefully be more changes and more modifications. It's a great project and it's coming along very well. Kathy did an excellent job of explaining what's going on right now.

Chairman Chagnon: Thank you for your work on the water district as well, Terry. Any other questions or comments?

Legislator Muldowney: It's an awful lot of effort and time and years doing this- this is a wonderful project. I guess my only (*inaudible*) and you know what I'm going to say, is that there is a Village that seems to be getting benefits of it, but is not a member of it. I find that very ironic.

Legislator Niebel: Hopefully they will see the light.

Legislator Muldowney: I appreciate it because you're looking at the bigger picture, I just wish the Village would realize that it definitely benefits them and the question was brought up at our meeting- the replacement of the tank to accommodate the hospital. Well, if it wasn't being done I think it would be an obstacle for the hospital being placed there. If you weren't doing this, then they would have a problem placing it there. I just want to draw attention to the Village of Fredonia. It should be a participant to this great project.

Legislator Niebel: I agree.

Clerk Tampio: If I may, the whole concept has been a regional system from the beginning. All these municipalities got together to create this system for the benefit of everyone. Even if the hospital were not to go there, this concept of connecting to Fredonia- because there's an existing interconnect now between the city and Fredonia which is too small to supply their system. It's just an emergency backup for a small area and it wouldn't be able to supply even SUNY. So, even if the hospital were not there this concept of creating the redundancy for their system, and indeed for ours, is very much supported by our Department of Health Christine Schuyler and Paul Snyder the engineer, because for many years they have assessed the Village system and sent their requirements that they need to either increase their storage capacity or increase their interconnection to another water supply and create that redundancy. So, they also sent a letter supporting this concept to the Village of Fredonia and we should be meeting with them soon.

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

*Unanimously Carried*

Proposed Resolution- Amend 2019 Budget for Vehicle Replacement – Information  
Technology Services – Office Services

Mr. DeAngelo: So, the Office Services Department has two vehicles that we maintain. One, our courier uses every day to deliver inter-office mail and other items around the County and the other, the IT Department uses to deploy computers all over our different offices. We had scheduled a new vehicle for this year to replace one of our older ones and that is getting done- it got done, but at the end of last year our courier vehicle got into an accident and the vehicle was destroyed. So, we are being forced to purchase an unscheduled vehicle. We did not plan on purchasing it this year. We did get \$15,122 in insurance recovery on the vehicle that was destroyed and the vehicle we plan to purchase this year came in under what we budgeted for capital. We're going to use \$6,683 that we have left in that capital account to put towards the

new vehicle, which means we'll be only about \$744 short. We're going to move some of those funds from our point four into our point two, so we can purchase the new vehicle that we need. After all this is said and done, we're only about \$744 short and we'll try to make that up somewhere throughout the year on our point fours across the departments. Kathleen, would you mind chiming in on how this affecting local share over the years?

Mrs. Dennison: Yes. In Jon's department, his local share will go up in 2019 because in 2019 the revenue from the insurance recovery does not entirely cover the cost of purchasing the vehicle. So, his local share will be higher in 2019, the capital expenditures will be lower in 2019, but the additional local share expense in 2019 is going to be \$5,757 in his department. He will recoup that over the next three years because his vehicle purchase allocation was scheduled to be \$7,500 a year- the car that he bought out of capital is less, so instead his vehicle purchase allocation this year and in the next three years will only be \$5,830. So, by the end of 2022 it will cost us \$744.

Chairman Chagnon: I would just like to draw attention to the fact that Jon purchased a less expensive vehicle than what was planned in the budget. Thank you for that. Any other questions or comments on the proposed resolution? All those in favor please say aye. Opposed?

*Unanimously Carried*

Proposed Resolution- Amend 2018 Budget for Year End Reconciliations – Health Insurance Fund

Ms. Crow: This resolution is to adjust the M fund, which is the fund where we incur all of the health insurance related expenses for active and retirees and then, from there, generally is allocated out to departments. Within the M fund we needed to make some adjustments at year-end which are mainly all lumped into one category- contractual. So, just to kind of give you a sense of what made up that variance- the bulk of it was related to retiree expenses, which have been trending higher. We're not quite at that plateau yet or on the decline, but we keep hoping that it's going to be- we know the demographic and it is- unless people want to keep working longer than usual, that we're getting close to that plateau. Anyways, so, that pharmacy for that demographic- the retire expenses are generally higher than active employees. That has been trending higher over the last year or so. So, that made up approximately \$272,000 variance. We have, just in the last year or so, started to track the pharmacy expenses of active employees and retirees separately so that we can see more of a trend line for the retirees on their own and can project better. We did a little bit better on pharmacy on active employees- about \$100,000 under the budget, but going forward we are working with a consultant and looking at our pharmacy contracts to see if we can bring those costs down by renegotiating some of the contracts. So, I'm hopeful that our trend- we did budget for an increase in pharmacy in 2019 because our trends have been running higher, but hopefully we'll be at or under the budget based on what we're working on today with pharmacy. Jessica has mainly been working with a consultant on that.

We also had another contractual expense for tele-medicine, which is a video chat you can do with a doctor so that you don't have to go to the- hopefully that avoids an ER visit or somebody not having to leave work to go to a doctor's appointment. That was part of our contract with CSEA and that was an additional contractual expense that (*inaudible*) planned at

the time of the time of the 2018 budget. That is in 2019 budget, so that shouldn't be variance for 2019.

Additionally, our retiree cash out payments have continued to increase. Again, it's a little hard to say whether more people are choosing that option versus choosing to stay on the insurance, or probably combined with the fact that the cost of the insurance goes up and that's the basis of what the cash out calculation is. So, every year that the premium goes up, the value of the cash out also goes up. It's fixed at the time the person retires. I've been bumping that budget up a little bit every year- the last several years and it never seems to be quite enough. I don't want to increase the budget too much, but we did exceed our budget in that item for about \$110,000, which was in total, \$200,000 greater than the prior year for retiree cash out payments.

So, we did have a little bit of savings in our flexible spending accounts because with more people on the high deductible plan, they have a health savings account instead. So, we see fewer- they can only enroll in one or the other. So, we did have some savings on our flex program. Overall, those are the major variances and we did have a little bit of surplus within the other accounts and revenue to make some adjustment, but we are proposing to use M fund balance, which overall will turn the- right now we have about \$120,000 in the black on the M fund, so we'll be in the red a little bit. One philosophy could be to keep that M fund as close to breakeven as possible, but we have been hoping to build kind of a little bit of surplus in that fund in the event that we want to take a more serious look at self-funding the medical in the future. We're not quite there yet. It would be nice to have some reserves built up before we jump into that arena, but right now we've been around a breakeven. We hope that with the pharmacy savings in 2019 that will kind of (*inaudible*) that deficit.

Chairman Chagnon: OK. Questions or comments? Kitty, in regards to the retiree cash outs- if we're getting more retiree cash outs or more value of the retiree cash outs, wouldn't that have an offsetting savings in future years? Maybe they're not staying on the insurance?

Ms. Crow: Well, the cash out is paid out over the same time period as they would have elected insurance.

Chairman Chagnon: Oh, OK. Thank you. Any other questions or comments? All those in favor? Opposed?

*Unanimously Carried*

Proposed Resolution- Amend 2018 Budget for Year End Reconciliations – Liability Insurance Accounts

Ms. Crow: So, the CS fund is where we record all the various liability premium costs. We have maybe twenty different policies. One of them is- the period for the premium spans over two years- on a fiscal year, so part of that bill has to be pro-rated to the prior year and that was a late adjustment for that (*inaudible*) part of the year to 2018. So, we did a resolution last month and this was just another little clean up to do.

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

*Unanimously Carried*

Clerk Tampio: Mr. Chairman, could you pause for one moment while we change the recorder?

Chairman Chagnon: Absolutely.

Proposed Resolution- Authorize Use of 3% Occupancy Tax Monies to Assist the 2019 75<sup>th</sup> Anniversary Gerry Rodeo Event

Mr. Geise: Good morning. So, the Gerry Rodeo is requesting funding as part of their 75<sup>th</sup> year of the Gerry Rodeo event. This is going to help them- according to last night, they're doing a fireworks display four nights and this would help them with two of the nights. They have one of the nationally recognized clown barrel men coming in and they are excited about making this an even bigger event than it's been in the past.

Chairman Chagnon: It's the longest, continuous running rodeo east of the Mississippi.

Mr. Geise: Yes.

Chairman Chagnon: Questions or comments on the proposed resolution?

Legislator Niebel: Have they received money before?

Chairman Chagnon: They have not received money before. Other questions or comments? All those in favor please say aye. Opposed?

*Unanimously Carried*

Proposed Resolution- Modifying Allocation of 2% Occupancy Tax Funding for Cleanup of Burtis Bay on Chautauqua Lake

Mr. McCoy: This is simply a modification of previous resolution that was done last year. These monies were going to be delivered to the Chautauqua Lake Association and we decided to move them to the Chautauqua Lake and Watershed Management Alliance because they have the ability to expedite the contract.

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

*Unanimously Carried*

Proposed Resolution- Authorize Use of 2% Occupancy Tax Monies to Retain Professional Services to Complete and Implement the Chautauqua Lake Weed Management Consensus Strategy

Mr. Geise: As you'll recall, several months ago this committee and the Legislature approved just under \$10,000 to contract with Ecology and Environment, who is a qualified independent third party to really look at developing some strategies for building a consensus strategy, which they've done and we've actually moved beyond that at this point. Really what they did is they've gone out and they've interviewed the various lake groups regarding their hot topic issues. We've developed that into a consensus strategy and what we're looking at here is taking it and then actually finishing it and having it in a form that it can be presented to the public and also doing an herbicide white paper. So, this really finishes the project, so this is for an additional \$12,000 to finish this effort. There's about \$247,000 remaining in the reserve fund.

County Executive Borrello: If I could add a comment to this. Obviously, when we went into this whole process of developing a consensus strategy we weren't sure which road this was going to take us down. After the interviews we had, we were able to find the (*inaudible*) for people to agree on. One of the things we found was that they really were concerned with a number of issues universally. Number one was independent verification of whatever processes are used to mitigate the weeds in the lake, whether its herbicides or harvesting, that we have an independent third party unbiased analysis. The other thing was concerns over the impact of herbicides from someone that doesn't sell herbicides for a living. This money will allow P&E to pursue those things in an independent manner and provide a level of comfort to all sides of this discussion to ensure that we have an independent third party evaluation of whatever methods we're going to use. So, this is an important next step in completing this process.

Chairman Chagnon: OK. Questions or comments on the proposed resolution? I would just comment that in my involvement with E&E and their efforts to date, it's a very, very impressive firm. They've provided excellent services to us so far, so I'm very comfortable with continuing to employ their services. All those in favor please say aye. Opposed?

*Unanimously Carried*

Proposed Resolution- Authorizing Public Hearing Regarding a Potential Application for 2019 Community Development Block Grant Funding through the New York State Office of Community Renewal and the Uses of Said Funding

Mr. Geise: This is pertaining to Webb's Chautauqua Resorts in Mayville, which is going to be a (*inaudible*) ownership hotel with a restaurant. The IDA has been working with Webb's to try to seek out any type of external funding that's available for the project. So, through the community development block grant program, we're lined up to receive \$450,000 for the project. In order to do that- and CREDC would administer-OCR requires that a municipality apply for it, so that's why the County would apply and as part of this process we need to seek community input. So, this is to establish a public hearing, which would be prior to the County Legislature meeting on April 24<sup>th</sup> to seek public input. It's that simple.

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

*Unanimously Carried*Proposed Resolution- Amend 2019 Budget for Feasibility Study for Hops/Barley Economic Development Project

Mr. Geise: Last month Chris Lacorato came to the PED group and Legislature and also the planning board and he presented a project proposal. It's basically an integrated hops and barley co-op project. We've been talking to him for over eight months. He's been here a lot and he's really looking at Chautauqua County to being the location to establish/start up this large facility, which would supply hops and barley to the brewing industry, distilleries and also the health food industries. He's done a lot of due diligence and feels pretty strongly that this is the right course to take, but he really needs to do a more in-depth dive into the feasibility to proof things out. He got quotes from First Key, who does this kind of thing, and they've provided a quote of \$120,000 and he's asking if he would pay for 50%, if the community could pay for the other 50%. We were able to secure \$20,000 from Chautauqua Region Community Foundation, \$7,500 from the North Chautauqua Community Foundation, we're still waiting to hear from Gebbie, the IDA's going to kick in and we're asking the County to contribute \$20,000 towards this in-depth feasibility study. What would come out of it is number one, this is something that he could do just about anywhere in the northeast and we want him to do it here. Secondly, we're involved in the scoping of this thing. Thirdly, we'll have rights to the final product. So, that's what this is about.

County Executive Borrello: I know some of you've heard- saw the presentation and I think we were all incredibly impressed. Chris brought an idea that I had presented to him a few months ago as a concept and he did a deep dive with his expertise in manufacturing, the beverage industry, the food industry, he came back with this concept unlike anything in the United States. It goes well beyond just hops and barley and coming up with a cooperative idea and truly turns it into an amazing and unique opportunity for us. This is a game changer for our agricultural community for businesses in Chautauqua County. You're talking everything from giving our farmers the ability to bring new crops in and have a place to take them, to developing a processing/distribution/sales and marketing- you're talking an entire vertical integration in this process that could create an amazing opportunity for our county. The best part about it is he believes in it so much that he's going to put up \$60,000 of his own money, on top of what he's already spent to get to this point, to do this. It's a huge commitment from him and a relatively small commitment from the County that could have a huge impact on the future of our County. So, I think it's a great opportunity and I'm super excited about this.

Chairman Chagnon: OK. Questions or comments on the proposed resolution?

Legislator Muldowney: How long will this study take?

Mr. Geise: Less than three months, so they're basically getting things rolling right now.

Chairman Chagnon: Anybody else?

Legislator Niebel: At this stage, he is a little bit short as far as his financial commitments? About \$12,500 short?

Mr. Geise: No. So, he's going to put in \$60,000 and-

Legislator Niebel: And the County's putting in \$20,000-

Mr. Geise: I'm still waiting to hear from Gebbie and I'm hoping to get \$7,500 from them and then the IDA will make up the difference.

County Executive Borrello: We are a little bit short at this moment, but we're still working on it.

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

*Unanimously Carried*

Proposed Resolution- Amend 2019 Budget for Additional Capital Project: Development of a Brownfields Inventorying and Marketing Strategy

Mr. Geise: So, this really came out of the need for more sites. The County Executive has been talking about shovel ready sites and although we have a couple remaining in our business parks, we've been looking at green fields and what occurred to us more recently is we have a fair quantity of brownfields in this County. Brownfields offer an opportunity for us to take advantage of brownfield tax credits. A brownfield, by the way, is a contaminated site if you don't know. Believe it or not, in some cases they're actually more desired than greenfields are to certain developers because they can take advantage of these brownfield tax credits. They're in the right spots, they're zoned correctly, they have the infrastructure and then they have these incentives attached to them. The City of Dunkirk and the City of Jamestown were both approved for these brownfield opportunity areas- BOA plans, which basically aligns them with tapping into these brownfield tax credits. We have two projects right now in the County that are taking advantage of this. One is Jamestown Brewery and one is Edgewood Fieldbrook Warehouse up in Dunkirk. So, what we want to do is- and we've had a lot of meetings with stakeholders, we had the DEC in last week, we've had some legal firms and we've pulled everyone together in the County- the stakeholders and we've had this discussion about what we need to do next, how do we take advantage of it and we all kind of concluded that what we need to do is beyond our ability. We really need to look at inventorying them, prioritizing them and then developing a GIS based tool that we can then get it out there to the development world and also a marketing strategy on how to do that.

So, the IDA will kick in 20% - \$4,000 of a \$20,000 project and we're asking the County to kick in (*inaudible.*) This would come out of the capital projects reserve. We went to the Planning Board, we presented there, and they unanimously recommended it for approval. They're excited about it and we're excited about it.

County Executive Borrello: I would just add briefly, for the business of economic development, this is key. Imagine, Mr. Niebel, if someone came to you and said I'm looking for a three bedroom, three bath ranch and you couldn't come back and give them your inventory and say here's what I have that meets your needs. That's kind of where we are right now. When someone comes to us and says here's what I want to develop, we really can't- we know what we have right now, currently, which is not a lot, but there's more out there. We need a proper inventory that's been analyzed, so we know exactly what it brings to the table. So, when someone says they need this, this and this in order to develop, we know where those spots are.

Also, we now have these opportunity zones, which we worked hard to get throughout the County. That's another huge incentive provided by the Federal government and administrated through the State, so this is about really getting a good handle to make sure we're getting the maximum impact when someone is looking for an opportunity to bring something here to Chautauqua County.

Chairman Chagnon: Questions or comments on the proposed resolution? I would comment that I appreciate the fact that the Planning Board reviewed this and supported this. All those in favor please say aye. Opposed?

*Unanimously Carried*

21. Proposed Resolution- Amend 2019 Budget for Additional Capital Project: Fiber Optic Cable To Businesses in and Around Stoneman Industrial Park

Mr. Geise: So, the IDA has been- we're in close contact with all the businesses in the County, but we've been prompted by businesses like Southern Tier Brewery, Water Street Brass, and Chautauqua Hydro Seed and others to please help them because they are currently on an old dialup service, which is- I mean really, that utility is one of the most important utilities now and they're still working off of this old service. So, we worked with DFT. They looked at the situation, the County Executive's been involved in this and DFT came back and said it's about a \$100,000 project and the County and the IDA can pay to get the service from where it dead ends at Winch Road to the Industrial Park, they would pay to connect it to all the businesses there. There's about fourteen businesses. Twelve of them have said that they are interested in getting the service. So, this project again, we took to the Planning Board and they unanimously approved it. So, what we're talking about here is a \$98,000 project. About 70% of it is committed by DFT and 3% by the IDA, 28% by the County. This will get that project done.

Legislator Muldowney: How many businesses will that service?

Mr. Geise: Fourteen.

Legislator Gould: How many other businesses have you helped in this way?

Mr. Geise: I don't know if we've ever done fiber optic, that I can recall. I've only been with the IDA of March of last year, but I don't every recall hearing that we've done this particular type of project.

Legislator Gould: Where does it go?

County Executive Borrello: DFT is already- they've got a whole big project that they've nicknamed the fiber to the farm project. They're going throughout the County to add more fiber optic. We're actually talking to Southern Tier West right now about another future expansion of high speed internet around the County. So, there's a lot of gaps down where you are. It's hard to-

Legislator Gould: Yes.

Mr. Geise: We had a conference call yesterday about that.

County Executive Borrello: Yeah, to get more high speed throughout the County. They're also looking at some wireless technology that would make it a lot easier and less expensive. Southern Tier West is putting together a grant application, so we're trying to get- I mean, it's like the electrifying rural communities 100 years ago; it's necessary.

Legislator Gould: I was just wondering if we were setting precedence that any company can say that we helped them, so why aren't you helping us.

County Executive Borrello: Keep in mind that we're talking about getting the fiber to the Stoneman Park, which is a County property. Beyond that, it's DFT working with the businesses to get it to the individual businesses. We're just getting the infrastructure to the Industrial Park in this case.

Legislator Gould: Fair enough.

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

*Unanimously Carried*

Proposed Resolution- Authorize Agreement with County of Chautauqua Industrial Development Agency for Attraction and Development of Tourism Related Businesses

Mr. Geise: Let the record show that I brought donuts because I got harassed last night. They said if there are more than three resolutions that you have to bring a treat.

Chairman Chagnon: Well, donuts are appropriate because 12 of the 26 resolutions are from you.

*(Cross-laughter)*

Mr. Geise: The next three resolutions are funding that the County provides to the IDA through- one is occupancy tax and the other is through the community contracts. Really, nothing has changed since years passed, for the most part. I'll talk through each one of these, kind of

what each one is. So, the first one is the tourism related businesses to Chautauqua County. So, this has to do with all the marketing that we do all the outreach that we do and the advertising that we do to attract tourism related businesses. It's like our contracts with the Martin Group in Buffalo, we have a contract with Sue Kellogg and Stephanie (*inaudible*) locally. We're working on a brochure right now, we advertise in trade magazines, we go to conferences. Some of the success I can point to is the Chautauqua Harbor Hotel, the Hilton Double Tree, Webb's, the Windom in Dunkirk, the National Comedy Center. Those are all projects that we- we're involved in Invest Buffalo Niagara, which is a regional board that really kind of markets the region. Whenever they get a request coming in about a project, they send it out to all the communities and we follow up quickly and thoroughly and that's how some of these projects have happened.

County Executive Borrello: Athenex is another one.

Mr. Geise: Yes. So, this really helps us to do those things.

Chairman Chagnon: This is as approved in the 2019 budget. Questions or comments?

*Unanimously Carried*

Proposed Resolution- Authorize Agreement with the County of Chautauqua Industrial Development Agency for Industrial Development and Promotion

Mr. Geise: This is a contract that the County's had with the IDA for many years. Its business development and promotion. There's some overlap here, but certainly with our relationship with Invest Buffalo Niagara bringing in companies like Athenex and Edgewood Warehouse and others, we're constantly following up on leads, were doing PR, we do a lot of stuff in business first, we run a website called State Book that we pay a monthly fee to and it has all our sites on there and a demographic of information. We're on Loop Net, LinkedIn, Facebook, we're members of the New York State Economic Development Council, (*inaudible*) Empire State Development, and we do a lot of sponsorships- things like the Lake Erie show that's coming up on April 8<sup>th</sup> and the Grand Prix race. We're trying to get the word out there to everybody that we're here and we're here to help. We're doing a welcome brochure. We do environment studies, infrastructure analysis, promoting and assisting- we're working on with the airports- actually CREDC is the FBO for the airports. So, we manage all those accounts as well. We're working on the economic development alliance, the consensus strategy, the Ripley gateway center and the hops project and many more things. That's just kind of some of the things that we do with the money that we get from the County.

Chairman Chagnon: Any questions or comments on the proposed resolution? All in favor? Opposed?

*Unanimously Carried*

Proposed Resolution- Authorize Agreement with the County of Chautauqua Industrial Development Agency for the Business Assistance Program

Mr. Geise: We work very closely with the JCC Small Business Development Council and between the two of us we really feed each other. First of all, we have three business development managers. I didn't mention this last night, but the staff at the IDA is incredible. We've really got a really solid group that works hard, is very kind and very considerate of people, and we take every call, we follow up on every lead that we get, no matter what. So, we have three business development managers, one of which is part time. We have Christine Morabito in the North County and then Carol Rasmussen and Linda Burns in the South County. Linda kind of travels around the whole County, and they are constantly- along with Rich Dixon and myself, are always following up on business leads. We really did a lot of the arrangements for the 100 businesses in 100 days. The first quarter of every year we knock on every business door in the County. Again, Invest Buffalo Niagara, Empire State Development- we have a very close relationship. We have Diego Siriani you've probably heard his name. He's down from ESD probably once a week. We bring him into companies where they're looking to potentially expand, so that we can take advantage of State benefits. We're also affiliated with Southern Tier West, the EDA- economic development association, the Appalachian Regional Commission- ARC, and we have a very close relationship with the local development entities in Dunkirk, Jamestown and Westfield. We administer the (*inaudible*) loan fund, which is \$12 million loan fund, we do bonding for projects. So, that gives you a taste- oh, by the way, out of that \$59,000 for this contract, \$22,000 of that goes to the Small Business Development Center, so our portion of this is about \$37,000.

Chairman Chagnon: And this is in accordance with the approved 2019 budget. Any other questions or comments on the proposed resolution? All in favor? Opposed?

*Unanimously Carried*

Proposed Resolution- Authorize Agreement with Small Business Development Center at Jamestown Community College

Mr. Geise: Courtney Curatolo came in last night to the PED meeting and gave a brief but concise presentation about what the Small Business Development Center does in this community. When I said we work closely together, we really do. We get a lot of calls from people that have a dream or an idea and 9 times out of 10 we say that you need to talk to the Small Business Development Center. They work with them and in some cases people don't follow through, but in a lot of cases they develop a business plan, look at the finances. They meet with us quarterly, we go through all the contacts, what sector they're helping these individuals in, how many and they have a whole center over there. I think there is 8 employees over there. They've been very effective and they're just a great partner in the community. So, this is to help them pay for those services.

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

*Unanimously Carried*

Proposed Resolution- Authorize Extension of Lease Agreement for Department of Planning & Development, Division of Economic Development at the BWB Center

Mr. Geise: Through the Division of Economic Development we contract with the building owner or whoever has the lease. In this case, the IDA has the lease with the owner of the BWB building and then sub-leases that space out to the Division of Economic Development for one office- 228 square feet. So, this is a contract for \$1,500 for that space in the BWB building.

Chairman Chagnon: And this is at the same rate that it has been for several years.

Mr. Geise: Correct, and it's in line with the budget.

Chairman Chagnon: Questions or comments on the proposed resolution? All those in favor? Opposed?

*Unanimously Carried*

Discussion- Revenue Shortfalls for 2018 and Implications for 2019: Required Department Heads-  
Sheriff: Sheriff Quattrone & Jennifer Cresanti  
Emergency Services: Valerie Hayes  
Health & Human Services: Val Lis & Jon Anderson  
Finance: Kitty Crow

Discussion- Proposed RFP for Fiduciary Services: Finance Director, Kitty Crow

Discussion- Update on the AirBnB Status: Finance Director, Kitty Crow

Discussion- Property Purchase Contract (Re: GOB Parking Lot): County Attorney Abdella

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

*Unanimously Carried (12:13 p.m.)*

Respectfully submitted and transcribed,  
Olivia L. Ames, Deputy Clerk/Secretary to the Legislature