

## Agenda

### Audit & Control Committee

**June 20, 2019, 8:35 a.m., Room 331**

Gerace Office Building, Mayville, NY

- A. Call to Order
- B. Approval of Minutes (05/16/19)
- C. Privilege of the Floor
  1. Proposed Local Law Intro. 3-19 - Amending Local Law 7-90 Providing for a Management Salary Plan for County Officers and Employees  
(Re: Assigned Counsel Administrator)
  2. Proposed Resolution - Authorization of Funding to Replace Boiler at the Mayville Municipal Building
  3. Proposed Resolution - Obligate County Funds for Local Share Funding of Essential Air Service Contract to Subsidize Commercial Air Service To/From Chautauqua County/Jamestown Airport
  4. Proposed Resolution – Quit Claim Deeds
  5. Proposed Resolution – Amend 2019 Budget for Office of the Sheriff
  6. Proposed Resolution – Authorize Execution for New York State Office of Homeland Security Grant for State Law Enforcement Terrorism Prevention Program (SLETPP) FY 19
  7. Proposed Resolution – Amend 2019 Budget for State Homeland Security Program (SHSP) Grant Award
  8. Proposed Resolution - Modify Capital Project Requests Related to Shared Storage Pole Barn
  9. Proposed Resolution – Authorize Litigation Against Telecommunications Companies Regarding 911 Surcharges
  10. Proposed Resolution – Authorize Acceptance of Funds from the Administration for Community Living (ACL) through New York State Office for the Aging (NYSOFA) for the NY Connects No Wrong Door (NWD) System

11. Proposed Resolution – Close, Modify and Create Petty Cash Funds
12. Proposed Resolution - Authorize Use of 3% Occupancy Tax Undesignated Reserve Funding to Pay for the Cost of Printing Marketing Brochure
13. Proposed Resolution – Close Capital Projects
14. Proposed Resolution – Financial Management Policy for the County of Chautauqua
15. Discussion – Internal Audit Report for Social Services – Legislator Nazzaro
16. Discussion – 2018 Annual Audit – Drescher & Malecki
17. Other

SMA 6/7/19

LOCAL LAW  
INTRODUCTORY NO. 3-19  
CHAUTAUQUA COUNTY

AMENDING LOCAL LAW 7-90 PROVIDING FOR A MANAGEMENT SALARY PLAN  
FOR COUNTY OFFICERS AND EMPLOYEES  
(re: ASSIGNED COUNSEL ADMINISTRATOR)

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

Section 1. Additional Title.

The Chautauqua County Management Salary Plan, as set forth in Local Law 7-90, and as amended, is hereby further amended to add the new title of Assigned Counsel Administrator.

Section 2. Salary Level.

The title of Assigned Counsel Administrator shall be placed in Range 10 (\$66,277 to \$101,807) of the 2019 Management Salary Plan.

Section 3. Effective Date.

This local law shall become effective upon filing with the Secretary of State.

Sponsors: Chairman Paul M. Wendel, Legislator Pierre Chagnon and Legislator Terry Niebel

**CHAUTAUQUA COUNTY  
RESOLUTION NO. \_\_\_\_\_**

BPB – 5/30/19
KMW 6.3.19
SMA 6/3/19
KMD 6/3/19
KLC 6/5/19
GMB 6/6/19

**TITLE:** Authorization of Funding to Replace Boiler at the Mayville Municipal Building

**BY:** Public Facilities and Audit & Control Committees:

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

WHEREAS, Chautauqua County owns the Family Court portion of the Mayville Municipal Building (MMB) located at 2 Academy Street in the Village of Mayville; and

WHEREAS, the heat provided to the Family Court space is supplied by a redundant dual Thermal Solutions boiler system contained in an Aaon Roof Top Enclosure at the MMB; and

WHEREAS, pursuant to Resolution No. 129-18, capital project H.1620.25005 was established with a budget of \$57,000 for the replacement of one of the boilers, and the replacement cost was less than anticipated so \$16,000 are available to partially fund replacement of the second boiler; and

WHEREAS, the remaining boiler developed several issues at the onset of the last heating season, including leaks in the heat exchanger, and is currently not operational; and

WHEREAS, the dual boilers are provided for redundancy in the heating; however, if the other working boiler goes down for any reason the space would be without heating and it is not recommended to go through another heating season without the redundancy; and

WHEREAS, the Department of Public Facilities obtained estimates from a contractor for both the repair and replacement of the boiler and has determined that the replacement option is the most advantageous; and

WHEREAS, the repair would not include a warranty/guarantee period on the longevity of repair, so it is recommended to have a new replacement boiler installed; and

WHEREAS, the Department of Public Facilities entered into an agreement to have the boiler loop water tested and treated to help prevent future problems with the boiler heat exchangers; therefore be it

RESOLVED, That the Legislature for the County of Chautauqua approves the use of capital reserve funding to establish a budget for the boiler replacement to allow the Department of Public Facilities to proceed with the boiler replacement; and it is further

RESOLVED, That Reserve for Capital is appropriated at follows:

**INCREASE THE USE OF FUND BALANCE:**

A.----.----.878.0000	Fund Balance--Reserve for Capital	\$ 20,000
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;and it is further

RESOLVED, That the Director of Finance is authorized and directed to make the following changes to the 2019 Capital Budget:

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**APPROVED**

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**VETOES (VETO MESSAGE ATTACHED)**

\_\_\_\_\_  
**County Executive**

\_\_\_\_\_  
**Date**

INCREASE APPROPRIATION ACCOUNT:

A.9950.----.9 Interfund Transfer—Interfund Transfers \$ 20,000

INCREASE CAPITAL APPROPRIATION ACCOUNT:

H.1620.25002.4 Contractual—MMB Boiler Replacement (2018) \$ 20,000

INCREASE CAPITAL REVENUE ACCOUNT:

H.1620.25002.R503.1000 Interfund Transfer – Interfund Transfer \$ 20,000

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**APPROVED**

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**VETOES (VETO MESSAGE ATTACHED)**

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**County Executive**

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**Date**

RA by abc 6/11/19  
BPB by abc 6/11/19  
ABC 6/11/19  
SMA 6/11/19  
KMD 6/11/19  
KLC 6/11/19  
GMB by SMA 6/11/19

**CHAUTAUQUA COUNTY  
RESOLUTION NO. \_\_\_\_\_**

**TITLE:** Obligate County Funds for Local Share Funding of Essential Air Service Contract to Subsidize Commercial Air Service To/From Chautauqua County/Jamestown Airport

**BY:** Public Facilities, Planning & Economic Development and Audit & Control Committees:

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

WHEREAS, the Chautauqua County/Jamestown Airport is designated a national air transportation facility within the U.S. National Plan for Integrated Airport Systems (NPIAS); and

WHEREAS, the U.S. Department of Transportation, Office of the Secretary of Transportation, terminated commercial air service to the Chautauqua County Jamestown Airport effective January 15, 2018, pursuant to Order No. 2017-12-2 dated December 29, 2017; and

WHEREAS, the U.S. Department of Transportation, Office of the Secretary of Transportation, issued Order No. DOT-OST-2003-14950 on February 8, 2019, denying a joint proposal between Chautauqua County and Boutique Air, Inc. for the restoration of commercial air service under the Essential Air Service (EAS) program, citing, among other reasons, that the Chautauqua County community has access to other commercial air service airports; and

WHEREAS, Boutique Air, Inc., in collaboration with Chautauqua County, seeks to establish commercial air service to/from the Chautauqua County /Jamestown Airport and both the Pittsburgh International Airport and the Baltimore/Washington International Airport under an EAS contract in accordance with the provisions of 49 U.S.C. §41733(g); and

WHEREAS, Boutique Air, Inc., proposes to operate said commercial air service at the Chautauqua County/Jamestown Airport at an annual subsidy cost of \$2,980,688 for a period of three years; and

WHEREAS, the U.S. Department of Transportation, Office of the Secretary of Transportation, has encouraged Chautauqua County, as the airport sponsor and joint participant in the EAS proposal, to contribute financially and through the contribution of in-kind services to the annual operating cost of the proposed commercial air service; and

WHEREAS, the Chautauqua County Chamber of Commerce expressed an explicit need for reliable commercial air service to the Chautauqua County/Jamestown Airport to improve commerce and sustain an economically viable community; and

WHEREAS, reliable commercial air service will enhance and promote Chautauqua County, its cities, towns, and villages by supporting the promotion of tourism, conventions, and trade shows; and

WHEREAS, the County Airports Commission recommended use of County funds to contribute local share funding of \$72,000 per year to augment the U.S. Department of Transportation EAS contract, and in-kind commitment of materials and services from County resources totaling \$52,000 per year for a period of up to three years; and

WHEREAS, if the joint proposal receives the required federal approval, it is contemplated that the County local share funding of \$72,000 per year shall be derived from occupancy tax revenue and other tourism/economic development funding as may be allocated through budget appropriation resolutions; and

**APPROVED**

**VETOES (VETO MESSAGE ATTACHED)**

\_\_\_\_\_  
County Executive

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Date

WHEREAS, in-kind services provided by the County may include, but not be limited to, the establishment of a CARTS bus stop at the airport; the use of the airport terminal, apron, hangar and parking facilities; extended operating hours for snow removal and ground handling services; and marketing and promotional services through the County's managed social media outlets and tourism publications; therefore be it

RESOLVED, That Chautauqua County, as the airport sponsor and joint participant in the U.S. Department of Transportation Essential Air Services proposal, obligates local share funding of \$72,000 per year and in-kind services totaling \$52,000 per year for a period of up to three years to partially offset the operating costs of commercial air service to/from the Chautauqua County/Jamestown Airport; and be it further

RESOLVED, That the County Executive is hereby authorized to enter into any and all contracts with the U.S. Department of Transportation, within the constructs of the Essential Air Service Program, for the express and limited purpose of providing local share funding and in-kind services to partially offset the operating cost of commercial air service to/from Chautauqua County/Jamestown Airport.

**APPROVED**

**VETOES (VETO MESSAGE ATTACHED)**

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**County Executive**

\_\_\_\_\_  
**Date**

**CHAUTAUQUA COUNTY  
RESOLUTION NO. \_\_\_\_\_**

JEC 5/31/19
SMA 5/31/19
KMD 6/3/19
KLC 6/5/19
GMB 6/6/19

**TITLE:** Quit Claim Deeds

**BY:** Administrative Services and Audit & Control Committees:

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

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

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

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

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

Offer Number	Municipality	S/B/L	Purchaser	Offer Amount	Taxes Owning
QC-2-2019	City of Dunkirk	060300-79.11-3-19	Donald & Barbara Willis	\$ 4,782.78	\$ 4,782.78
QC-6-2019	City of Dunkirk	060300-79.11-7-46	William Green	\$ 3,717.11	\$ 3,717.11
QC-30-2019	City of Dunkirk	060300-79.19-5-55	Christie Miga	\$ 662.22	\$ 662.22
QC-41-2019	City of Dunkirk	060300-79.20-8-22	Donald & Mary Szejbka	\$ 956.28	\$ 956.28
QC-50-2019	City of Dunkirk	060300-96.07-2-2	Christie Miga	\$ 4,410.66	\$ 4,410.66
QC-52-2019	City of Dunkirk	060300-96.07-2-60	Christie Miga	\$ 161.63	\$ 161.63
QC-73-2019	City of Jamestown	060800-370.19-11-26	Thomas Stahlman	\$ 2,216.21	\$ 2,216.21
QC-90-2019	City of Jamestown	060800-387.05-3-2	Haley A Glover	\$ 261.59	\$ 261.59
QC-95-2019	City of Jamestown	060800-387.06-2-29	Kenneth J Lee	\$ 4,833.81	\$ 4,833.81
QC-137-2019	City of Jamestown	060800-387.09-7-18	Jack & Donna Hunt	\$ 3,887.09	\$ 3,887.09
QC-159-2019	City of Jamestown	060800-387.15-7-46	Jorge A Torres	\$ 3,263.73	\$ 3,263.73
QC-222-2019	City of Jamestown	060800-404.06-6-18	Mark & Sheryll Almquist	\$ 1,229.79	\$ 1,229.79
QC-228-2019	Arkwright	062000-182.00-2-8	Gary & Cathryn Schneider	\$ 4,484.65	\$ 4,484.65
QC-245-2019	Busti	062289-436.00-2-42	Rickie Kehrli	\$ 2,260.94	\$ 2,260.94
QC-246-2019	Carroll	062400-407.00-2-19	Richard & Kelly Berg	\$ 2,215.46	\$ 2,215.46
QC-254-2019	Chautauqua	062801-245.20-1-28	Lisa Shepard	\$ 192.17	\$ 192.17
QC-257-2019	Chautauqua	062889-262.00-2-22	Schuyler Cross	\$ 2,268.86	\$ 2,268.86
QC-259-2019	Cherry Creek	063000-203.00-2-8	Estate of John Lombardo	\$ 2,558.57	\$ 2,558.57
QC-274-2019	Town of Dunkirk	063400-96.01-2-6	Lesa Drummond	\$ 7,112.82	\$ 7,112.82
QC-278-2019	Ellery	063601-333.09-2-37	Kathie Regan & Jon & Leah Langebartel	\$ 9,213.71	\$ 9,213.71
QC-290-2019	Ellicott	063801-386.07-2-60	Estate of Michael J Kestler	\$ 4,111.27	\$ 4,111.27

**APPROVED  
VETOES (VETO MESSAGE ATTACHED)**

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County Executive

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Date



QC-291-2019	Ellicott	063801-386.07-4-56	Tammy M Lachner	\$ 4,348.95	\$ 4,348.95
QC-298-2019	Ellicott	063889-371.12-2-74.2	Lynn Development LLC	\$ 162.30	\$ 162.30
QC-314-20019	Ellington	064000-271.00-1-54	Jennifer Titus & Brian Plaatje	\$ 3,750.87	\$ 3,750.87
QC-341-2019	Hanover	064689-33.00-2-2	John Charry	\$ 10,834.51	\$ 10,834.51
QC-343-2019	Hanover	064689-33.05-2-58	Michael G Weber	\$ 14,027.34	\$ 14,027.34
QC-344-2019	Hanover	064689-33.05-2-59	Michael G Weber	\$ 744.27	\$ 744.27
QC-345-2019	Hanover	064689-33.05-2-60	Michael G Weber	\$ 396.09	\$ 396.09
QC-346-2019	Hanover	064689-66.08-1-11	Gary Sr. & Laurie Spengler	\$ 10,823.32	\$ 10,823.32
QC-355-2019	Harmony	064889-435.00-1-31	Samuel D Hicks Jr & Troy Hicks	\$ 2,591.98	\$ 2,591.98
QC-361-2019	Mina	065200-326.00-1-7	Charles J Kopta	\$ 22,154.21	\$ 22,154.21
QC-372-2019	Pomfret	065801-130.07-1-17	FDC Holdings LLC	\$ 881.28	\$ 881.28
QC-373-2019	Pomfret	065801-130.07-1-18	FDC Holdings LLC	\$ 5,427.32	\$ 5,427.32
QC-374-2019	Pomfret	065801-130.07-1-23	FDC Holdings LLC	\$ 383.74	\$ 383.74
QC-375-2019	Pomfret	065801-130.07-1-42	FDC Holdings LLC	\$ 2,310.82	\$ 2,310.82
QC-381-2019	Pomfret	065889-112.08-1-32	Estate of Mildred Janklowski	\$ 9,387.05	\$ 9,387.05
QC-382-2019	Pomfret	065889-112.20-1-49.2	Barbara Adkins	\$ 6,083.00	\$ 6,083.00
QC-387-2019	Pomfret	065889-181.15-1-49	Amanda Jane Whitmore	\$ 2,665.30	\$ 2,665.30
QC-388-2019	Pomfret	065889-182.00-1-1	Charles Muscato	\$ 7,018.00	\$ 7,018.00
QC-406-2019	Ripley	066200-258.00-1-24	Michael W Perdue	\$ 711.34	\$ 711.34
QC-409-2019	Ripley	066200-309.00-2-8	Charles & Marjorie Kopta	\$ 612.41	\$ 612.41
QC-413-2019	Sherman	066689-329.00-1-3.1	Tayllor & Teanna Griswold	\$ 513.63	\$ 513.63
QC-414-2019	Stockton	066801-182.17-1-27	Regina Swenson & Anthony Lazarony	\$ 9,119.21	\$ 9,119.21
QC-418-2019	Stockton	066889-248.00-1-58	Carl C Heilman	\$ 3,313.24	\$ 3,313.24
QC-422-2019	Villanova	067000-153.00-1-58	Rebecca & Lance Brittain	\$ 4,414.23	\$ 4,414.23
			<b>Total Reacquisition</b>	<b>\$ 187,475.76</b>	<b>\$ 187,475.76</b>
PA-182-2019	Cherry Creek	063000-237.11-2-24	Shelley Lincoln & Gary Howe	\$ 50.00	\$ 202.84
			<b>Total</b>	<b>\$ 50.00</b>	<b>\$ 202.84</b>

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**APPROVED**  
**VETOES (VETO MESSAGE ATTACHED)**

\_\_\_\_\_  
**County Executive**

\_\_\_\_\_  
**Date**

**CHAUTAUQUA COUNTY  
RESOLUTION NO. \_\_\_\_\_**

<b>DWB 5/24/19</b>
<b>TMT 5/24/19</b>
<b>SMA 5/25/19</b>
<b>KMD 5/28/19</b>
<b>KLC 5/29/19</b>
<b>GMB 5/31/19</b>

**TITLE:** Amend 2019 Budget for Office of the Sheriff

**BY:** Public Safety and Audit & Control Committees:

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

WHEREAS, some Office of the Sheriff expenses are expected to exceed initial budgetary estimates; and

WHEREAS, some Office of the Sheriff revenues are expected to exceed initial budgetary estimates; now therefore be it

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2019 budget:

INCREASE APPROPRIATION ACCOUNTS:

A.3150.----.2	Equipment – Jail	\$2,900
A.3110.GRNT.3	Equipment – Sheriff, Sheriff Grants	<u>\$37,638</u>
		\$40,538

INCREASE REVENUE ACCOUNTS:

A.3150.R159.2001	Departmental Income—Chrgs: Commissary Reimb	\$2,900
A.3110.GRNT.R438.9BMB	Federal Aid--Bomb Detection	<u>\$37,638</u>
		\$40,538

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**APPROVED**

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**VETOES (VETO MESSAGE ATTACHED)**

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**County Executive**

\_\_\_\_\_  
**Date**

**CHAUTAUQUA COUNTY**  
**RESOLUTION NO. \_\_\_\_\_**

DWB 5/24/19
TMT 5/28/19
SMA 6/7/19
KMD 6/7/19
KLC 6/10/19
GMB 6/12/19

**TITLE:** Authorize Execution for New York State Office of Homeland Security  
Grant for State Law Enforcement Terrorism Prevention Program (SLETPP)  
FY19

**BY:** Public Safety and Audit & Control Committees:

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

WHEREAS, the application of the Chautauqua County Sheriff was approved by the New York State Office of Homeland Security and Emergency Services for continued implementation of the State Law Enforcement Terrorism Prevention Program (SLETPP); and

WHEREAS, the State of New York will provide funding in the amount of \$49,986.00 with no local funds required for the contract period from September 1, 2019 to August 31, 2022; and

WHEREAS, a portion of the grant revenues and expenditures, corresponding to the portion of the grant performance that falls in the 2019 calendar year, is included in the 2019 budget; now therefore be it

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

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**APPROVED**

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**VETOES (VETO MESSAGE ATTACHED)**

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**County Executive**

\_\_\_\_\_  
**Date**

**CHAUTAUQUA COUNTY  
RESOLUTION NO. \_\_\_\_\_**

<b>JCG 5/29/19</b>
<b>TMT 05/29/19</b>
<b>SMA 05/31/19</b>
<b>KMD 6/3/19</b>
<b>KLC 6/5/19</b>
<b>GMB 6/6/19</b>

**TITLE:** Amend 2019 Budget for State Homeland Security Program (SHSP) Grant Award

**BY:** Public Safety and Audit & Control Committees:

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

WHEREAS, the Chautauqua County Office of Emergency Services was awarded a grant in the amount of \$149,956.00 from the 2017 State Homeland Security Program; and

WHEREAS, the State of New York will provide funding for a FY17 grant, with no local funds, per Contract #C969570 during the performance period of September 1, 2017 through August 31, 2020; and

WHEREAS, pursuant to Resolution 237-17, the County Executive was authorized to execute an agreement to secure the grant funding with the NYS Division of Homeland Security and Emergency Services; and

WHEREAS, some revenues and expenditures associated with this grant were not included in the 2019 operating budget; now therefore be it

RESOLVED, That the Director of Finance is hereby directed to make the following 2019 budgetary changes:

**INCREASE APPROPRIATION ACCOUNTS:**

A.3010.----.2	Equipment-Emergency Services	\$ 6,320
A.3010.----.4	Contractual-Emergency Services	<u>\$30,320</u>
	Total	\$36,640

**INCREASE REVENUE ACCOUNT:**

A.3010.----.R430.5004	Federal Aid-Homeland Security	\$36,640
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**APPROVED**

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**VETOES (VETO MESSAGE ATTACHED)**

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**County Executive**

\_\_\_\_\_  
**Date**

**CHAUTAUQUA COUNTY  
RESOLUTION NO.**

JBQ 5/23/19
TMT 06/07/19
SMA 6/7/19
KMD 6/7/19
KLC 6/10/19
GMB 6/12/19

**TITLE:** Modify Capital Project Requests Related to Shared Storage Pole Barn

**BY:** Public Safety and Audit & Control Committees:

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

WHEREAS, Chautauqua County approved Capital Project H.3010.14998 – EMS/CCSO Pole Barn (2017) in the 2018 and 2019 Capital Budgets, with funding from the Chautauqua County Reserve for Capital and NCLSD user fees; and

WHEREAS, the project was intended to be a storage pole barn shared by Chautauqua County Office of the Sheriff (CCSO), Chautauqua County Office of Emergency Management Services (CCEMS), and North Chautauqua Lake Sewer District (NCLSD); and

WHEREAS, design and construction costs of the pole barn are now expected to exceed the approved budget, and NCLSD is no longer in a position to contribute funds for the project; and

WHEREAS, the three parties to the project decided construction of the pole barn is no longer in the best interest of the County, and there are other capital projects that require attention, including replacing automatic external defibrillator (AED) units throughout the County and purchasing a device to safely and quickly provide presumptive analysis of various narcotics; and

WHEREAS, closure of project H.3010.14998 will return approximately \$167,500 to the capital reserve; now therefore be it

RESOLVED, That the Director of Finance close capital project H.3010.14998, and reconcile, post adjustments and begin capitalization as necessary; and be it further

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

RESOLVED, That the Reserve for Capital is adjusted as follows:

INCREASE THE USE OF FUND BALANCE:

A.----.----.878.0000	Fund Balance – Reserve for Capital	\$ 87,593
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; and be it further

RESOLVED, that the ESN Fund Balance is adjusted as follows:

DECREASE THE USE OF FUND BALANCE:

ESN.----.----.924.0000	Fund Balance –	
	Net Assets-Unrestricted (Deficit)	\$250,000

; and be it further

RESOLVED, That the Director of Finance is authorized and directed to make the following amendments to the 2019 Budget:

DECREASE APPROPRIATION ACCOUNT:

ESN.9950.----.9	Interfund Transfers – Transfer to Capital	\$250,000
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**APPROVED**

**VETOES (VETO MESSAGE ATTACHED)**

\_\_\_\_\_  
County Executive

\_\_\_\_\_  
Date

INCREASE APPROPRIATION ACCOUNT:

A.9950.----.9 Interfund Transfers – Transfer to Capital \$ 87,593

ESTABLISH AND INCREASE CAPITAL REVENUE ACCOUNTS:

H.3010.14006.R503.1000 Interfund Transfer – Interfund Transfer \$ 58,192

H.3110.06005.R503.1000 Interfund Transfer – Interfund Transfer \$ 29,401

Total \$ 87,593

ESTABLISH AND INCREASE CAPITAL APPROPRIATION ACCOUNTS:

H.3010.14006.4 Contractual—Emergency Services, AEDs (2019) \$ 58,192

H.3110.06005.4 Contractual—Sheriff,  
Narcotic Analysis Device (2019) \$ 29,401

Total \$ 87,593

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**APPROVED**

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**VETOES (VETO MESSAGE ATTACHED)**

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**County Executive**

\_\_\_\_\_  
**Date**

**CHAUTAUQUA COUNTY  
RESOLUTION NO. \_\_\_\_\_**

<b>SMA 6-6-19 KMD 6/6/19 KLC 6/10/19 GMB 6/12/19</b>
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**TITLE:** Authorize Litigation Against Telecommunications Companies Regarding  
911 Surcharges

**BY:** Public Safety and Audit & Control Committees:

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

WHEREAS, pursuant to New York State law, telecommunications companies are required to collect a 911 surcharge from their customers and to remit such funds collected to the appropriate county; and

WHEREAS, it has been reported that some counties may not have received the amount due from the telecommunications companies either due to their failure to collect the surcharge and/or their failure to remit such 911 surcharges to the counties; and

WHEREAS, the New York State Association of Counties (NYSAC) is coordinating county interests in this matter, and the law firm of Napoli Shkolnik, PLLC, has been retained on a contingency fee basis to represent counties and several other municipalities across New York State and other states regarding collection and remittance of 911 surcharges by various telecommunications companies; now, therefore be it

RESOLVED, That the County Executive is hereby authorized and empowered to commence civil litigation on behalf of the County against telecommunications companies for their failure to collect or remit 911 surcharges to the County.

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**APPROVED**

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**VETOES (VETO MESSAGE ATTACHED)**

\_\_\_\_\_  
**County Executive**

\_\_\_\_\_  
**Date**

**CHAUTAUQUA COUNTY  
RESOLUTION NO. \_\_\_\_\_**

<b>MS 5/30/19</b>
<b>ABC 6/3/19</b>
<b>SMA 6/4/19</b>
<b>KMD 6/4/19</b>
<b>KLC 6/5/19</b>
<b>GMB 6/6/19</b>

**TITLE:** Authorize Acceptance of Funds from the Administration for Community Living (ACL) through New York State Office for the Aging (NYSOFA) for the NY Connects No Wrong Door (NWD) System

**BY:** Human Services and Audit & Control Committees:

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

WHEREAS, the Chautauqua County Office for the Aging (“OFA”) is the recipient of \$150,000 from the Administration for Community Living (“ACL”) through the New York State Office for the Aging (“NYSOFA”) for 2019-2020; and

WHEREAS, such funds are to be utilized to develop a business case system that documents the value of the NY Connects No Wrong Door (NWD) System; and

WHEREAS, such funds are not included in the 2019 Budget; now, therefore be it

RESOLVED, That Chautauqua County accepts \$150,000 from the Administration for Community Living (“ACL”) through the New York State Office for the Aging (“NYSOFA”) to develop a business case system that documents the value of the NY Connects No Wrong Door (NWD) System; and be it further

RESOLVED, That the County Executive is hereby authorized to execute any and all agreements with New York State to obtain these funds; and be it further

RESOLVED, That the Director of Finance is authorized to establish the appropriate accounts and directed to make the following changes to the 2019 Budget:

**INCREASE REVENUE ACCOUNT:**

A.6772.----.R477.2000	Federal Aid—OFA Programs	\$ 94,500
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**INCREASE APPROPRIATION ACCOUNTS:**

A.6772.----.1	Personal Services - Office for the Aging	\$ 31,578
A.6772.----.8	Employee Benefits - Office for the Aging	\$ 13,289
A.6772.----.4	Contractual - Office for the Aging	<u>\$ 49,633</u>
	Total	\$ 94,500

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**APPROVED**

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**VETOES (VETO MESSAGE ATTACHED)**

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**County Executive**

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**Date**



**CHAUTAUQUA COUNTY  
RESOLUTION NO. \_\_\_\_\_**

KMD 5/28/19
KMW 5.29.19
SMA 6/7/19
KLC 6/10/19
GMB 6/12/19

**TITLE:** Close, Modify and Create Petty Cash Funds

**BY:** Human Services and Audit & Control Committees:

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

WHEREAS, Resolution No. 391-80 established a revolving petty cash fund in the amount of \$100.00 to be used by the South Chautauqua Lake Sewer District; and

WHEREAS, Resolution No. 249-94 established two revolving petty cash funds in the amount of \$50.00 each to be used by the Division of Family, Children, and Adult Services in Dunkirk and Jamestown; and

WHEREAS, Resolution No. 312-82 established revolving petty cash funds in the amount of \$25.00 each to be used in the Jamestown and Dunkirk offices of the Health Department; and pursuant to Resolution 213-97, these fund were increased to \$75.00 each and a third fund of \$75.00 was added for use in the Mayville office of the Health Department; and pursuant to Resolution 175-99, the fund in the Jamestown office was increased to \$125.00; and pursuant to Resolution 186-16, the fund in the Jamestown office was moved to Mayville to form a second Mayville fund, and the fund in the Dunkirk office was abolished; and

WHEREAS, the petty cash funds established by Resolution Nos. 391-80 and 249-94 are no longer necessary; and

WHEREAS, the \$125.00 petty cash fund for the Mayville office of the Health Department will be abolished and redistributed as follows: \$50.00 to a new petty cash fund to make change at the check-in desk in the Hall R. Clothier Building (HRC); \$50.00 to a new petty cash fund in the Chautauqua County Jail Clinic; and \$25.00 to increase the \$75.00 Mayville petty cash fund to \$100.00; now therefore be it

RESOLVED, That the petty cash funds established by Resolution Nos. 391-80 and 249-94 are hereby abolished; and be it further

RESOLVED, That the amount of the Health Department's Mayville petty cash fund is hereby increased by \$25.00 to a total amount of \$100.00; a new petty cash account at the Health Department's HRC desk is hereby established in the amount of \$50.00; a new petty cash account at the Chautauqua County Jail Clinic is hereby established in the amount of \$50.00; and be it further

RESOLVED, That the Director of Finance is hereby directed to make any and all necessary accounting adjustments to establish these changes.

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**APPROVED**

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**VETOES (VETO MESSAGE ATTACHED)**

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**County Executive**

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**Date**

**CHAUTAUQUA COUNTY**  
**RESOLUTION NO. \_\_\_\_\_**

MRG 5-30-19
ABC 5/31/19
SMA 6/5/19
KMD 6/5/19
KLC 6/6/19
GMB 6/6/19

**TITLE:** Authorize Use of 3% Occupancy Tax Undesignated Reserve Funding to Pay for the Cost of Printing Marketing Brochure

**BY:** Planning & Economic Development and Audit & Control Committees:

**AT THE REQUEST OF:** County Executive George M. Borrello, County Legislator Mark Odell:

WHEREAS, the Department of Planning & Development - Division of Economic Development and the County of Chautauqua Industrial Development Agency (CCIDA) worked together to develop a marketing brochure that includes the County’s world class attractions and 4-seasons, including year round destinations, naturally diverse assets, its historically significant attributes; and its strategic locational advantage; and

WHEREAS, the County and CCIDA are working with Orbitist, a web-developer, to develop a “One-Stop” resources website that dovetails with the marketing brochure, which is a key tenet of the Economic Development Partnership initiative; and

WHEREAS, CCIDA expended more than \$10,000 during the past year utilizing local consultants to develop the marketing brochure; and

WHEREAS, the balance in the undesignated reserve for 3% Occupancy Tax is approximately \$132,835; now therefore be it

RESOLVED, That the County Legislature hereby authorizes the use of the undesignated reserve for 3% Occupancy Tax to assist with the costs associated with printing copies of the newly-created recruitment brochure to be used for attracting tourists, tourism-related businesses, and prospective seasonal and year-round residents to travel and invest in Chautauqua County; and be it further

RESOLVED, That the County Executive is authorized to establish accounts and enter into contracts necessary to implement the terms of this resolution; and be it further

RESOLVED, That the A Fund Balance be appropriated as follows:

INCREASE THE USE OF FUND BALANCE:

A.----.----.883.0000 Fund Bal, Rsvd Fund Bal-Reserve for Occupancy Tax \$11,099

; and be it further

RESOLVED, That the Director of Finance is authorized and directed to make the following amendments to the 2019 Budget:

INCREASE APPROPRIATION ACCOUNT:

A.6420.TOUR.4 Contractual—Promotion of Industry, Tourism \$11,099

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**VETOES (VETO MESSAGE ATTACHED)**

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**County Executive**

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**Date**

**CHAUTAUQUA COUNTY  
RESOLUTION NO. \_\_\_\_\_**

<b>BPB-6/7/19</b>
<b>KMW 6.7.19</b>
<b>SMA 6/7/19</b>
<b>KMD 6/7/19</b>
<b>KLC 6/10/19</b>
<b>GMB 6/12/19</b>

**TITLE:** Close Capital Projects

**BY:** Audit & Control Committee:

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

WHEREAS, the following capital projects have been completed and can be closed:

- H.1620.25891 Buildings & Grounds—Mayville Carpet Replace (2013)
- H.5610.25993 Chautauqua County Airport—Rehab Airport Pavement-DKK (2017)
- H.6420.37976 Promotion of Industry—Scattered Site Develop (2017)

; now therefore be it

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

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

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**VETOES (VETO MESSAGE ATTACHED)**

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**County Executive**

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**Date**

**CHAUTAUQUA COUNTY  
RESOLUTION NO. \_\_\_\_\_**

<b>SMA 6/10/19</b> <b>KMD 6/10/19</b> <b>KLC 6/10/19</b> <b>GMB 6/12/19</b>
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**TITLE:** Financial Management Policy for the County of Chautauqua

**BY:** Audit & Control Committee:

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

WHEREAS, pursuant to Local Law 4-04 of the County of Chautauqua, the Chautauqua County Charter was amended to provide that the County Legislature shall annually adopt by resolution a comprehensive financial management policy prior to the County Executive's preparation of the tentative budget; and

WHEREAS, the first Financial Management Policy was adopted pursuant to Resolution 168-04, and was further amended by Resolutions 64-05, 147-07, 144-14, and 147-15; and

WHEREAS, a proposed amendment to the County Administrative Code regarding the definition of "capital project" necessitates a corresponding amendment to Section III(C)(2) of the current Financial Management Policy; therefore be it

RESOLVED, That the County's Financial Management Policy is hereby amended to read as follows:

**I. INTRODUCTION**

Section 2.05(c) of the Chautauqua County Charter requires the County Legislature to adopt a comprehensive financial management policy for County government on at least an annual basis. The primary objective of this policy is to establish financial guidelines for the maintenance of County operating and capital funds, fund balances, operating and capital revenues, and the use of reserve funds. With a focus on long-term planning, these guidelines are intended to provide sound financial management in order to provide appropriate and responsible budgets for Chautauqua County taxpayers. These policies are for general use, and allow for exceptions as appropriate and necessary on a case-by-case basis.

**II. PURPOSE**

The County of Chautauqua recognizes the importance of adherence to sound financial management practices. By enacting financial management policies, the County of Chautauqua intends to achieve the following goals and objectives:

**A. Credit Rating**

The most global indicators of a county's overall financial health are the credit ratings issued by the various rating agencies in the financial community. These ratings assess a county's immediate and future financial needs and its means to fund them. It is the intent of this financial management policy to provide the financial community with the assurance that the County of Chautauqua follows structurally sound budgeting practices, maintains an appropriate level of funds in reserve, and embarks upon vigorous long-range planning for both operating and capital needs.

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B. Stable Tax Structure

Government spending relies heavily upon the current economic environment. With New York State counties required to pay 25% or more for most public assistance programs, a majority of county spending is obligated to these mandated programs. During robust economic times, the demand upon social services is lower and there is very little pressure on the tax structure. During periods of slow economic growth or recessions, the demand for government services increases greatly and taxes generally rise to meet these demands. In order to stabilize the peaks and valleys in the tax rate, financial management policies should be implemented to mitigate large changes in the taxation structure.

C. Fund Balances

The New York State Comptroller recommends that each local government assess what is a “reasonable amount” for its particular situation and adopt a fund balance policy. The purpose of this policy is to establish a fund balance policy to address the needs of Chautauqua County ("County") and establish adequate reserves to ensure that unanticipated events will not adversely affect the financial condition of the County nor jeopardize the continuation of necessary public services. This policy will ensure the County maintains adequate fund balance and reserves in the County's Governmental Funds to provide the capacity to:

1. Provide sufficient cash flow for daily financial needs.
2. Secure and maintain investment grade bond ratings.
3. To provide adequate reserves to offset significant economic downturns or revenue shortfalls, and
4. Provide adequate reserves for unforeseen expenditures related to emergencies.

D. Structurally Balanced Budgets

The County of Chautauqua’s definition of a structurally balanced budget is a budget that finances recurring appropriations with recurring revenues. A key component to maintaining stable taxation and fund balances is to limit the use of one-time revenues in the funding of recurring operations. It is the intent of this policy to attain structurally balanced budgets.

E. Long Range Planning

The County of Chautauqua recognizes the importance of long range planning for both operations and capital expenditures to ensure fiscal stability by providing the capability to plan for future expenditures and to weather unforeseen circumstances.

III. POLICIES

A. General Unobligated Fund Balance

1. This policy shall apply to the County’s General Fund, only.
2. Fund Balance for the County's Governmental Funds will be comprised of the following categories:
  - a) **Nonspendable**- amounts that cannot be spent because they are either (a) not in spendable form or (b) legally or contractually required to be maintained intact.

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- b) **Restricted-** amounts externally imposed by creditors (debt covenants), grantors, contributors, laws, or regulations of other governments.
  - c) **Committed-** amounts used for specific purposes pursuant to constraints imposed by formal action of the government's highest level of decision-making authority.
    - 1) Amounts set aside based on self-imposed limitations established and set in place prior to year-end and can be calculated after year-end.
    - 2) Limitation imposed at highest level and requires same action to remove or modify.
    - 3) Resolutions that lapse at year end.
  - d) **Assigned-** amounts that are constrained by the government's intent to be used for specific purposes, but are neither restricted nor committed.
  - e) **Unassigned-** amounts that are not reported in any other classification.
3. When resources are available from multiple classifications, the County spends funds in the following order: restricted, committed, assigned, unassigned.
4. The Chautauqua County Legislature is the decision-making authority that can, by resolution, commit fund balance. The commitment may only be modified by a new resolution authorized by the Chautauqua County Legislature.
5. General Unobligated Fund Balance:
- a) For the purpose of this policy, general unobligated fund balance shall consist of the Unassigned Fund Balance less any designations as footnoted in the Basic Financial Statements.
  - b) The County shall strive to maintain unobligated fund balance of not less than 5% and not more than 15% of General Fund gross revenues.
  - c) The Director of Finance shall report the amount and percentage of general unobligated fund balance to the Audit and Control Committee upon completion of the annual audit each year.
  - d) In the event that unobligated fund balance exceeds 15% of adopted budget gross revenues, the excess may be utilized for any lawful purpose approved by the County Legislature. In order to minimize the long term effect of such use, the excess should be appropriated to fund one-time expenditures which do not result in recurring operating costs, and/or be used to establish or increase reserves.
  - e) In the event that general unobligated fund balance falls below 5% of adopted budgeted gross revenues, the Budget Officer shall make a recommendation to the Audit and Control Committee to restore the balance to the minimum level in the next budget year or other appropriate period of time.

**B. General Fund Five-Year Plan**

Beginning in the 2006 budget year, a five-year general fund budget projection shall be completed on an annual basis that projects both expenditures and revenues. A narrative shall be attached identifying all assumptions used in calculating the projection.

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**County Executive**

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Additionally, this narrative shall include measures to be taken to close any budget gap that may exist.

C. Capital Projects Six-Year Plan

1. Assessment - A comprehensive capital assessment of Chautauqua County's physical infrastructure shall be completed at least every five years. This assessment shall include an evaluation of the current state and future maintenance needs and or replacement expense of all buildings, roads, bridges, airports, parks, and dams.
2. Capital Requests - Pursuant to guidelines set forth in Article 7 of the Chautauqua County Administrative Code, department heads shall present all proposed capital projects as defined in the Administrative Code. ~~infrastructure projects (buildings, roads, bridges, airports, parks, and dams), all equipment purchases (including all vehicles) over \$10,000 and over one year life expectancy, and all computer software and hardware over \$10,000 and over one year life expectancy. All light duty vehicles rated less than 1.25 ton and valued less than \$50,000 shall be submitted as a capital project utilizing the Chautauqua County Capital Vehicle Request form. These vehicles will be separately purchased and tracked in a separate capital project account. Departments will be responsible for budgeting the operating expenses (gasoline, insurance, maintenance) and the annual depreciation of the vehicle as determined by the Department of Finance and the Department of Public Facilities.~~
3. Funding – In order to provide a consistent source of funding for the County's infrastructure, investment earnings accrued from the County's general fund shall be dedicated to the Capital Project Reserve. This shall provide an estimated \$500,000 to \$1,500,000 a year to fund capital projects. Additionally, revenue from the Motor Vehicle Registration fee shall fund County road and bridge projects.
4. Account closeout – No later than February 28<sup>th</sup> of every year, all open capital project accounts shall be assessed and reviewed by the Audit and Control committee. Any projects that are complete and have excess funds shall be closed out and any balances transferred to the Capital Project Reserve.
5. Planning Process – As set forth in Article 7 of the Chautauqua County Administrative Code, a Capital Projects Six-Year Plan shall be recommended by the County Planning Board, Capital Projects Committee, and County Executive on an annual basis, and shall be confirmed by the County Legislature.

D. Tax Stabilization Fund

Tax stabilization fund balance may be utilized in the tentative budget process, pursuant to New York State General Municipal Law § 6-e, in an amount not to exceed 50% of the projected current year fund balance. When the balance reaches \$250,000 or less, the entire balance may be utilized.

E. Non-Property Taxes

Non-property taxes (sales, occupancy, mortgage, motor vehicle fee) are very elastic and are dependent upon variable economic trends. It is imperative to budget these revenues with a degree of conservatism to prevent shortages due to changing economic climates. As a general

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guideline, these revenues shall be budgeted as the actual receipts received two years prior – e.g., the 2005 tentative budget amounts will be the actual level of receipts received in 2003. Deviations from the "two years prior" policy shall only occur based upon known factors that may considerably impact the proposed budget such as a change in tax rates, change in taxable entities, or a rapidly changing economic environment. Any deviation from policy shall be appropriately documented. Occupancy tax shall have the following minimum reserves:

1. 3% Occupancy Tax -Tourism \$50,000
2. 2% Occupancy Tax - Lakes and Waterways \$50,000

#### F. Purposes and Use of Debt

1. Capital Financing: The County will rely on internally generated funds and/or grants and contributions from other governments (i.e. federal, state and local) to finance its capital needs whenever available. Debt will be issued for a capital project when it is an appropriate means to achieve a fair allocation of costs between current and future beneficiaries.
2. Asset Life: The County will consider long-term financing for the acquisition, maintenance, replacement, or expansion of physical assets (including land) only if they have a useful life of at least five years. As a general rule, debt will not be issued for the road and bridge program, because of the recurring nature of road and bridge construction and maintenance. Debt will be used only to finance capital projects and equipment, except in the case of an emergency. County debt will not be issued for periods exceeding the useful life or average useful lives of the project or projects to be financed, as prescribed in Local Finance Law.
3. Debt Authorization: No County debt issued for the purpose of funding capital projects shall be authorized by the Legislature unless it has been included in the Six-Year Capital Projects Plan or until the Legislature has modified the Plan.

#### G. Financial Tracking System

To provide a quantitative analysis of the fiscal condition of county finances, the New York State Comptroller's Office has developed a series of fiscal indicators. The following indicators shall be computed and tracked on an annual basis upon completion of the audit of the County's basic financial statements. The final results shall be reported to the Audit and Control committee no later than September 30th.

##### Indicator 1: Year-End Fund Balance

1. Assigned and Unassigned Fund Balance – To identify the amount of fund balance that is available in the general, special revenue, and/or enterprise funds to provide a cushion for revenue shortfalls or expenditure overruns.
2. Total Fund Balance – To identify the amount of fund balance that is available to be used to fund operations, provide a cushion for revenue shortfalls or expenditure overruns, and/or is reserved for specific future purposes.

##### Indicator 2: Operating deficits

3. Operating Deficit – To identify local governments that are incurring operating deficits

##### Indicator 3: Cash Position

4. Cash Ratio – To identify the ability of the local government to liquidate current liabilities.
5. Cash % of Monthly Expenditures – To identify the ability of the local government to fund the ensuing fiscal year's operations from

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available cash.

Indicator 4: Use of Short-Term Debt

6. Short-Term Debt Issuance – To identify the amount of short-term debt that is issued to meet obligations (cash flow).
7. Short –Term Debt Issuance Trend – To identify the trend in the issuance of short-term debt.

Indicator 5: Fixed Costs

8. Personal Services and Employee Benefits % Revenues – To identify the amount that revenues are restricted to be used for salaries and benefits.
9. Debt service % Revenues – To identify the amount that revenues are restricted to be used for debt service expenditures.

IV. MISCELLANEOUS

A. Adoption

The County of Chautauqua Financial Management Policy shall be presented to and adopted by the Chautauqua County Legislature as official County policy by formal legislative resolution.

B. Modification and Review

These policies, along with the Chautauqua County Investment policy, shall be reviewed annually by the Finance Department, Budget Department, Legislative Financial Analyst and Legal Counsel, and the Audit and Control Committee for formal approval in June of every year.

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**County Executive**

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