

Minutes

Audit & Control Committee

July 18, 2019, 8:35 a.m., Room 331

Gerace Office Building, Mayville, NY

Members Present: Chagnon, Nazzaro, Muldowney, Niebel, Gould

Others: Tampio, Ames, Cummings, Brickley, Bentley, Almeter, Nixon, Caflisch, Dennison, Rettig, McCoy, Braley, Cresanti, Abdella, Hemmer, Wendel, Lis, Kneer, Swanson, Gregory, Crow

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

Approval of Minutes (06/20/19)

MOVED by Legislator Niebel, SECONDED by Legislator Muldowney

Unanimously Carried

Privilege of the Floor

No one chose to speak at this time

Proposed Resolution – Authorization for County to Apply for Grants on Behalf of North Chautauqua Lake Sewer District and Portland-Pomfret-Dunkirk Sewer District for Inflow and Infiltration (I&I) Studies

Mr. Cummings: Erin and I are here to talk about these two resolutions and the two studies we're going to try and do for the district. We're looking again to try and reduce our I&I, inflow and infiltration in the North District and also in the Portland-Pomfret-Dunkirk District. So Erin is helping us, of the Chautauqua Lake Alliance, is helping is with grant application for the North District which we're calling the Orchard Terrace I&I study. That is the area south of the Chautauqua Institution that's in our district. Those flows into the Chautauqua Utility district treatment plant and we really need to reduce those flows to help reduce our cost. So that is what we're looking to do and try and improve that infrastructure. It's quite old, it was put in in the late 70's and we know that we have a lot of leaks in that system and we're going to try and reduce that as much as we can. I don't know if Erin has anything on this.

Ms. Brickley: This is going in under the environmental engineering program grant that EPG grant and for I&I studies, it maxes at \$30,000 and that would make your required match of 20%, \$6,000 which is resolved to be committed for both of these applications.

Mr. Cummings: Both districts have agreed to provide the matching funds so we're good there and they both agreed that –well, the PPD District last night approved to apply for the grant and the North District meeting will be on the 23rd and at this point it looks like they will do the same. It's a real benefit for the districts to do this.

Chairman Chagnon: Any questions or comments? Good job.

Unanimously Carried

Proposed Resolution – Amend Resolution 125-19

Mr. Bentley: We brought this resolution to the committee last month and it was approved by the Legislature last month for the replacement of Harrison Street bridge over the Chadakoin of which we're actually – construction is underway. Went to a project meeting and probably the superstructure will be removed in two to three weeks. We're working on the utilities right now. However, in the course of between last month and this month, the bid – we have been working fast obviously, the bid came in but it came in high. So, this was 100% funded previously but with the increase amount of the work and (*inaudible*) came in a little bit high was some of the utility work and some of the, I'll call it the surrounding work. It came in at \$256,000 of which - higher, of which we contacted the State and the State said, o.k., we will do a match on that so they said if you come up with \$64,000, we'll get the rest. Also in doing so, I would say that we're looking to self-perform, actually reduce our amount because that was just a budgetary estimate and I think there are ways that we can save money. So this is a way to make sure that we don't have to come back with an increase in budget later. This is just based on the budgetary cost estimate. We're going to work very hard to actually not use any of this money if we can. That is the amend resolution.

Chairman Chagnon: Any questions or comments? Brad, this was 100% funded, why did they suddenly decide we should pay a portion of the increased costs?

Mr. Bentley: The Federal funds, they are what they are when you apply, so you can't go back to them, so that is why we reach out to New York State. In talking with New York State, the bridge needs to be replaced, they understand that and they are willing to help us fund that.

Chairman Chagnon: The resolution says that we're increasing capital revenue by \$256,000 from Federal aid Surface Transportation Program.

Mr. Bentley: Kathleen, is it Federal or State? I thought it was State.

Mrs. Dennison: I used the category that I think came from Lex.

Mr. Bentley: It might be a –

Chairman Chagnon: It sounded so easy when we started, didn't it?

Mr. Bentley: Nothing is ever easy in life. Because it's 20% State funds so the top part, it is State funds. I was mistaken, I'm thinking of something else. The original resolution did have Federal and State funds in it.

Chairman Chagnon: Correct.

Mr. Bentley: So the Federal funds didn't go up, we asked the State for more money. But, I think that is just the account where the money resides for the bridge programs in total and so it's just a name on the account?

Mrs. Dennison: No, there are two accounts, there are Federal and State accounts.

Mr. Bentley: I know that the dollars are from the State.

Mrs. Dennison: I'm looking to see if Lex had attached – he usually has the documents attached with the budget.

Chairman Chagnon: In the 4th WHEREAS clause, it says that the new estimated cost allocation of \$3,026,760 Federal funds, that is an increase of \$256,000 over the previous resolution. Six ninety two State funds exactly as it was in the previous resolution.

Mr. Bentley: That may be entirely correct, I don't know who screwed up so..... Won't be the first time and won't be the last.

Mrs. Dennison: O.k., the local is \$64,000, the new State total is supposed to be \$692,690 and the new Federal is supposed to be \$3,026,760, that's the Federal. Do you want to put this one aside for a minute and I will do some background research.

Chairman Chagnon: That is what my esteemed colleague suggested.

Mrs. Dennison: I did the research but it was like a month ago and I don't have the figures with me now.

Chairman Chagnon: We'll come back to that one Brad.

Proposed Resolution – Authorize Agreement to Extend Interim FBO Services at the Dunkirk Airport

Mr. Bentley: This is for the fixed base operator up in Dunkirk. CREDC has been very nice to us and has been operating the FBO for a while now and unfortunately their term expired and in conjunction with the Jamestown Airport's fix based operator notifying us that it is their intention of leaving the FBO business as well. We are trying to put this all together in one package for an FBO solicitation. The one previously up in Dunkirk, as was mentioned at Public Facilities, we put that out, hadn't received any credible bids but the one that we did put out now, we have some potentials that are interested in this. So in order to facilitate the discussion moving forward, we need the Dunkirk agreement to be extended by 6 months.

Chairman Chagnon: Ron, could you clarify that point, the second proposal that was put out, did we receive any –

Mr. Almeter: We did put out two solicitations although they were both last year and that was only for the Dunkirk FBO. We have not put out a solicitation, per say, for what is now a different opportunity. The opportunity now is to operate the FBO, as in both Dunkirk and Jamestown, because with the notification from Jamestown Aviation, that they are exercising clause in their lease to terminate the lease in January of 2020, we now have two FBO business opportunities. We're going about it a little different than we did with the solicitation last year because of the nature of the businesses. We have issued a request for interested parties and we got quite a number of responds back. We invited them in and we had a dialogue, a question and answer session to talk about what these two FBO business opportunities enterprises look like and we invited the interested parties to share with us what they felt a viable business model would look like. We've done a couple of difference business models with Dunkirk Aviation and Jamestown Aviation over the years and obviously they haven't worked out because the incumbent is exiting from those contracts. So we need to find something else, a different business model, that will work. So we had this public meeting to invite interested parties in, we got a lot of good feedback. The next step is to issue a qualification, request for qualification packages. We'll review those and then invite the proposals or proposers who have a viable qualification package in for a negotiated contract for either or both Dunkirk and Jamestown FBO's.

Chairman Chagnon: Thank you for that clarification. Questions or comments on the proposed resolution?

Legislator Niebel: Brad and Ron, the one thing that concerns me about this resolution is under the RESOLVED clause, number two, payment. It looks to me like, the County is responsible for any loss of the corporation might incur. Do you have any kind of worst case scenario as to what that might be? Twenty five thousand, \$50,000, I mean, I hope that it isn't open-ended. Do you have any possible projections for possible loss here?

Mr. Almeter: We are not forecasting a loss going forward. We did have a loss –

Legislator Niebel: It's in the paragraph here.

Mr. Almeter: In the event, in the event of a loss.

Legislator Niebel: In the event of a loss so, -

Mr. Almeter: And we have had a loss.

Legislator Niebel: So it's a consideration.

Mr. Almeter: We have had a loss during the first two quarters of the lease with CREDC.

Legislator Niebel: Thus far?

Mr. Almeter: Thus far. That was due primarily to the – well, it's start up – when Dunkirk Aviation, Lou Nalbhone, pulled out of Dunkirk, he left us with a lot of vacant hangar space. A lot of the aircrafts that were in there, were his and he wasn't collecting rent from some of his friends. So, it took a while to fill those hangars back up with new tenants and get a positive cash flow going. We have had a positive cash flow since the 1st of this year but I have not gotten a P&L from CREDC so I can't tell you what exactly that balance sheet looks like currently. Another factor that came into play is initially when CREDC took over, they acquired from Dunkirk Aviation \$42,000 in capital equipment, refuel trucks, tugs, some other smaller items and they initially tried to expense those over a very short period. They didn't want to carry the capital cost to the equipment and that put the P&L's for the first two quarters in the red. After some negotiations with George Spanos and I don't know if Kathleen was involved, but, they put that equipment on a 7 year amortization schedule so that – and it improves the cash flow considerably. So, with full occupancy on the hangars and the revenue that we're seeing from the fuel sales, again, I don't have a current P&L, I haven't had one in at least 6 months, but, I'm quite confident that the revenue is well in excess of expenses currently and we predict to maintain that positive cash flow until we bring in a new FBO operator.

Legislator Niebel: Mr. Chairman, as they get additional information as far as the P&L and stuff, perhaps they can bring that back to the Committee. I'm o.k., with this resolution. I was just a little concerned about – it looks like it's open-ended as far as any net loss of what CREDC might incur, we're going to be responsible for. So, I just wondered about that.

Chairman Chagnon: Hopefully Ron can request the report from CREDC so that we can have that information shortly.

Legislator Niebel: Up to date figures.

Mr. Almeter: I will bring that back to the committee as soon as I have it.

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

Unanimously Carried

Proposed Resolution – Acceptance of Funds from NYSDOT for the Rehabilitate Hangar C
(NYSDOT/Aviation Grant Program) at the Chautauqua
County/Jamestown Airport

Mr. Bentley: This is our hangar that's on the other side of the runways. It's basically being used to store miscellaneous equipment from the Sheriff office and other stuff. It's in pretty good disrepair and so these funds were made available from New York State DOT to rehabilitate this hangar. If we take these funds then it would go back into airport uses. It's \$171,000 of all local share. So it's not cheap by any means but it's also something that we could use to house additional planes and get revenue from. We'd be able to generate revenue for the Jamestown

airport. In the event that there is not something in there, I believe that we can petition New York State (*inaudible*) non-aviation stuff if it can't be used for aviation –

Chairman Chagnon: Federal government?

Mr. Almeter: Federal government to use it for other than aviation purposes.

Mr. Bentley: But if we can demonstrate that it's just not being used in the winter, for whatever reason, for storage, there are other opportunities that we may be able to pursue. So, there is a business case to do this, from a revenue side as well, as well as - if we are going to have a hangar, we should maintain our buildings and infrastructure. So, I recommend doing this. This is good money, even at 84% so a good chunk of money to repair our equipment that we need to maintain, our infrastructure with.

Mr. Almeter: We don't know what hangars are renting for at the Jamestown airport by the nature of our lease agreement with Jamestown Aviation. We don't get to see what their P&L looks like. But we do know what hangars are renting for in Dunkirk because I manage that and hangar of this size, we're currently renting in Dunkirk for \$1,200 a month. So the payback for the local share, if we extrapolate that and apply it to Jamestown, we could rent this hangar for \$1,200 a month and recover our local share in 15 years. The hangar right now is derelict, it hasn't been used as an aviation hangar primarily because of the door is – it's not even there frankly. There is a fabric door that is all torn up so we can't keep the weather out so it hasn't been used as a hangar for many years and is in a state of disrepair. But, it was built as a jet hangar by a refinery and the County acquired it, I don't know the exact history on it but the County acquired it many years ago, used it as an FBO hangar for a number of years and then it fell into disrepair when the door became unserviceable.

Chairman Chagnon: Questions or comments?

Legislator Nazzaro: I'm going to try and be brief. We had a fairly lengthy discussion on this particular resolution in Public Facilities Mr. Chairman, and there was a diverse opinion on this. In my case, I have been very supportive of all the resolutions that have come before us for the airport however, this particular one, I did not support. A couple of reasons being one; there is a fairly large amount taking out of the reserve for capital of almost \$172,000 and there is a WHEREAS, some of the local share can be in the form of in-kind services. Brad and Ron could not put an exact dollar on that because a lot of it is materials and it won't be – we couldn't get (*inaudible*), but I was uncomfortable taking \$171,000 out of the reserve. Kathleen said currently the balance is about \$1.5 million after you take out projects that we've already committed to for 2019. That is low compared to what - the reserve for capital is lower than it has been in the last, I say, three years. The other reasons I voted no, I didn't feel that this was critical to the operation of the airport. I will support anything that is safety related, such as obviously a runway, lighting, the cones, things that are for safety. This is not being used as a hangar now, it's being used for storage and I don't feel the return is that great, 15 years. That's if we rented every month. The (*inaudible*) side argument was, it is a County building and it should be maintained, we have not maintained it and I think the \$171,000 that we're taking out of the reserve for capital could be

used for other things that would be more beneficial to the County. Again, I don't feel that this is critical to the operation of the airport. I rest my case Mr. Chairman.

Legislator Niebel: Mr. Chairman, is it possible to do more in-kind services from the County and reduce the actual dollar amount of our local share?

Mr. Bentley: Yes it is. Like Mr. Nazzaro said, we're unable at this time to really project how much that would be. We did self-perform a lot of work at the Dunkirk hangar because we were able to do a lot of the demo work ourselves. So, we were able to perform a significant amount of our local share on that. We would also look to optimize that as well so it's not that we're – I wouldn't say that we would need the full \$172,000 but, it's a little bit harder for me to estimate this one.

Legislator Niebel: Brad, a \$171,000, that is a lot of money as far as local share. I tend to agree with Chuck. I think if we could do more in-kind and reduce this actual dollar amount, I would feel more comfortable with it. Perhaps that is something that we could take a look at and maybe come back next month or whatever. Is this time sensitive?

Mr. Bentley: Unfortunately it's time sensitive, right?

Legislator Niebel: Is it?

Mr. Almeter: The State grants are open-ended. We were not any time constraint like we are with the Federal grants to accept them within 30 days. We know what the scope of work is so that we could put a dollar figure to that.

Legislator Niebel: I think I would feel more comfortable if you guys could come back and try and reduce this \$171,000.

Mr. Almeter: The reluctance that I have to coming back because don't want to play a shell game with you.

Legislator Niebel: I appreciate that.

Mr. Almeter: If I come back and say, we'll do the installation and we'll do the sheet metal repair and some of the things that we know we can do on a project of this size, I'd be kidding you if I came back and said, well, we'll just take that out of (*inaudible*) and do that would our workforce. Those guys are working full – they have a full time job already so what I would end up doing is coming back to you and say, hey, I need more operating funds so that I could more building maintenance. I'm already going to come to you with that because we're taking on maintenance responsibility for all of the FBO buildings when Nalbome vacates his lease in 6 months. So, to tell you today that we can self-perform \$50,000 worth of work, I'd be kidding you because I'm going to come back to you in a couple of months and say I need more money for operation and maintenance of the buildings that we're taking on from the FBO. It's just not realistic and it's a shell game to tell you that we can self-perform this with no cost impact to operations.

Legislator Niebel: Ron, I'm not looking for you to do the whole \$171,000 or even half of it but even if you guys could find – come back with say, \$25,000.

Mr. Almeter: I'm sure we could.

Legislator Niebel: With no increase in costs. This is going to be a real tight year for us as far as budgets so \$25,000 here, \$50,000 there, it's going to matter.

Mr. Almeter: I understand and I understand Mr. Nazzaro's concerns with the depleting the capital fund. The fundamental difference between a State grant and a FAA grant for the airport is that the State grants are evaluated and awarded on the basis of the economic benefit to the community. The FAA grants are all structured on aviation safety or they are all evaluated and framed on aviation safety and safety of flight. So the fact that we have a New York State grant of almost a million dollars here, to do rehabilitation of a derelict hangar, is an acknowledgement and recognition that there is a return on investment of this property once we are able to return it to service.

Legislator Niebel: I'm not against the project. I would just like to see the local share reduced.

Mr. Bentley: Just to give you a magnitude of the amount of grants that we receive from New York State and where this rates, based on the last 20 years, we've accepted about \$3 million dollars' worth of New York State grant money over the last 20 years between the two airports. So this is a significant outreach from New York State to do this. This is not something they regularly do for us, so we definitely – I think if we can find a way to take advantage of this, I think it would behoove us to –

Mr. Almeter: They did \$20 million in grants under this program last year for all the airports in upstate New York. So we got one twentieth of the –

Mr. Bentley: For us to do that, it's a major win so I don't want to say that if we turn it down that we won't be able to come back to the well, but maybe not for this project. So if we ever decide that we do want that hangar rehabilitated, New York State may give us another answer.

Mr. Abdella: If I could interject a non-legal question. What sort of cost would there be if the renovation does not occur? Is this building headed for potential demolition? I guess compared to the \$170,000 of local cost now to rehabilitate it, in the absence of rehabilitation, what costs are on the horizon?

Mr. Almeter: We haven't put any money into the building in recent years and the consequences are obvious, it's in terrible shape. Esthetically or from a building systems standpoint, structurally the building is still in good shape. The roof is in pretty good shape, we've got a couple of small leaks. If we do nothing going forward, we'll lose the building. You can't leave a structure like that without a door, (*inaudible*) one whole side of the building missing essentially. We can continue to store the Sheriff's boats in there for which we haven't received

any revenue in the past. Eventually we'll have to demolish it. Looking at the sill plates and the structural components, I think if we don't do something within the next five years, the building (*inaudible*) complete write-off and there will be some demolition costs.

Mr. Bentley: And we had asbestos up in the one in Dunkirk, so you don't know what's in – and the asbestos was really in the strips in between the concrete but (*inaudible*) throughout but, you never know what you get into with these things so there certainly is a cost to demo this too that - if we don't take this money, we may not get additional funds for – in a place where eventually we will have to spend that money.

Mr. Almeter: We probably spent \$40,000 to demolish a much smaller hangar in Dunkirk.

Chairman Chagnon: Any additional comments or questions?

Legislator Nazzaro: Just additional comment and I brought this up both in the meeting and also in the hallway when we talked. Again, I'm very supportive of the airports currently, however, the other issue I had with this was the return on investment. There is additional cost that you will incur if you rehab this – if you reopen it, you are going to have electrical costs, you are going to have other operational costs, insurance, liability, and I had mentioned Mr. Chairman at the meeting, that, we've had all these airport studies done and we've come back and we've not really - where we are going with airports, we seem to be band aiding of things. We keep having resolutions come before us, we keep voting, we keep taking money out of the reserve, so I would have liked to see perspectives on this hangar. Like, this is what we're going to spend, this is what we're going to have the return, projected rents, again, there is no guarantee that you are going to rent it out every month and you are going to have other costs. So, again, I just felt bringing this before us without a thorough plan, I couldn't support it. Again, I will ask the question Ron. Is this critical to the operation of the airport?

Mr. Almeter: It is critical to the growth of the airport, not to the operation of it.

Legislator Nazzaro: Providing there was an airport.

Mr. Bentley: I would agree with that statement. It is critical to the growth of the business and would also impact our ability to attract a fixed base operator in Jamestown.

Legislator Nazzaro: So build it and they will come.

Chairman Chagnon: O.k., additional questions or comments?

Legislator Muldowney: Are we laying this aside?

Chairman Chagnon: I was just going to make that point is that, it doesn't seem like there is an appetite for laying it aside but if this particular resolution fails, there would still be an opportunity because there is no sunset on the grant opportunity for them to bring this back a different proposal or an additional proposal afterwards. So, for that reason, that's the reason that

I'm not in favor of this particular proposed resolution because we haven't slammed the door on this subject. There will be an opportunity for them to bring us back a different proposal.

Legislator Nazzaro: So it was approved in Public Facilities, so if it didn't go through, it would have to be at the Legislature.

Chairman Chagnon: Correct. O.k., additional questions, comments? Kevin, you good?

Legislator Muldowney: Yea, I'm not going to support it also.

Chairman Chagnon: O.k., all those in favor?

Failed w/ Legislators Chagnon, Nazzaro, Niebel, Muldowney voting "no"

Chairman Chagnon: So the proposed resolution fails this committee.

Mr. Bentley: Can I ask a question? What additional information are you guys looking for besides the in-kind potential services?

Chairman Chagnon: I think that Legislator Nazzaro talked about perspectives of the facility.

Mr. Bentley: Is there anything in addition to those two items?

Legislator Nazzaro: I just think and we talked about this, we've never really asked for a business plan for this airport. We talked about it and I'm not willing to spend money now to have a business plan done. I think we have the expertise in-house but I would like to see an overall business plan of, in the next five years, what is going to be the cost to us to operate this airport? Both operationally and through grants, the matches that we have to put in. I just don't want to keep putting good money after bad. I need to know what the plan is for the next 5 to 10 years.

Mr. Bentley: We can put together a simplistic plan but if we're looking for a – I looked up like the State of Florida, they evaluate all their economic - all their airports on an economic basis. That is not a study that we have the capability to do in-house. So it depends on the level of study that you are looking for. A simplistic case will be just budget numbers, but as far as what the economic impact –

Legislator Nazzaro: That is what I'm looking for. More of a simplistic, what can we expect if we do, say, a five year rollout. We project the fund balance, we project a lot of our costs, and I think what is our projective cost and what are the plans for the airport – what will be the financial responsibility to the County to say over the next five years?

Mr. Bentley: We can put that together, that's not a business case –

Legislator Nazzaro: Right, I'm not –

Mr. Bentley: So, what I would say is, that tells you 50% of the story. The other 50% is the economic impact of an airport. What does that bring to Chautauqua County? So you can say what the cost to the County is to provide the service, but what is the economic impact of that being able to provide the service of impacts to businesses, impacts to jobs, and impacts to jobs that pay payroll taxes, just the whole livelihood of the community. So, I wouldn't want to just be that simplified in what does it cost the County to do this? I want it to be a holistic, what is the impact to the area? That way you have more information to judge whether you should be in this business or not because you want to know if you take this away, what are your negative impacts to the community? Not just what did it cost me.

Legislator Nazzaro: I can't argue with that but I guess we've had, at least in the time that I've been here, at least two studies done on the airport, we've had separate committees, one of which I co-chaired on the airport to study the financial viability and some things we've acted on, some things we haven't even discussed. We looked at the business plan that they had in Bradford. Actually several Legislators went there, went to other airports, Dubois and others but, all I'm asking because I'm thinking financially and I understand, what would be the financial commitment budgetary to this County, say, five years. And it's up to the Chairman here, I'm not asking to go for an outside study this time. I'm saying, can we do something internally?

Chairman Chagnon: I think that you should be seeking direction from your home committee, Public Facilities on what your next proposal should look like.

Mr. Bentley: O.k..

Chairman Chagnon: Then this committee would evaluate the financial aspects of it.

Legislator Nazzaro: And we'll have our attorney in there.

Chairman Chagnon: Right, and he's listening to all of this. O.k., then if we could move along to the next proposed resolution.

Proposed Resolution – Acceptance of Funds from the FAA and NYSDOT for the Rehabilitation of Runway 07-25 (Design) at the Chautauqua County/Jamestown Airport

Mr. Bentley: Without rehashing too much of the prior conversation here, this is the safety side of the equation on this so this is required to maintain the safety of the airport for the runway to make sure that we have a safe runway for the aviation needs. This is for the design of the runway so it's not the actual construction costs. The actual construction cost will be significantly higher. Of that, our share would be \$20,000 out of the \$404,000.

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

Carried w/ Legislator Gould voting "no"

Proposed Resolution – Acceptance of Funds from the FAA and NYSDOT for the Primary Wind Cone (Design) at the Chautauqua County/Jamestown Airport

Mr. Bentley: Again, this is needed for the safety of the airport. This is for the design piece of that. There was a longer conversation at Public Facilities about the total cost of this project. We had tried to separate it and it came in higher, \$160,000, we had a budgeted \$100,000 so we have decided just to pay what work was done, which is the design side, that is this piece and then put it back in as part of the project. I think the lesson learned for us is, when you try and separate a very small project, there's a lot of minimum costs that get tagged through a small project that when you roll it into a larger project, gets absorbed through the economies of scale. We were asked to do this by the New York, AVO office, right?

Mr. Almeter: The FAA.

Mr. Bentley: The FAA to pull it apart so this was at the request of them to do this. I would say we probably, on the next one, will push back harder not to. So we have case example now. But this would be to pay for the design side and we'd roll in the actual construction to a larger project.

Chairman Chagnon: Questions?

Legislator Gould: Is there a wind sock there now?

Mr. Almeter: There are four wind socks at the airport.

Legislator Gould: Oh, we've already got four.

Mr. Almeter: And this is for a primary wind cone which is a little different animal. It is a wind sock but it sits inside about a 100 foot radius segmented circle which I think I described. It looks like big roulette wheel and it has - the real cost in this is, it has to be illuminated with a power supply that is on backup generator. So by the time you put all the electrical infrastructure to get power out to that wind sock, it gets ridiculously expensive. Again, we estimated it at a \$105,000, construction estimates came in - that's \$105,000 for design and construction and construction estimates came in at over \$100,000. So the combined project cost would have been \$164,000. We went back to the FAA and said, hey, we can do this smarter and they were fine with our approach.

Chairman Chagnon: So this resolution is accepting the funds for a design that has already been done, so we're paying for services already provided. Any other questions or comments? All those in favor of the proposed resolution?

Carried w/ Legislator Gould voting "no".

Proposed Resolution – Acceptance of Funds from the FAA and NYSDOT for the Rehabilitate Perimeter Fence (Design) at the Chautauqua County/Jamestown Airport

Mr. Bentley: Again, this is on the safety side of the house here and for obvious reasons, you need a fence to keep out the animals and terrorists, I guess. We're more concerned about the animals than the terrorist, to be honest with you but it also goes into the liability aspect of the airport. We don't want people wandering onto the runway. So this is for the design portion of doing the fence. Our share would be \$9,175 out of \$183,500 for the design.

Chairman Chagnon: Questions or comments on the proposed resolution?

Legislator Muldowney: Do you have to design even though there is a fence there now?

Mr. Almeter: It's a good question. It's ridiculous but yes, and not so much for the fence as much as for the civil works. The grating and the drainage and with the fence there are, I believe, seven gates, powered gates that need to be reworked with the drive systems and the access control systems. So there is some engineering involved in that. There is survey work involved as well.

Mr. Bentley: As you can imagine, it's a large area that has a lot of runoffs so we do have a lot of engineering studies to do the civil work, to do all the hydrology studies, make sure that stuff is going where it needs to go.

Mr. Almeter: The existing fence, in my judgment has failed prematurely because of erosion and poor site work prior to the construction of the existing fence.

Mr. Bentley: There's some places to re-engineer.

Chairman Chagnon: Good question. Other questions or comments?

Carried w/ Legislator Gould voting "no".

Proposed Resolution – Authorize Agreement with New York State DOT for Performance of Federal-Aid Project PIN 5761.83

Mr. Bentley: This is for actually maintaining our roads and bridges safely so this is for \$380,000 for the street on Hopkins Avenue in Jamestown. We're looking at replacing that bridge. It is in a state of disrepair so this would be for the design services of looking at what the replacement would look like from an engineering standpoint. Our portion of that is \$19,000, although it's listed in here as \$76,000 because of the New York State Marchesilli share. We give you the full boat but then we usually get the 15% from Marchesilli so, our expected real cost will be about \$19,000 of this.

Mrs. Dennison: Mr. Chairman, I just realized this resolution is missing a couple of accounting lines because we are proposing to use fund balance from the A fund. So, I would like to propose that we amend it to add a transfer, interfund transfer from A to D. Because we need

to get those funds from the A fund into the D fund. I could, depending how you would like to proceed, I can draft that over the next few minutes or if it's proper to say that we're going to amend it to add that language and then I can send it to the legislative office.

Chairman Chagnon: What do you propose?

Legislator Nazzaro: I'm o.k. with either one and I'm o.k. with making a motion to amend. O.k., I will make a motion to amend to add the proper accounts to show an interfund transfer from the A fund to the D fund.

Legislator Niebel: I will second it.

Chairman Chagnon: We have a motion and a second, any questions or comments on the motion to amend this proposed resolution?

Carried – amendment

Chairman Chagnon: Now back to the proposed resolution as amended. Any additional questions or comments on this proposed resolution as amended?

Unanimously Carried

Chairman Chagnon: Then Kathleen, are you ready to go back to number two, the proposed resolution to amend resolution 125-19?

Mrs. Dennison: Yes. Resolution 125-19 as indicated it also draws upon resolutions 134-14 and 200-16. So between those two resolutions there was budgets established and so the end of the story is, we have new numbers from the State and those numbers would be a total project cost of \$3,783,450 and that amount breaks down into a Federal component of \$3,026,760, a State component of \$692,690 and a local component of \$64,000. So that is our end goal, is to get to that funding picture. So we have the initial two resolutions, we have resolution 125-19 and we have the resolution that is being proposed now. So the resolution that is being proposed now, with \$250 Federal and \$64,000 local, we'll get us to the appropriate breakdown of the revised project total.

Chairman Chagnon: So the additional funding of \$256,000 is Federal aid?

Mrs. Dennison: It's all Federal yes.

Chairman Chagnon: So the resolution as presented is correct?

Mrs. Dennison: Correct.

Mr. Bentley: So don't listen to me, just (*inaudible*)...

Chairman Chagnon: Now that we've established that the resolution as presented as correct, then I will go back to my initial question as to why there was no additional support from New York State for this project that was initially intended to be fully funded by the Federal and State aid?

Mrs. Dennison: After this resolution, you add up the four resolutions, you get a total Federal aid component of 80%, a State component of 18%, and a local contribution of 2%. So there was previous State aid in resolution 125-19 and in the previous resolutions in 2014 and 2016.

Chairman Chagnon: I understand the end result in percentages, my question is, where we were with the last resolution, there was no local share. We got additional Federal aid but we didn't get additional State aid and I ask the question, why didn't we get additional State aid?

Legislator Nazzaro: In other words, why is there a local share period?

Chairman Chagnon: Yes, thank you.

Legislator Nazzaro: I thought that I would tag along with you Mr. Chairman.

Mrs. Dennison: I'm sorry, I can't comment on that. I mean, we have the document from the State with its components but –

Mr. Bentley: I think when we originally applied for this bridge, it was based on an engineer's estimate. So they agreed to fund it based on the original estimate. When we got the bids in, it came in higher than the original engineer's estimate. I'm not sure if there is a process by which we can go back and redo the original engineer's estimate. So, without holding up the project, we said that we would – we went and asked for money, I guess from the Federal, whoever it was, and they agreed to take the lions share of that cost. Of which, again, it was just an estimated cost and I'm looking to actually reduce that and we've already identified a couple of ways to reduce that cost, that we're not having to do this in the first place. Because again, this was to cover in the worst case scenario. I'm hopefully that we won't even need any of it but, that was kind of the arrangement that they worked out to keep the bridge going so we wouldn't have to restart the process, I guess. Because if you have to go back from square one, then you delay the project and public safety.

Chairman Chagnon: Brad, I'm sensitive to keeping the project going and I'm sensitive to the fact that we've to substantial amount of additional Federal aid, would it be reasonable to ask you to come back next month and explain more any success you had with getting additional State aid, and/or reducing the local share of this project?

Mr. Bentley: Sure.

Chairman Chagnon: With that understanding, I would be willing to support this resolution now.

Mr. Bentley: I can come back with that.

Chairman Chagnon: Any other questions or comments? Kathleen thank you for helping straighten that out for us. Then on the proposed resolution, "Amend Resolution 125-19", if there are no additional questions or comments, all those in favor?

Unanimously Carried

Proposed Resolution – Transfer of Foreclosed Properties to Chautauqua County Land Bank Corporation

Mr. Caflisch: The resolution before you had a list of properties that we will transfer to the Land Bank from the tax foreclosure process. There are 16 residences involved. Several of those may end up being demolitions. The quality of the properties was not as good this year as previous years. The rest of the properties are vacant lands for side lot development or other development deemed necessary to protect neighborhoods.

Chairman Chagnon: For the benefit of the committee, this was discussed at Administrative Services, this year the Chairman of Administrative Services Committee, Legislator Scudder and myself, participated in the process determining the properties that would be selected for being pulled from the auction for the Land Bank and the County Executive participated in that as well. That was very helpful to Legislator Scudder and myself and we got a better understanding of the process. In some people's estimation particularly the Chairman of the Land Bank and the Executive Director, the process went, in their opinion, better this year. Not really from anything that we did but maybe just from our being there and asking questions. So, I'm fully in support of the proposed resolution and Jim I would like to give you my thanks for being willing to work with us and help us be involved in the process so that we now feel that we are part and parcel to making the decisions before the action was taken rather than ratifying actions after the fact. Thank you. Any other questions or comments on the proposed resolution?

Legislator Niebel: I'm happy that a couple of Legislators plus the County Executive participated in this decision this year but how do you determine what properties to take out to give to the Land Bank? What is the criteria basically? The reason I ask that Jim is because last year we took out 23 properties, gave those to the Land Bank, those are properties that could have gone to the tax auction. This year it's 28. It is five more properties than last year.

Mr. Caflisch: Correct. There are a few more vacant lands or residential which those are minimal value in what we're trying to do is again, protect neighborhoods. Our mission is to again, take a distressed property on otherwise good neighborhoods and try and protect the value of all the adjoining property owners so what we are again looking at is, again, those distressed properties where we feel we can take a make a difference and make sure that they go to an owner who is going to take care of the property, pay the taxes, take a vested interest rather than –

Legislator Niebel: Improve them.

Mr. Caflisch: Improve them rather than just sell them to someone who's a dreamer, a flipper, or possibly a slumlord.

Legislator Muldowney: You have more control over it.

Chairman Chagnon: Terry, I will just add to that and I appreciate your perspective. There are more parcels this year, less value this year, than last year.

Legislator Niebel: O.k., that is one of the questions that I had Pierre because I didn't look up the full valuation of all the properties but they do range from full market value of \$39,000 up to well, this one in Brocton, the full market value is \$100,000. So, any of these properties that we are taking out and transferring to the Land Bank is less money that we'll have at the tax auction. As far as the tax auction this year, how did we do this year compared to last year?

Mr. Caflisch: We haven't gotten the full results in yet. We're going to be very comparable to previous years.

Legislator Niebel: We're not going to be less than last year?

Mr. Caflisch: The final numbers are not in yet, so it's hard to judge but based on what the bids were, we're going to be close. Again, the issue comes down to the taxes owing. We had an unusual incidence this year where we took 50 properties from one property owner who is in bankruptcy and there are a lot of those properties with seven years of taxes owing, very distressed properties, so, it's hard to know. I can't give you an exact number.

Legislator Niebel: It's too early.

Mr. Caflisch: It's too early.

Legislator Niebel: Another question that I have Mr. Chairman, the properties that we're transferring to the Land Bank, the Land Bank pays the taxes for the first year?

Mr. Caflisch: Correct. The Land Bank will pay this year's village tax, school tax, next year's County tax and if there is a village, another village tax to get through the cycle.

Legislator Niebel: Two village taxes?

Mr. Caflisch: Yes.

Legislator Niebel: And where does that money go Jim? It is going to the tax foreclosure revenues that we get or does it go into a separate account? Maybe I should be asking Kathleen.

Mr. Caflisch: Which tax numbers are you questioning?

Legislator Niebel: No, I'm talking about the tax, the one year tax revenues that we (*cross talk*) from the Land Bank?

Mr. Caflisch: We pay directly to the municipality or school involved.

Legislator Niebel: Oh, o.k., so we don't get anything?

Mr. Caflisch: No, well there's County portion.

Legislator Niebel: Do we know how much of that will be on these 28 properties, the County portion?

Mr. Caflisch: I didn't pull the – well the County portion won't be paid until January because all taxes are extinguished before the auction from its foreclosure. So it's only perspective going forward, there are no back taxes.

Legislator Niebel: For these 28?

Mr. Caflisch: Correct. Every auction property, by judgment of foreclosure, extinguishes the tax lien.

Legislator Muldowney: The title basically.

Mr. Caflisch: Well, they extinguish the mortgage, judgments, taxes, everything is extinguished. So in effect, the transfer is for a \$1.00. I will mention that under State law, State of New York has granted the Land Banks the opportunity to have immediate tax exemption upon transfer of the property which would dramatically change the dynamics but it's our feeling and I kind of lead the discussion on this, that we don't want to impact local school, county budget is minimal but, their finances by going immediately tax exempt. A lot of Land Banks are going – that's the purpose they use. By the County granting the \$1.00 transfer and extinguishing the old taxes, then going forward, if we pay a year, it gives everybody, the municipalities a chance to adjust to that if we don't get the property sold in that one year period.

Legislator Muldowney: And that changed right? Originally it was right away.

Mr. Caflisch: No, originally if the Land Banks – if there was no change, I mean, the only other entities which receive immediate tax exemption is transfer to the State and Federal government.

Legislator Muldowney: You've always done the one year?

Mr. Caflisch: We've always done the one year. We've always paid a year of taxes.

Legislator Muldowney: Then if you don't sell it within the one year, what happens?

Mr. Caflisch: The taxable status date is March 1st, it becomes tax exempt and it goes in roll Section 8 until it is sold.

Legislator Muldowney: Maybe you can't answer this but of the 28 that you grabbed last year, do you know where you are at with those?

Mr. Caflisch: I don't keep a real good track, Gina does at the Land Bank, of how many we sold. Our inventory is down. We have sold quite a number of properties. We do have probably, I would say 25 to maybe 30 which are still hanging out there for sale. A lot of these are distressed properties, some of them we've taken in very distressed neighborhoods just to alleviate a problem, so it's going to take a while sometimes to go the whole process to get through them.

Legislator Muldowney: The other issue is, you take a lot of distressed properties and you have funds for demolition, right?

Mr. Caflisch: Correct. We receive funding from the State through the Attorney General's office from the fines levied on the financial institutions for improper banking practices. As the resolution states in the 6 or 7 years we've been in existence, we've secured over \$6 million dollars for demolition and we partner with municipalities for that money. Everybody has to have a stake in the game. We don't go out and do it for (*inaudible*) essentially.

Legislator Muldowney: Going back to Mr. Niebel's, one of his questions was, what is the criteria? Would one of the criteria's be that the property is so far gone that you want to take it to demo because if you didn't, it would be – who knows how long it would (*cross talk*)..

Mr. Caflisch: The major problem with tax foreclosed properties, we have no opportunity to inspect the property really well before it's purchased. We can take a, what I call a drive by, and we also confer with code enforcement to see what records they might have on the property but until we actually get into do a physical inspection, sometimes we get a property we hope is re-habitable and it's not a demolition. I will also state that there are a number of properties that we pull out of the auction that are plain demos. We aren't even going to offer them because it makes no sense to go to the auction with something that is so far gone that we sell it at the auction and then somebody gets it and says, oh my gosh, what am I going to do with it and then we have to wait two more years to get it back again.

Legislator Muldowney: Again, it helps that neighborhood.

Mr. Caflisch: It helps that neighborhood because we do take a number of properties that are in what I call, County title, we don't take a tax deed on it, but they are in title so we are allowed to do a demolition. It's mostly in the cities of Jamestown and Dunkirk. We have done some in a couple of villages too but it's generally where the cities have the CDGB funding and we participate with them.

Chairman Chagnon: I want to follow up on the questions that Kevin asked. The question about the disposition of the properties pulled last year and Jim's point about the inventory, I asked those questions of Gina in the review process and she gave me very clear answers that I don't remember the answers to. I don't remember the figures, but my recollection that a

substantial portion of the 28 from last year have been disposition. And as Jim pointed out the inventory has dropped significantly. So Gina could easily supply that information to you.

Legislator Nazzaro: You know this Mr. Chairman, Gina had sent to several of us the criteria for selecting properties and just pulled it up real quick and it says, properties assessments should be is less than \$75,000, generally no high value properties like lakefront and things like that. You avoid occupied properties, most of them are vacancies. Then you have weighted criteria based on economic development impact, neighborhood request for intervention, known issues such as code violations and so on. So, to your point Mr. Chairman, Gina provided a lot of documentation to make Legislators more informed so we would be comfortable with these types of decisions.

Mr. Caflisch: It's a very detailed process that we go through to try locate these properties and figure out which ones are going to be the best ones to complete our mission.

Chairman Chagnon: Other questions or comments?

Legislator Niebel: One last question. One of the purposes of taking these properties out, transferring them to the Land Bank is to make the Land Bank more solvent. Do we know how much money the Land Bank has currently?

Mr. Caflisch: Our financial statements are up on line. It costs us roughly about \$130,000 a year to run the operation. Right now we're very close to a break even so all things considered, we're doing o.k. at this point. This year could present some challenges for us again because I said the quality of the properties were not the best. So, we will probably end up drawing down some of our funds probably to help with the administrative costs to get through this year. Depending on sales of whatever properties but that's the best perspective that I can give to you for what we need to earn on an annual basis to be self-sustaining.

Legislator Niebel: Do you anticipate Jim, more State funding this year or hard to say?

Mr. Caflisch: Well, it's not really State funding. It's coming from the Attorney General's office from fines levied on the banks. We're very concerned because we know that those fines and those penalties have been diminished over time because we move further and further away from the (*inaudible*) of 08-09' where all the lending practices were questioned, so we're hoping at some point because the State now has authorized 30 Land Banks, the competition for those funds is tremendous. They are only dolling out somewhere around \$30 million dollars a year now so it's very competitive to get grant funding. We're very concerned when those fines are going to stop and if the State is going to jump in with funding out of the State budget. So it's a little bit of a quandary right now. I think we've projected that we could survive for 2 years, roughly, if we had to without funding but, if the demolition money goes away, I mean, that's a big part of our program to improve neighborhoods and that's where the bulk of our spending is. So the properties that we get from the County really help us just to sustain what I will call our administrative expenses and then the additional funding we get –

Legislator Niebel: A \$130,000 per year that you need to operate?

Mr. Caflisch: Yes.

Chairman Chagnon: If there are no other questions or comments, all those in favor?

Unanimously Carried

Proposed Resolution - Quit Claim Deeds

Mr. Caflisch: These are the properties that the County received offers for for reacquisition, those are the QC ones you see listed and the PA properties listed are the ones that sold at public auction that paid before July 1st. There will be another list coming to you for August for the people who paid up through July 15th. That was our cutoff date as well as, if we don't have completion of offers from the original buyer, the backup bidder will have an opportunity to purchase the property so this is just the first go around.

Legislator Nazzaro: I know one of the purchasers unless it's a different Larry Barmore, for number 116-2019. Is that –

Mr. Caflisch: Yes, that is the County Clerk,

Legislator Nazzaro: Is that allowed?

Mr. Caflisch: Absolutely.

Legislator Muldowney: *(Cross talk)*

Legislator Nazzaro: I thought that –

Mr. Caflisch: It's a purchase.

Legislator Nazzaro: I thought that certain things – I know a Legislator can't.

Mr. Caflisch: Right, because you have an interest in that side of the table to approve the purchase. It's my understanding that anyone else, it's a public auction, could come to the auction who doesn't have a part of the decision in that. So I know of no prohibition.

Legislator Niebel(?): Vested interest.

Mr. Caflisch: Or vested interest in that.

Chairman Chagnon: And the County Attorney agrees?

Legislator Nazzaro: Do you agree?

Mr. Abdella: Yes.

Legislator Nazzaro: O.k., if you agree, I'm good.

Legislator Niebel: By way of full disclosure, I have represented one of these people here before, but not on this particular transaction. It was a private transaction in the past. So, notwithstanding an objection from the County Attorney, I will vote on this.

Chairman Chagnon: And you have reviewed this with the County Attorney?

Legislator Niebel: Sort of.

Chairman Chagnon: Sort of, o.k.

Legislator Niebel: Is that alright Steve?

Mr. Abdella: Yes.

Chairman Chagnon: Other questions or comments? I have a comment. As Jim pointed out, this auction this year was heavily impacted up a bankruptcy in the City of Jamestown. Property owner of roughly of 50 properties came into the auction and if you look at the sub-total results for this portion of the auction, you'll see that the County potentially lost \$70,000 in the process. But, for those properties in the City of Jamestown that were in the auction, we actually lost \$136,000. So if it were not for those properties in the City of Jamestown, the results of this portion of the auction would have been favorable to the County.

Mr. Caflisch: Correct.

Chairman Chagnon: So in addition to bringing that observation, the question that brings to mind is, what can be done to prevent this type of a situation where we get 50 properties, or this number of properties in one municipality that are in such deplorable condition that they drag down the results of the auction so precipitously.

Mr. Caflisch: The issue comes down to the bankruptcy court. The properties that came out of the bankruptcy, were in bankruptcy for seven years. It's very difficult for the County to push the bankruptcy court per say because the court looks at the assessed value of the properties in their analysis to what they feel is consistent with someone presenting a plan to come out of bankruptcy. We all know someone who's in bankruptcy, typically lets their properties slide. They don't maintain them. The court doesn't seem to care about that. We care about that. The other issue is, those property owners typically don't grieve their assessments even though their properties are in decline and the County has no opportunity to grieve those properties also. This case here we finally were able to - we talked to outside bankruptcy counsel and we did go to the court. Fortunately the court was sympathetic to our argument that the debtor was essentially playing games and they said, o.k., we will close the bankruptcy and you can foreclose and so that is what we did. But we've had several in the past that I brought to you - the most notorious one was 21 years, it took us to finally get them. It's just crazy how the courts want to play the game but we do our best to try to fight those things. I depend on Steve and the legal department and outside counsel to advise me how we can move forward on those. We do our best to get the

foreclosure done but, there is a great deal of sympathy to people who are being foreclosed on and hopefully the State doesn't change the rules next year on foreclosure. We dodged a bullet this year but who knows what will happen next year.

Legislator Muldowney: Must be unusual to have bankruptcy involving this many properties?

Mr. Caflisch: Not really. We have a major one going on right now. Windstream. I mean, we're talking bocou(?) properties.

Legislator Muldowney: But for an individual.

Mr. Caflisch: For an individual yes, it's a little bit unusual and this individual, he had a method to his madness and he was going to play a game that took us a while to catch up with him.

Legislator Muldowney: It is normally where the property owner is deceased and it just drags on for a long time?

Mr. Caflisch: Those property situations aren't that bad. It's the bankruptcies that really are the troublesome ones as well as some of them that we determine may have an environmental issue associated with them. I very carefully look at environmental ones because again, I have sold them here and the Legislature has not been sympathetic to the sale so we had to reverse sales. So we have to be careful on those two fronts, the environmental and the bankruptcy.

Legislator Niebel: Since the auction, has anybody come forward to try and redeem their own property? Since the auction?

Mr. Caflisch: Yes. I will not go into details in this session.

Legislator Niebel: That's alright. The determination, was it, they did not have a valid reason for not coming forward to redeem their property?

Mr. Caflisch: I will say that the County did everything it was supposed to do in the foreclosure process. We did not have any issues with our foreclosure action.

Legislator Niebel: Is that person's property here on this list?

Mr. Caflisch: No.

Legislator Niebel: It's not. O.k.

Chairman Chagnon: Good question. Any other questions or comments on the proposed resolution? Hearing none, all those in favor?

Unanimously Carried

Chairman Chagnon: For the record I will note that there was no action taken by the Administrative Services Committee because this was presented to them at the meeting and they didn't have an opportunity to review it.

Proposed Resolution - Authorize Agreement with Village of Mayville for Enhanced Protection Services

UnderSheriff Braley: This is a contract for enhanced enforcement that we have had in the past. It provides for summer protection for the Village of Mayville in addition to the regular patrols that we have. We staff this with a part time deputies. The (*inaudible*) hourly rate, both the regular rate and the holiday rate both reflect the cost of a deputy, related equipment and the vehicle. There is a \$10,000 cap on it, as I say. Usually just runs through the summer months.

Chairman Chagnon: Could you explain why there is no additional expense added to the budget or no budget adjustment as the result of this?

Mrs. Cresanti: Basically for things like this that are very part time. It's very limited amount of time during the year so we don't actually need to increase staff. It's for patrol people who are already out on the road. So, since we're not going to be needing additional staff to carry out the contract, we don't need to affect the budget.

Chairman Chagnon: On the expense side.

Mrs. Cresanti: Correct.

Chairman Chagnon: But on the revenue side we do now have anticipated revenues that was not in the budget.

Mrs. Cresanti: Well, actually it is built into the budget because this is a yearly contract. It's done every summer so do assume that it's going –

Chairman Chagnon: So this was reflected in the budget?

Mrs. Cresanti: Correct.

Chairman Chagnon: O.k., I may have missed those words in here but I don't think they are in there.

Mrs. Cresanti: I'm sorry if I overlooked at and did not include that, but yes, it is included in the budget.

Chairman Chagnon: Thank you. Those are the key words. Another questions or comments on the proposed resolution?

Unanimously Carried

Proposed Resolution - Authorize Execution of New York State Office of Homeland Security Funding Grant – Operation Stone Garden FY18

UnderSheriff Braley: This again is a repeat of a previous resolution where we receive funding. This is a border patrol initiated Federal funding stream that is administered through State Homeland Security. There is no matching funds with this. This provides for overtime reimbursement and other costs to both the Sheriff's office and a couple of partner agencies that also share in the funding. We administer it here then disburse the funds that we received through the grant and it's done within our office. Again, I think this goes back to 2009, the initial year.

Chairman Chagnon: And this resolution does indicate that it is in the budget. O.k., any questions or comments on the proposed resolution?

Legislator Gould: What exactly is this spent for?

UnderSheriff Braley: What is it spent for?

Legislator Gould: Gasoline for the boats?

UnderSheriff Braley: Some of it, we get reimbursement for that. I would say the lion share of it is overtime reimbursement, for us to put extra patrols out. The advantage for us is, although it was initiated as a border security activity, the peak times and the operational times that we put people out there also coincide with a lot of our busiest times. Summer weekends, obviously so that we can staff Lake Erie and that whole Rt. 5 and 20 corridor with road patrols as well. So it's an advantage to us just to have extra patrols in the time that we need them and we have no local share to chip in so it's strictly reimbursement for those local patrols.

Mrs. Cresanti: If I may, I would also add to that that our maintenance for the boats that we use for this specific operation, is also reimbursed through that grant. So everything from winterizing to repairs, things of that nature, are also reimbursed with those grant funds.

Chairman Chagnon: Any other questions or comments?

Unanimously Carried

Proposed Resolution – Authorize Acceptance of 2019-2022 Grant from NYS Office of Victim Services to District Attorney's Victim Assistance Center

Ms. Rettig: We're asking you to approve the acceptance of funds for the next three years for the Victims Assistant Center. It has been supported by these grant funds since 1995 and we now – there are three employees that serve crime victims from Chautauqua County. All victims of crime, anyone who calls us, we are there to help assist them and referrals, and liaison with Assistant District Attorney's working on criminal prosecutions. We keep them updated. We help them New York State Office of Victim Services claims which is reimbursement for some out of pocket costs that can happen for people who are victimized by certain crimes in Chautauqua County.

Chairman Chagnon: So have any of these funds been reflected in the 2019 budget?

Mrs. Dennison: Yes. Mr. Chairman, I was going to ask if you wanted to insert a WHEREAS clause to state that? In the next resolution there is a clause that we could insert if you would like to do that.

Chairman Chagnon: I don't think that it is necessary as long as we have the understanding that it is in the 2019 budget so there is no need for any budget adjustments in the resolution.

Mrs. Dennison: Yes. Valerie got in touch with our office to correctly (*inaudible*) revenues and expenditures associated with this grant.

Chairman Chagnon: When those words appear in the resolution, it just prevents me from having to ask the question. Any other questions or comments on the proposed resolution?

Unanimously Carried

Proposed Resolution - Authorize Acceptance of the Gun Involved Violence Elimination Grant ("GIVE") for Funds for 2019-2020

Mr. Gregory: We're here to request the approval of the resolution to accept the Gun Involved Violence Elimination grant. The grant benefits four agencies, the Jamestown Police Department, the District Attorney's office, Chautauqua County Office of Probation, and the Sheriff's office. With respect to the County, the County signs a separate contract and that amount is reflected in the resolution and then Jamestown signs their own contract. We've had this particular grant for about 15 years. Initially it started out as Operation Impact and then the Governor changed the name to Gun Involved Violence Elimination. It partially pays for the salary and fringe benefits, at least for the DA's office for one Assistant District Attorney, with respect to the Sheriff's office, it provides funding for their field intelligence officer and then Probation receives overtime funds to coordinate details to check on probationers with the Jamestown Police Department. There is no matching funds. The fiscal year runs from July 1st to June 30th and we've already budgeted for these funds during the 2019 year. We did receive, I think each of the agencies received a small increase and I'm sure during the budget process for 2020, Kathleen and the appropriate fiscal people in each department will make the necessary changes.

Chairman Chagnon: Any questions or comments on the proposed resolution? Thank you for the comprehensive description.

Unanimously Carried

Proposed Resolution – To Accept New York State SFY 2018-2019 Senate Initiative for Cancer Services

Ms. Lis: This funding came in a little bit late, pretty much after the budget process last year so it did not get budgeted for in this year. We still have our cancer services program but we do not run ourselves anymore so we get an allocation. There is a group of I think three counties that work together on it so we get to keep a tiny bit of it. You'll see that we are decreasing our use of fund balance slightly and the remainder we pass on to that other group that handles all of us together. This is more of an informational – they do billboards and such and things like that.

Chairman Chagnon: Alright, questions or comments on the proposed resolution?

Unanimously Carried

Proposed Resolution - To Accept New York State Department of Health 2019-2020 Overdose Data to Action (OD2A) Grant

Ms. Lis: This is another one where we are decreasing the use of fund balance. This is a new grant that will take us into next year but part of it is in 2019 so we want to show that in our budget. A lot of it is a payroll cost which has already been budgeted and so our use of fund balance shows in that decrease.

Chairman Chagnon: O.k., they are becoming our new favorite words. Questions or comments on the proposed resolution?

Unanimously Carried

Chairman Wendel: Mr. Chairman, CDC cannot (*inaudible*) reduction of 18%. Has there been any information as to New York State's reduction?

Ms. Lis: I am not involved in any programming information. I don't have that but I can find out.

Chairman Wendel: That would be great. Thanks.

Proposed Resolution – Authorize Use of Funds from the Chautauqua County Sewer Agency to Assess the Feasibility of Treating Wastewater Flows from the Town of Sherman, Town of Mina, and Town of French Creek in the Village of Sherman Sewer Wastewater Treatment Plant

Mr. McCoy: I think that the title says it all.

Chairman Chagnon: It was long enough.

Mr. McCoy: Certainly and (*inaudible*) it is comprehensive in nature. We had an opportunity last year to look at the possibility of going from Findley Lake up to the Town of Sherman, Village of Sherman wastewater treatment facilities. Now we have an opportunity to look at going down French Creek. There are a number of scenarios that could spin from this. That being a plant at Peek'n Peak. They are challenged with an aging package plant. They may

have expansion plans that would be limited by the lack of wastewater treatment capacity. Findley Lake is challenged by nutrients in the lake, they typically have hazardous alga blooms and a lot of weeds. They are under the TMDL much like Chautauqua Lake does and we're going to look at all the scenarios. Either taking it all to Sherman, all to French Creek or possibly another look at Findley on its own. They have tried for decades to get a local wastewater district there. The promise of a County district holds a lot of promise both in terms of efficiencies and operation, maintenance, and also, I think that it is important that we take a real hard look at what we need to do with Findley Lake because this is a very important economic resource to Chautauqua County.

Chairman Chagnon: Dave, as we discussed this last night at PED, last year the County allocated some funds from the sewer agency account to do a study of the possibility of transferring or creating a sewer district to transfer septic waste from the Findley Lake area to the Sherman wastewater treatment plant. Now, we're talking about allocating additional funds for a broader discussion review of other options, including the possibility of including the Peek n' Peak facility. So, this is not saying the money that we spent, the study that we did last year has been rejected, but the sewer agency wants to look at different options, is my understanding.

Mr. McCoy: That is correct. There is a lot of information to assemble, analyze, and produce some recommendations. It's not small work and unfortunately there is a lot of momentum and information that has already been gathered by the consultant that is working with the Village of Sherman. This is simply to allow the County Executive to enter into an agreement and fund an addendum to their agreement to look at this.

Chairman Chagnon: O.k., any questions or comments on the proposed resolution?

Unanimously Carried

Proposed Resolution - Environmental Assessment of Projects for 2020 2% Occupancy Tax Projects

Mr. McCoy: This has been done every year since 2009 with our occupancy tax program. An award winning program that is unique in New York State. This year we have seven projects for \$224,000. Six of them are unlisted actions, was in the context of SEQRA. They have done an environmental review and the information is included in our packet. One of the projects which is a boat steward project is a type 2 action which is clearly not subject to SEQRA. Very beneficial program nonetheless. I look at what the condition of Chautauqua Lake is in due to invasive species. I can only imagine how much money we could have saved if we could have prevented Eurasian milfoil from getting into Chautauqua Lake in the 1970's through a boat steward program.

Chairman Chagnon: A very good list of projects. Some of the most impressive list that I've seen in years. That's good news. Questions or comments on the proposed resolution?

Legislator Niebel: Just one Mr. Chairman. Dave, how many projects did we have last year?

Mr. McCoy: Six.

Legislator Niebel: Seven this year?

Mr. McCoy: Yes.

Chairman Chagnon: These are the ones that were funded. There was significantly more projects that were submitted for funding. These are the ones that were chosen.

Mr. McCoy: Last year we had 32 projects applied for, this year we had 31. Clearly there is a need. These are evaluated by the Waterways panel and they select the ones that are most impactful and implementable.

Legislator Muldowney: Any of these from last year that didn't make the cut?

Mr. McCoy: Actually, no. But we have projects that have been in the system for a year or two and have been funded. A good example of that is, Shorelands development on Chautauqua Lake. They first submitted in 2015, I believe. They were not funded. They missed 2016, they retooled in 2017 and they submitted for 2018 funding. Each year making a better application and continue to make improvements on their own. I think they could be a model for some of the smaller communities, if you will, on Chautauqua Lake. We were very pleased that we were able to fund them last year.

Legislator Nazzaro: Does the amount request equal the amount recommended? Doesn't always do that, does it? I mean, just seems –

Chairman Chagnon: Doesn't always do that, that's correct.

Legislator Nazzaro: It just seems sort of odd that giving exactly what is requested. We determine on how much is available, correct?

Mr. McCoy: We look at what we were able to fund last year because you know the 2% program is kind of a three prong program. We have the grant program, we also have the agency allocations, and then we have the reserve which is great for project of opportunity and special need. Over the years, there were more projects than there were allocation but we kind of slide that the other direction. We have more dollars going to allocations than we do project these days. So we try and fully fund projects rather than partially fund them.

Legislator Nazzaro: And that is good because -

Chairman Chagnon: I think that you are thinking more of the 3% projects that are typically not fully funded.

Legislator Chagnon: O.k..

Chairman Chagnon: These projects are typically fully funded but that is not a requirement that we have to.

Mr. McCoy: We encourage participants in the program to provide a match and most do. We typically leverage around 30%. I think that has been our average over the years. Last year was an exception, two years ago was an exceptional year with some of the Ag projects that came in. We leveraged almost \$800,000 which was, I thought a banner year. Those projects have been a little slow to come out of the gate because of the matching coming from State and Federal sources.

Chairman Chagnon: Other questions or comments on the proposed resolution?

Unanimously Carried

Proposed Resolution - Commitment of Funding Assistance for New York State Department of Environmental Conservation Water Quality Improvement Program Grant for the Bemus Creek Sediment Trap Project

Mrs. Brickley: I often come before you this time of year as the State grant cycle is open. This is a nice multi partner project. Involves hopefully County participation in the funding assistance. This is also being led as far as design and likely implementation through our Soil & Water Conservation District. The Alliance is involved as well and the Town of Ellery is going to be the actual grant applicant in this case to the State. This will be through the WQIP program which covers up to 75% of the cost and we're looking to cover the remaining 25%. Just a general description of the projects. This will be some proactive work upstream on Bemus Creek. We'll put in a sediment trap and then the Town of Ellery will clean that out either annually or biannually. Some of that gravel they will use elsewhere and repurposed. So it's good for sediment prevention at the mouth of Bemus and nutrients that carry as well as some repurposing of that material as well. Getting back to the total dollars, it's about \$125,000 and we're looking for a commitment from the County out of the earmarked funds for leverage of \$18,733 and that would be from our fund balance that is uncommitted and the current balance available \$34,252. I do have a picture of the site. I apologize, I don't have copies for everybody but you can pass around and take a look and be glad to answer any questions.

Chairman Chagnon: Any questions? As we discussed last night, I have to go full disclosure and tell you that this was my initiative. I have been pursuing a sediment trap project tributary to Chautauqua Lake for the last 6 years. Similar to one that was done as a demonstration project in the Town of North Harmony a long time ago. This turned out to be very beneficial to the Town Highway Department for taking gravel out of the sediment trap as well as protecting the lake and we finally identified a site that is actually on New York State property, from the Department of Transportation which has great access for the Town equipment and also is a great location relative to the stream flow and the proximity to the lake. This turned out to be a very good project. My thanks go to former State Senator Young who was very helpful in getting the Department of Transportation interest in participation in this project. Any other questions or comments?

Legislator Gould: Great project.

Legislator Muldowney: Good job.

Legislator Nazzaro: Well done Mr. Chairman.

Chairman Chagnon: That isn't the reason I said that.

Legislator Nazzaro: That's o.k.

Chairman Chagnon: All those in favor?

Unanimously Carried

Proposed Resolution - Authorize Chautauqua County Sate Grant Application and Commitment of Matching Funds for County Complex Green Infrastructure Retrofit Project

Mr. Bentley: There was a good discussion in Planning & Economic Development. This is to help us with our revitalization of the County complex out here. Our initial project was to rehab the pavement services for the parking lots. We have since then have the opportunity to buy the house and we look to expand that parking lot and increase the woeful parking situation here that happens. So that is really phase one. I got approached, Erin's team over there had a great concept of this grant money in putting in the porous pavement into the parking lots and I said, "how do we structure this" because there money is available next year, not this year. So I said well, I'm really looking to do the expansion this year and we can do phase two which is the other two lots next year when their funding is available because I actually wanted to – with what our schedule looked like, so with that, they are looking to fund it at 90% with a 10% match, so \$94,000, I believe is round numbers. That's not only for the porous pavement but also for some sidewalk improvements, that would include poured sidewalks as well as stormwater evaluations and improvements on the whole complex as well. I think this is a great collaboration, a win/win for the County and a win for the stormwater, a win for the lake. It works well with what we're trying to do here at the complex.

Ms. Brickley: Just a step back. This is actually already a combined investment by the County, the Village of Mayville, Town of Chautauqua, and the Alliance to do the stormwater study. We were successful in getting a grant in 2017 and our engineering company that was doing the study, did a really good job and we appreciate Brad and his people being open to conversation and working through that timeline in a way that it made sense to make it a win/win/win.

Chairman Chagnon: Questions, comments?

Legislator Gould: Where is our local share actually coming from?

Mr. Bentley: I forgot to mention that. Our original project for the parking lot was \$400,000. By the time we buy the house, get the expansion, and do the phase one, we'll probably be in it for like \$250,000 or so. So we probably have \$150,000 or so left, that's budgetary type estimates so this \$94,000 will be coming out of that capital project without increasing the project cost of that capital. And we're going to be self-performing a lot of the work here. That is why the original cost of \$400,000 is a little bit less.

Legislator Gould: More money out of the capital.

Mr. Bentley: It was already committed. Actually probably by the end of it, I'm probably going to come under budget a little bit and we'll be looking to give some back.

Legislator Gould: That's good. We would take *(cross talk)*...

Mr. Bentley: Well I will actually show you if you are around in 2 years, by the time we get done with phase two.

Chairman Chagnon: Good question though.

Legislator Nazzaro: Nothing is coming out of the reserve because it's already set up. That's a good thing.

Mrs. Dennison: Mr. Chairman if I could just add, as the current available budget in this capital project is \$306,262.

Chairman Chagnon: Even better. Great project and thanks to Erin and the Alliance staff for bringing us a great project out of the engineering study that was funded by a grant fund, we now have an opportunity to bring another great grant application forward without any additional fund commitment by the County. Great collaboration, great project, thank you. Any other questions or comments on the proposed resolution?

Unanimously Carried

Mr. Bentley: If I may respond to – you were looking for more information on the bridge, the amend resolution. Actually I have some further clarification that may help understand the process. So, New York State is the administrator for the Federal funds of the bridge program so we only asked one person at the State. So, they bring in the money in from the Federal, goes to the State, the State really dishes out the money. It was very unusual for the State to give us a 100% on the original ask of the bridge instead of the 80/20 and the 20 is split 15/5. So, we didn't ask why we got 100%, my guess is that they had some extra money available. So when the extra cost came in higher on the bid, we did go back to the State or contact and said, can you fund this, the same 100%? We did actually asked that and they said no. They said that we will give you your normal 80/20 split, so 80% Federal, 20 split between State and local. So that is how we got to that. We did actually ask.

Chairman Chagnon: So it was asked? That's important.

Mr. Bentley: It was asked, but the second point is, we've already identified two things out of that that we've actually taken out so we've saved \$51,000 already on the project. Those were – instead of having construction trailer on site, GPI was the inspector, their offices are right there on Foote, we're using their office as the field office. The second thing is, there was (*inaudible*) message boards to be placed, we used the County's message boards and used our labor to put them in so that was taken out of the contract. So, we've already saved \$51,000. We're going to look for more. In addition, in the contract there is about \$124,000 that is allocated for field change that may or may not happen so there is already a significant portion and on top of that, if the project comes in under budget, that would be factored in as well. So there is a lot of areas where I think we can save this money and not use that local share.

Legislator Muldowney: You are saving the \$51,000 or the \$64,000?

Mr. Bentley: The \$51,000 of the \$323,000 so far.

Chairman Chagnon: So the County's portion of the \$320,000 is roughly a fifth, so then you are saving roughly \$10,000 of the \$64,000.

Mr. Bentley: Yes, but it's on a percentage basis so we need to save the whole \$323,000 to get our local share to zero, to go back to the original bridge amount.

Chairman Chagnon: That is a good question Kevin. I had the same question.

Mr. Bentley: I will keep you updated on the additional saving measures that we try to do but I think the larger portion going forward will be the actual construction costs and field changes that are needed.

Chairman Chagnon: Thank you.

Proposed Resolution - Authorize Use of 3% Occupancy Tax Undesignated Off-Cycle Project Funding to Construct Educational Kiosks at the Chautauqua Hometown Heroes Veterans Memorial

Chairman Chagnon: Is there anyone here to speak to this? No one. O.k., this was discussed at the PED Committee last night and we had received a discussion about this at the prior month's meeting and there was concerns raised about whether this project was actually tourism related because they were asking for just general support for the project. When they brought the proposed resolution forward, they actually focused the request on the educational kiosks which they believe will be tourist attractions or related to tourism. That people would actually be coming here to view the kiosks. That was a change made to the request to be reflective of our concern that any 3% occupancy funding needs to go for tourism related events, activities, structures, etc.. So, I would be happy to try and answer any other question that the Committee might have about this proposed resolution.

Legislator Gould: I still don't see how a Veteran's Memorial will increase our tourism at all. Someone has to convince me of that before you get an affirmative vote out of me. I'm not

picking on the Veteran's. They could find this money someplace else. I just don't think that it's going to all of a sudden there are going to be masses of people coming to see this. That's only my opinion.

Chairman Chagnon: Thank you. That is reflective of the concern that was raised last month. They tried to focus it more on the educational kiosks recognizing that -

Legislator Gould: Right, but I still don't see how that is going to help.

Chairman Chagnon: I appreciate that perspective.

Chairman Wendel: Chiming in on what like Jay is saying. This program has been going on for several months now. Almost a year ago we were contacted and again, not discrediting anything but, the group had asked and seriously wanted considerable if not completely funding by the County through this action. I am not sure how and no one has ever met, asked me to sit down and show you where we're making our outside contributions or anything like that other than the County should fund it and now we're looking at - I think we're really stretching this as to how the County could assist in this project. Like Jay said, my Dad is a Veteran, I know many of them, I'm not discrediting anything that they have done in the memorial they are trying to accomplish but I think sometimes people feel that - here's the money, how do we try and get that out of there? I think this is a stretch for an educational piece (*inaudible*). It's very sought out, very dedicated and useful memorial but again, personally I think there needs to be a little bit of their intuition in the group forming in doing some fund raising and other things to really kind of help self-sustain this group.

Legislator Nazzaro: My only comment to is, I agree with that. This is more educational and we all support the Veterans. That's not even a question here and should not be perceived of not supporting, however, if we approve this, then we may have future requests similar to this and we could open up other agencies or organizations to asking for money so where do we draw the line. I think we're going to get ourselves in a difficult situation if we use this funding source for this project.

Chairman Chagnon: Last night after the committee meeting, we had a discussion about this particular project and the point was raised that the, at least from my understanding of the intention of off-cycle funding, is for events or projects that were not anticipated at the time the original funding for occupancy tax for tourism were being solicited. And so the intent was that if a new project comes to mind and it's going to be a year or a good portion of a year before there would be an opportunity to apply for that funding, this gives an opportunity for the Legislature to supply funding grant to those new projects, new initiatives. As PJ points out, this is clearly not a new project, a new initiative so we had some discussion about whether this was truly appropriate for off-cycle. So, I wanted to add that as well.

Legislator Nazzaro: Was this approved?

Chairman Chagnon: This was approved in PED, yes.

Legislator Gould: By five to nothing? Unanimously?

Chairman Chagnon: I believe it was, yes. But you are going to hear a different vote from one of the members of that committee this morning. Who doesn't like to conflict himself but is liable to do it. Well, as I stated, we had a discussion after the committee meeting that brought some other points to like. So I'm going to defend my honor by saying that.

Legislator Niebel: So there really isn't any urgency to this resolution?

Chairman Chagnon: No there is not.

Legislator Niebel: And we're going to be left with \$20,000 approximately for another potential off-cycle projects that might come up?

Chairman Chagnon: Yes.

Legislator Niebel: Are we aware of any off-cycle projects that might be considering?

Chairman Chagnon: Apparently not. There are several people in the room who likely would be aware.

Legislator Niebel: O.k., that doesn't leave us with an awful lot, \$20,000, if anything else should come up from now to the end of the year. I tend to agree with you guys.

Legislator Muldowney: I think that we're all sensitive as we've mentioned about the Veteran's but it sounds to me that it's not the proper funding for it. That is why I won't be supporting it.

Chairman Chagnon: I appreciate that perspective Kevin. As been stated several times this morning and last night, it's a good project. We all are supportive of our Veteran's and appreciative of our Veteran's, this just doesn't seem to be the proper funding mechanism at this time. Other questions of comments on the proposed resolution?

Defeated w/ Legislators Chagnon, Nazzaro, Muldowney, Gould, Niebel voting "no"

Proposed Resolution - Authorize Use of 3% Occupancy Tax Undesignated Off-Cycle Project Funding to Support Marketing Efforts at the Grape Discover Center in Westfield

Chairman Chagnon: I will point out for the Committee that this proposed resolution did fail at Planning & Economic Development Committee last night. I don't see anyone here to speak to this so I will do the best I can to explain. Again the Grape Discovery Center is a project that has been around for a long time. Thanks to Clerk Tampio who did some historic research for us, we have learned that the Grape Discovery Center has received seven 3% occupancy tax grants in the past, seven, and according to the resolution adopted by the Legislature in 2011, the policy is that no project shall receive more than three years funding, including the projects prior

to the adoption of the resolution. So, based upon that, the committee did not support this resolution. So again, although we may be very fond of the Grape Discovery Center, this application was considered to be inappropriate.

Legislator Nazzaro: Mr. Chairman, do you have a dollar amount of those seven?

Chairman Chagnon: Yes, roughly \$78,000.

Legislator Nazzaro: So about \$10,000 a pop. Thank you.

Chairman Chagnon: Any additional questions or comments on this proposed resolution? And I will be consistent with my vote from last night on this one in case anybody is wondering.

Defeated w/ Legislators Chagnon, Nazzaro, Muldowney, Gould, Niebel voting "no"

Proposed Resolution - Amend Resolution 137-19 – Authorize Use of 3% Occupancy Tax Monies to Support the Chautauqua Lake Pops by the Shore Series in Mayville

Mrs. Dennison: This resolution was adopted in May and the original resolution and as you may recall that resolution when it was proposed to you, it started by proposing a use of the occupancy tax reserve. During the committee discussion, it was decided that the funding should come from the undesignated off-cycle projects budget and so we made that change to the resolution but when researching the prior two resolutions, I found that this resolution was not properly amended because there is a difference between the occupancy tax reserve and the undesignated off-cycle project budget. The off-cycle project budget is an appropriation in the budget so if we're utilizing those funds, we do not and should not be drawing from the reserve. So we have proposed to correct the verbiage and amend the resolution to appropriately refer to the undesignated off-cycle project budget and remove the use of the occupancy fund reserve – I'm sorry, remove the reference, in use of the occupancy tax reserve. I would also add a comment that the preceding two resolutions that referenced approximately \$20,000 available in the undesignated off-cycle project budget, that \$20,000 is after adjusting for this change. So it assumed that this amendment would be accepted.

Chairman Chagnon: Good housekeeping, thank you. Any questions or comments on the proposed resolution?

Legislator Gould: I will be against this again. They were funded for four years before and then they moved 10 miles up the lake and they want funding again. This will make five times that this has been funded and for this Committee to be consistent as they were on the last vote, they should vote no on this. Only my opinion again.

Chairman Chagnon: Any questions or comments?

Legislator Muldowney: Is this a different organization than the Bemus Point?

Chairman Chagnon: Yes, it is a different organization as well as a different location.

Legislator Gould: The idea of this 3% tax is to help businesses, organizations, whatever, that are trying to start. It's not to support them forever.

Chairman Chagnon: Right, that's correct. Kevin's point is, this is a new organization.

Legislator Muldowney: Start up.

Legislator Gould: Well, Mr. Chairman, that is a stretch, but that's o.k..

Legislator Muldowney: I would concur with Mr. Gould.

Chairman Chagnon: I would concur with that as well.

Mrs. Dennison: I asked that question at last night's PED meeting after our discussion on this resolution and was informed that it is a new organization.

Legislator Gould: I was one of nineteen that thought that way last month so it may be the same this month. I can accept that.

Chairman Chagnon: Other questions or comments?

Legislator Niebel: This estimate of the economic impact, \$10 million per year, or \$10 million dollars for the pop concert there. Who came up with that? It seems like an awful lot to me.

Legislator Nazzaro: Independent consultant, 2010, nine years ago.

Legislator Niebel: Is that right?

Legislator Nazzaro: Is what it says. I'm only reading what it says in the WHEREAS.

Chairman Chagnon: Any other questions or comments?

Carried w/ Legislator Gould voting "no"

Proposed Resolution - Authorize Chautauqua County Visitors Bureau as the Local Tourist Promotion Agency for Matching Funds Program Sponsored by New York State Division of Tourism

Mr. Nixon: We're here requesting the annual authorization for our organization to apply for New York State I Love New York matching funds in 2020. We're requesting permission to apply for up to \$250,000. If you look at page two of the handout that I've got, the maximum application amount in the formula is actually \$245,400. That is the formula that the State has used for 30 years in the I Love New York matching fund program. In using that, we know we'll

end up with \$69,174, so while we're allowed to apply for up to the maximum, we need authorization to do so, we'll send up with a grant of \$69,174. Just if you are wondering about the obligation that the County has and we do use the allocation that the County provides us annually to cover the \$250,000 commitment and the actual \$69,000 grant match. So it's not any new or additional funds. Page one of the handout just shows how we break the program down into two parts being Chautauqua County only programs and then number two, Chautauqua-Allegany Region funds where we work with Cattaraugus and Allegany counties. We have a simple program for the County only grant and we spend that on our travel guide, mailing of the travel guide, and a few ad placements in conjunction with I Love New York or other counties that promote the State. On the part two, we spend the money on travel shows with Cattaraugus and Allegany counties, a website portal, some ad placements and then collaborations that come up with Western New York State REDC Region counties which is mainly Erie and Niagara.

Chairman Chagnon: Questions, comments? You did just a good job explaining there are no questions. All those in favor?

Unanimously Carried

Chairman Chagnon: Now we're onto discussions and I will point out to the committee that the third discussion which was intended to be a review of the Chautauqua County RFP for financial advisor, has to be rescheduled because the firm is not able to be here today. So we will hold that discussion at a later time if appropriate.

Mr. Muldowney has to depart for another responsibility. So thank you for hanging in.

Discussion – Internal Audit – DPF – Legislator Nazzaro

Discussion - Update – 2020 Herbicide Applications to Chautauqua Lake – Dave McCoy

~~Discussion – Chautauqua County RFP for Financial Advisor – Courier Capital~~

Discussion - DA Swanson – 2020 Budget

Other

MOVED by Legislator Nazzaro, SECOND by Legislator Chagnon to adjourn.

Unanimously Carried (11:47 a.m.)

Respectfully submitted and transcribed;
Olivia Ames, Deputy Clerk/Secretary to the Legislature/Lori J. Foster, Sr. Stenographer