

## Agenda

### Public Facilities Committee

**August 19, 2019, 4:00 p.m., Room 331**

Gerace Office Building, Mayville, NY

- A. Call to Order
- B. Approval of Minutes (07/15/19)
- C. Privilege of the Floor
  1. Proposed Resolution – Amend 2019 Budget Appropriations Due to Allocation of Clerk, Legislative Board Administrative Expenses for the North Chautauqua County Water District
  2. Proposed Resolution – Confirming User Charges: North County Industrial Water District No. 1
  3. Proposed Resolution – Adjust D.5112 Capital Improvement Accounts
  4. Proposed Resolution - Amend Capital Project Accounts Due to Fleet Management Services
  5. Proposed Resolution – Amend Resolution 99-19 (Authorize Director of Finance to Increase Appropriations for PIN 5762.12 County Bridge 998 Replacement)
  6. Discussion – Tabled Res. No. 177-19 – Acceptance of Funds from NYSDOT for the Rehabilitate Hangar C (NYSDOT/Aviation Grant Program) at the Chautauqua County/Jamestown Airport
  7. Other

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

<b>PMW 7/24/19</b>
<b>SMA 8/1/19</b>
<b>KMD 8/2/19</b>
<b>KLC 8/6/19</b>
<b>GMB 8/6/19</b>

**TITLE:** Amend 2019 Budget Appropriations Due to Allocation of Clerk,  
Legislative Board Administrative Expenses for the North  
Chautauqua County Water District

**BY:** Public Facilities, Administrative Services, and Audit & Control Committees:

**AT THE REQUEST OF:** Chairman Paul M. Wendel:

WHEREAS, the Clerk of the Legislature performs administrative services for the North Chautauqua County Water District; and

WHEREAS, these expenses for administrative services were not included in the 2019 budget; now therefore be it

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

INCREASE APPROPRIATION ACCOUNTS:

EWN.8310.----.1	Personal Services—Water District	\$1,363
EWN.8310.----.8	Employee Benefits—Water District	<u>\$ 872</u>
	Total	\$2,235

DECREASE APPROPRIATION ACCOUNTS:

A.1040.----.1	Personal Services—Clerk, Legislative Board	\$1,363
A.1040.----.8	Employee Benefits—Clerk, Legislative Board	<u>\$ 872</u>
	Total	\$2,235

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**APPROVED**

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**VETOES (VETO MESSAGE ATTACHED)**

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

\_\_\_\_\_  
Date

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

B.R.P 7.29.19
S.D.C 7.29.19
KMW 8.2.19
SMA 8/2/19
KMD 8/4/19
KLC 8/5/19
GMB 8/5/19

**TITLE:** Confirming User Charges: North County Industrial Water District No. 1

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

**AT THE REQUEST OF:** Chairman Paul M. Wendel Jr.:

WHEREAS, current user charges for the North County Industrial Water District No. 1 (District) are set forth in Resolution 53-07 and appeals procedures are set forth in Resolution 53-13; and

WHEREAS, pursuant to § 266 of New York State County Law, the Board of Directors of the District held a public hearing on June 29, 2019 on a proposed new rate schedule of water charges for the annual amortization, operation and maintenance and other costs of the District; and

WHEREAS, notice of said public hearing was duly published not fewer than ten (10) nor more than twenty (20) days in advance in the Dunkirk Observer in accordance with Resolution 53-13; and

WHEREAS, following said public hearing, the Board of Directors of the District recommended that the rate schedule of water charges for the annual amortization, operation, and maintenance and other costs be amended from an annual per acre land assessment charge of \$136.14 (\$34.035 per quarter) and a water assessment charge of \$0.002489 per gallon, to:

1. an acreage charge of \$34.035 per acre per quarter;
2. a rate of \$13.00 per thousand gallons of water up through the first 5,000 gallons per quarter, with a minimum gallon-based charge of \$65.00; and
3. a rate of \$9.259 per thousand gallons of water after the first 5,000 gallons per quarter, including all water charged to the District and attributable to such user; and

WHEREAS, the above rates include the cost of water to be provided to District customers; and

WHEREAS, the Chautauqua County Legislature has determined that such rate change is in the public interest; now therefore be it

RESOLVED, That *Charges by the North County Industrial Water District No. 1*, signed by the Chairman of the Board of Directors of the North County Industrial Water District No. 1, such Board being the Administrative Body of such Water District, and filed with the Clerk of the County Legislature, is hereby confirmed as follows:

**CHARGES BY NORTH COUNTY INDUSTRIAL WATER DISTRICT NO. 1**

**SECTION I – Purpose**

Pursuant to Section 266 of the County Law there is hereby established and imposed a rate schedule for water sold to customers of the North County Industrial Water

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**APPROVED**

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**VETOES (VETO MESSAGE ATTACHED)**

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**County Executive**

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**Date**

District No. 1, to pay the annual amortization, operation, maintenance and other costs of the District.

**SECTION II - Definitions**

As used herein, the following terms shall mean and include:

- A. "District" means the North County Industrial Water District No. 1, a County water district of the County of Chautauqua organized and existing pursuant to Article 5-A of the County Law.
- B. "Administrative Head" means the Administrative Head or body of the North County Industrial Water District No. 1 as established by the Chautauqua County Legislature Under Article 5-A of the County Law of the State of New York.
- C. "User" means the owner of a parcel of property within the District benefited by the project.

**SECTION III – Charge Area**

Real property within the District shall be classified as all property located within the bounds of the District which was established by Chautauqua County Legislative Resolution Nos. 303-76 and 387-75, all of which is served by District water infrastructure.

**SECTION IV – Scale of Charges and Billing**

- A. The following water charges are established for the annual amortization, operation, maintenance and other costs of the District, being the sum of subparagraphs 1, 2 and 3 hereunder:
  - 1. an acreage charge of \$34.035 per acre per quarter;
  - 2. a rate of \$13.00 per thousand gallons of water up through the first 5,000 gallons per quarter, with a minimum gallon-based charge of \$65.00; and
  - 3. a rate of \$9.259 per thousand gallons of water after the first 5,000 gallons per quarter, including all water charged to the District and attributable to such User.
- B. The Administrative Head shall quarterly fix the amount to be charged to each User in the District by adding the applicable acreage charge to the previous quarters' consumption charges attributable to each User's parcel of property, and shall mail a bill for such charge to the assessed owner of each parcel of real property so charged on or about the fifteenth day of January, April, July, and October, which bill shall be due within thirty (30) days of the date when it was mailed; a penalty of ten percent (10%) of the amount of the bill shall be added to any bill which remains unpaid thirty-one (31) days after the date on which the bill was mailed.
- C. The Finance Director of the County of Chautauqua shall collect all charges and penalties established hereunder in accordance with Section 266 of the County Law.

**SECTION V – Appeals**

The following procedure is established for taking appeals from the rate fixing determinations of the Board of Directors of the District for water sold to Users within the District.

- A. All such appeals shall be in writing, mailed within sixty (60) days of the date of mailing of the bill from which the appeal is taken, and signed by the property owner appealing from the rate fixing determination, and shall be addressed to the District, c/o

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**APPROVED**

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**VETOES (VETO MESSAGE ATTACHED)**

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**County Executive**

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**Date**

the Chautauqua County Law Department, 3 North Erie Street, Mayville, N.Y. 14757 by Certified Mail, Return Receipt Requested showing the party to whom delivery was made, shall state concisely the reason why the property owner believes said determination is inequitable and not in accordance with Section 266 of the County Law, and shall state the address to which notices to the property owner shall be sent. Where the appeal arises from (1) a clerical error because of a mistake in transcription, (2) a mathematical error in the computation of the charge, or (3) an error in essential fact in unit designation where there is no factual basis at all for the unit designation made, the time period for making such appeal shall be extended to within three (3) years of the date of mailing of the bill.

B. Within sixty (60) days of the receipt of the appeal, the Board of Directors of the District shall respond by either notifying the property owner of its agreement with the result requested or by notifying the property owner in writing of its reasons for denying the appeal. In the latter case, the Board of Directors shall transmit a copy of the appeal and the response to it to the Chairman of the Chautauqua County Legislature by Certified Mail, Return Receipt Requested showing the party to whom delivery was made addressed to "Chairman, Chautauqua County Legislature, Gerace Office Building, Mayville, New York 14757".

C. The Chairman of the Chautauqua County Legislature shall appoint, within thirty (30) days of receipt of transmittal of the appeal papers, a three-member committee to review the appeal and to respond and to make a written recommendation to the County Legislature. The Chairman of the Legislature, in his/her discretion, may appoint either a standing committee to hear such appeals or may appoint *ad hoc* committees for particular appeals. The Chairman of the Legislature shall transmit copies of the appeal and response to members of the committee.

D. Within forty-five (45) days of receipt of the appeal papers, the committee shall submit a proposed resolution to the Chautauqua County Legislature for resolution and decision of the appeal. If the committee shall desire to take testimony or gather additional information concerning the appeal, it shall notify the property owner and the Board of Directors by mail, at least seven (7) days before the date fixed for these purposes, specifying the area and means of the intended inquiry.

E. The Clerk of the Chautauqua County Legislature shall notify the property owner and the applicable District Board of the decision of the appeal within ten (10) days of the adoption of a resolution deciding the appeal. If the resolution deciding the appeal fails to be adopted because of the veto of the Chautauqua County Executive and the failure of the Chautauqua County Legislature to override the veto, the appeal shall be referred back to the committee for reconsideration and re-submittal to the Chautauqua County Legislature of a proposed decision under Paragraph D hereof; if the second resolution of the Chautauqua County Legislature deciding the appeal fails to be adopted because of the veto of the Chautauqua County Executive and the failure of the Chautauqua County Legislature to override the veto, the appeal shall be deemed to have been denied in all respects.

F. An appeal by a property owner shall not suspend the obligation to pay charges under Section 266 or penalties for late payment or non-payment. The District shall cause to be refunded, within thirty (30) days of its receipt of the decision of the Legislature, any amount of overpayment and penalty, without interest, as determined by the decision of the appeal by the Chautauqua County Legislature.

G. All notices, except the billing of the District made under this appeal procedure, shall be by Certified Mail, Return Receipt Requested showing the party to whom delivery was made and shall be complete upon mailing to the District, c/o the Chautauqua County Law Department, 3 North Erie Street, Mayville, N.Y. 14757 or the property owner at the address stated in the appeal.

## **SECTION VI – Severability**

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

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**County Executive**

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

If any clause, sentence, paragraph, word, subdivision, section, or other part of this resolution shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall be confined to its operation to the clause, sentence, paragraph, subdivision, section, or other part thereof, directly involved in the controversy in which such judgment or order shall have been rendered, and to this end the provisions of each section of this Resolution are hereby declared to be severable.

**SECTION VII – Effective Date**

This Resolution shall be effective October 1, 2019.

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**APPROVED**

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**VETOES (VETO MESSAGE ATTACHED)**

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**County Executive**

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



## **NORTH COUNTY INDUSTRIAL WATER DISTRICT NO. 1**

**GEORGE M. BORRELLO**  
*County Executive*

**SCOTT CUMMINGS**  
District Contact

**ADMINISTRATIVE BOARD**  
**Brian Purol, Chair**  
James E. Crowell  
Edward Divine  
Juan Pagan  
Thomas Wic

## **CHARGES BY NORTH COUNTY INDUSTRIAL WATER DISTRICT NO. 1**

### **SECTION I – Purpose**

Pursuant to Section 266 of the County Law there is hereby established and imposed a rate schedule for water sold to customers of the North County Industrial Water District No. 1, to pay the annual amortization, operation, maintenance and other costs of the District.

### **SECTION II - Definitions**

As used herein, the following terms shall mean and include:

- A. “District” means the North County Industrial Water District No. 1, a County water district of the County of Chautauqua organized and existing pursuant to Article 5-A of the County Law.
- B. “Administrative Head” means the Administrative Head or body of the North County Industrial Water District No. 1 as established by the Chautauqua County Legislature Under Article 5-A of the County Law of the State of New York.
- C. “User” means the owner of a parcel of property within the District benefited by the project.

### **SECTION III – Charge Area**

Real property within the District shall be classified as all property located within the bounds of the District which was established by Chautauqua County Legislative Resolution Nos. 303-76 and 387-75, all of which is served by District water infrastructure.

### **SECTION IV – Scale of Charges and Billing**

- A. The following water charges are established for the annual amortization, operation, maintenance and other costs of the District, being the sum of subparagraphs 1, 2 and 3 hereunder:
  - 1. an acreage charge of \$34.035 per acre per quarter;

2. a rate of \$13.00 per thousand gallons of water up through the first 5,000 gallons per quarter, with a minimum gallon-based charge of \$65.00; and
  3. a rate of \$9.259 per thousand gallons of water after the first 5,000 gallons per quarter, including all water charged to the District and attributable to such User.
- B. The Administrative Head shall quarterly fix the amount to be charged to each User in the District by adding the applicable acreage charge to the previous quarters' consumption charges attributable to each User's parcel of property, and shall mail a bill for such charge to the assessed owner of each parcel of real property so charged on or about the fifteenth day of January, April, July, and October, which bill shall be due within thirty (30) days of the date when it was mailed; a penalty of ten percent (10%) of the amount of the bill shall be added to any bill which remains unpaid thirty-one (31) days after the date on which the bill was mailed.
- C. The Finance Director of the County of Chautauqua shall collect all charges and penalties established hereunder in accordance with Section 266 of the County Law.

## **SECTION V – Appeals**

The following procedure is established for taking appeals from the rate fixing determinations of the Board of Directors of the District for water sold to Users within the District.

A. All such appeals shall be in writing, mailed within sixty (60) days of the date of mailing of the bill from which the appeal is taken, and signed by the property owner appealing from the rate fixing determination, and shall be addressed to the District, c/o the Chautauqua County Law Department, 3 North Erie Street, Mayville, N.Y. 14757 by Certified Mail, Return Receipt Requested showing the party to whom delivery was made, shall state concisely the reason why the property owner believes said determination is inequitable and not in accordance with Section 266 of the County Law, and shall state the address to which notices to the property owner shall be sent. Where the appeal arises from (1) a clerical error because of a mistake in transcription, (2) a mathematical error in the computation of the charge, or (3) an error in essential fact in unit designation where there is no factual basis at all for the unit designation made, the time period for making such appeal shall be extended to within three (3) years of the date of mailing of the bill.

B. Within sixty (60) days of the receipt of the appeal, the Board of Directors of the District shall respond by either notifying the property owner of its agreement with the result requested or by notifying the property owner in writing of its reasons for denying the appeal. In the latter case, the Board of Directors shall transmit a copy of the appeal and the response to it to the Chairman of the Chautauqua County Legislature by Certified Mail, Return Receipt Requested showing the party to whom delivery was made addressed to "Chairman, Chautauqua County Legislature, Gerace Office Building, Mayville, New York 14757".



C. The Chairman of the Chautauqua County Legislature shall appoint, within thirty (30) days of receipt of transmittal of the appeal papers, a three-member committee to review the appeal and to respond and to make a written recommendation to the County Legislature. The Chairman of the Legislature, in his/her discretion, may appoint either a standing committee to hear such appeals or may appoint *ad hoc* committees for particular appeals. The Chairman of the Legislature shall transmit copies of the appeal and response to members of the committee.

D. Within forty-five (45) days of receipt of the appeal papers, the committee shall submit a proposed resolution to the Chautauqua County Legislature for resolution and decision of the appeal. If the committee shall desire to take testimony or gather additional information concerning the appeal, it shall notify the property owner and the Board of Directors by mail, at least seven (7) days before the date fixed for these purposes, specifying the area and means of the intended inquiry.

E. The Clerk of the Chautauqua County Legislature shall notify the property owner and the applicable District Board of the decision of the appeal within ten (10) days of the adoption of a resolution deciding the appeal. If the resolution deciding the appeal fails to be adopted because of the veto of the Chautauqua County Executive and the failure of the Chautauqua County Legislature to override the veto, the appeal shall be referred back to the committee for reconsideration and re-submittal to the Chautauqua County Legislature of a proposed decision under Paragraph D hereof; if the second resolution of the Chautauqua County Legislature deciding the appeal fails to be adopted because of the veto of the Chautauqua County Executive and the failure of the Chautauqua County Legislature to override the veto, the appeal shall be deemed to have been denied in all respects.

F. An appeal by a property owner shall not suspend the obligation to pay charges under Section 266 or penalties for late payment or non-payment. The District shall cause to be refunded, within thirty (30) days of its receipt of the decision of the Legislature, any amount of overpayment and penalty, without interest, as determined by the decision of the appeal by the Chautauqua County Legislature.

G. All notices, except the billing of the District made under this appeal procedure, shall be by Certified Mail, Return Receipt Requested showing the party to whom delivery was made and shall be complete upon mailing to the District, c/o the Chautauqua County Law Department, 3 North Erie Street, Mayville, N.Y. 14757 or the property owner at the address stated in the appeal.

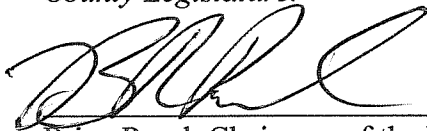
## **SECTION VI – Severability**

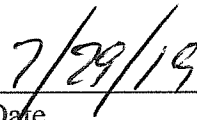
If any clause, sentence, paragraph, word, subdivision, section, or other part of this resolution shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall be confined to its operation to the clause, sentence, paragraph, subdivision, section, or other part thereof, directly involved in the controversy in which such judgment or order shall have been rendered, and to this end the provisions of each section of this Resolution are hereby declared to be severable.

**SECTION VII – Effective Date**

This Resolution shall be effective October 1, 2019.

*I, Brian Purol, Chairman of the Board of the North County Industrial Water District No. 1 (District), such Board being the Administrative Body of the District as established by the County Legislature, certify that the above rates were determined by the District Board, conveyed to District customers via mail, read aloud at a duly publicized Public Hearing, and subsequently approved by the Board as rates to be recommended to the County Legislature.*

  
\_\_\_\_\_  
Brian Purol, Chairman of the Board

  
\_\_\_\_\_  
Date

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

<b>BPB - 8/2/19</b>
<b>KMW 8.5.19</b>
<b>SMA 8/5/19</b>
<b>KMD 8/6/19</b>
<b>KLC 8/7/19</b>
<b>GMB 8/12/19</b>

**TITLE:** Adjust D.5112 Capital Improvement Accounts

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

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

WHEREAS, Chautauqua County’s transportation system, which includes roads and bridges, is essential to everyone and contributes to economic development, job creation and quality of life; and

WHEREAS, proper maintenance and funding are essential to keeping our roads and bridges in good repair; and

WHEREAS, New York State has recognized the need for additional funds due to extreme winter weather and it has appropriated additional funds under the Extreme Weather Recovery (EWR) program in the amount of \$547,296.36; and

WHEREAS, the County’s budget should be amended to conform to these adjustments to funding; now therefore be it

RESOLVED, That the County Executive be and hereby is authorized to execute a New York State contract and other documents necessary for the County’s receipt of such funds; and be it further

RESOLVED, That D Fund Balance is appropriated as follows:

DECREASE THE USE OF FUND BALANCE:

D.---.---.915.0000	Unassigned Fund Balance—	
	Assigned/Unappropriated Fund Balance	\$547,296

; and be it further

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

INCREASE REVENUE ACCOUNT:

D.5112.----.R350.EWR	New York State Aid--Extreme Weather Recovery	\$547,296
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**APPROVED**

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**VETOES (VETO MESSAGE ATTACHED)**

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

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

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

BPB 8/2/19
KMW 8.5.19
SMA 8/5/19
KMD 8/6/19
KLC 8/7/19
GMB 8/12/19

**TITLE:** Amend Capital Project Accounts due to Fleet Management Services

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

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

WHEREAS, Chautauqua County approved an appropriation of \$2.5 million for Capital Project H.5130.626 (DPF Large Equipment (Annual)) in the 2019 Capital Budget; and

WHEREAS, a portion of this appropriation was intended for the purchase of light duty vehicles and/or trucks; and

WHEREAS, the County recently entered into an agreement for fleet management services whereby it is financially advantageous to lease light duty vehicles and trucks instead of purchasing them; and

WHEREAS, lease expense is an operating expense instead of a capital expense; now therefore be it

RESOLVED, That the Reserve for Capital and the DM Fund Balance be adjusted as follows:

DECREASE THE USE OF FUND BALANCE:

A.----.----.878.0000	Fund Balance – Reserve for Capital	\$300,000
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INCREASE THE USE OF FUND BALANCE:

DM.----.----.915.0000	Fund Balance—	
	Assigned/Unappropriated Fund Balance	\$ 20,000

; and be it further

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

DECREASE APPROPRIATION ACCOUNT:

A.9950.----.9	Interfund Transfers – Transfer to Capital	\$300,000
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INCREASE APPROPRIATION ACCOUNT:

DM.5130.----.4	Contractual—Road Machinery	\$ 20,000
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DECREASE CAPITAL REVENUE ACCOUNT:

H.5130.626.R503.1000	Interfund Transfer – Interfund Transfer	\$300,000
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INCREASE CAPITAL REVENUE ACCOUNT:

H.5130.626.R266.5000	Sale of Property/Compensa—	
	Sale of Equipment	\$ 50,000

DECREASE CAPITAL APPROPRIATION ACCOUNT:

H.5130.626.4	Contractual—Road Machinery,	
	DPF Large Equipment (Annual)	\$250,000

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**APPROVED**

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**VETOES (VETO MESSAGE ATTACHED)**

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**County Executive**

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

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

<b>BPB - 8/2/19</b>
<b>KMW 8.5.19</b>
<b>SMA 8/5/19</b>
<b>KMD 8/6/19</b>
<b>KLC 8/7/19</b>
<b>GMB 8/12/19</b>

**TITLE:** Amend Resolution 99-19 - (Authorize Director of Finance to Increase Appropriations for PIN 5762.12 County Bridge 998 Replacement)

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

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

WHEREAS, the replacement of County Bridge 998, PIN 5762.12 (the Project) is eligible for funding under Title 23 U.S. Code, as amended; and

WHEREAS, the Chautauqua County Legislature approved this Project and approved Project funding in the amount of \$2,002,000 to be borne at the ratio of 95% Federal funds and 5% County funds via Resolutions 134-17 and 99-19; and

WHEREAS, the total cost of the Project is now estimated to be \$2,000,000, of which \$1,900,000 is to be paid by Federal funds and \$100,000 is to be paid by County funds; and

WHEREAS, the decreased Project costs were approved by NYSDOT after execution of previous Supplemental Agreement No. 2 and after Project bids were opened; and

WHEREAS, the State has adjusted the time for Project commencement and completion; now therefore be it

RESOLVED, That the County Legislature of the County of Chautauqua hereby approves the Project, as amended; and be it further

RESOLVED, That the third Resolved clause of Resolution 99-19 be amended to state that Chautauqua County agrees that construction of the Project shall begin no later than eighteen (18) months after award, and that the construction phase of the Project shall be completed within thirty-six (36) months; and be it further

RESOLVED, That Resolution 99-19 be amended to authorize and direct the Director of Finance to make the following *additional* changes to the 2019 budget:

DECREASE CAPITAL APPROPRIATION ACCOUNT:

D.5112.389.4 Contractual – Capital Improvements, County Bridge Programs (Funded)	\$2,000
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INCREASE CAPITAL APPROPRIATION ACCOUNT:

D.5112.390.4 Contractual – Capital Improvements, County Bridge Program	\$ 100
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DECREASE CAPITAL REVENUE ACCOUNT:

D.5112.389.R458.9002 Federal Aid – Surface Transp Program	\$1,900
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; and be it further

RESOLVED, That the remaining Resolved clauses in Resolution 99-19 be reaffirmed; and be it further

RESOLVED, That a certified copy of this Resolution Amendment be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project; and be it further

RESOLVED, That this Amendment shall take effect immediately.

**APPROVED**

**VETOES (VETO MESSAGE ATTACHED)**

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

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

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

<b>BPB 7/2/19 ABC 7/2/19 KMD 7/3/19 GMB 7/3/19 KLC 7/5/19</b>
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**TITLE:** Acceptance of Funds from NYSDOT for the Rehabilitate Hangar C (NYSDOT/Aviation Grant Program) at the Chautauqua County/Jamestown Airport

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

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

WHEREAS, Chautauqua County submitted to the New York State Department of Transportation (NYSDOT) a project application and received a grant from the NYSDOT to pay 84% of the allowable costs incurred in accomplishing the following project at the Chautauqua County/Jamestown Airport: Rehabilitate Hangar C (NYSDOT/Aviation Grant Program), Project No. 5903.56 (herein referred to as the "Project"); and

WHEREAS, pursuant to Resolution 11-19, Chautauqua County approved the Project as part of the five-year Airport Capital Improvement Plan ("ACIP") and approved submission of an application for NYSDOT grant funds for the Rehabilitate Hangar C (NYSDOT/Aviation Grant Program); and

WHEREAS, the NYSDOT has approved the Project for the Chautauqua County/Jamestown Airport consisting of the Refurbishment of Hangar C, which is more fully described in the Project agreement; and

WHEREAS, the NYSDOT is offering a grant for 84% of the of the eligible costs; and

WHEREAS, funding shares for the Project are as follows:

State	\$ 902,240
Local	\$ <u>171,960</u>
Total Project Costs	\$ 1,074,200

; and

WHEREAS, some of the local share contribution can be in the form of in-kind services; and

WHEREAS, the Airport Commission has considered and recommended that the County accept this funding as the Project is necessary to sustain aircraft basing at the Chautauqua County/Jamestown Airport; therefore be it

RESOLVED, That Chautauqua County enter into agreements with the NYSDOT for financial assistance for the Project at the Chautauqua County/Jamestown Airport described above; and be it further

RESOLVED, That the County Executive is hereby authorized to execute all necessary documents on behalf of Chautauqua County with the NYSDOT in connection with this Project; and be it further

RESOLVED, That a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary documents in connection with this Project; and be it further

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

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

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County Executive

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Date

INCREASE THE USE OF FUND BALANCE:

A.----.----.878.0000 Fund Balance, Reserve for Capital \$ 171,960

; and be it further

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

INCREASE APPROPRIATION ACCOUNT:

A.9950.----.9 Interfund Transfer—Interfund Transfers \$ 171,960

ESTABLISH AND INCREASE APPROPRIATION ACCOUNT:

H.5610.25164.4 Contractual—Hangar C – JHW (2019) \$1,074,200

ESTABLISH AND INCREASE REVENUE ACCOUNTS:

H.5610.25164.R503.1000 Interfund Transfer – Interfund Transfer \$ 171,960

H.5610.25164.R359.7001 NYS Aid – Airport Capital Grants \$ 902,240

Total \$1,074,200

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**APPROVED**

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**VETOES (VETO MESSAGE ATTACHED)**

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

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