

CHAUTAUQUA COUNTY LEGISLATURE

11/28/18

Chautauqua County Legislature

6:30 P.M.

CALL TO ORDER

ROLL CALL

PRAYER BY LEGISLATOR CHAGNON

PLEDGE OF ALLEGIANCE

APPROVAL OF THE MINUTES FOR 10/24/18

PRIVILEGE OF THE FLOOR

(Members of the public may speak on any subject relating to any local law, resolution, or motion appearing on the agenda.

An individual is limited to 3 minutes and a person representing a group shall be limited to 5 minutes)

VETO MESSAGES FROM COUNTY EXECUTIVE BORRELLO

NO VETOES FROM 10/24/18

COMMENDATIONS:

JAMESTOWN MARCHING BAND

By

LEGISLATORS

WHITFORD, NAZZARO, RANKIN, WILFONG, VANSTROM

AWARD FOR EXCELLENCE

By

SHERIFF GERACE

For

**DEPUTY ADAM MCDOO
DISPATCHER STEVEN JAGODA**

COMMUNICATIONS:

1. Letter – Co. Executive – Appmt. to Chaut. County Land Bank Board
 2. Letter – R. McDonald – Resignation from Chautauqua Lake Sewer Board
 3. Report – Small Business Development Center – Quarterly (7/1-9/20/18)
 4. Letter – Depart. of Public Service–Re: Winter Outreach & Education Prgm.
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RENEW & AMEND RES. NO. 193-18 – Authorize Lease of Cage and Office Space at 201-209 East Fourth Street, Jamestown for the Chautauqua County Sheriff

CHAUTAUQUA COUNTY LEGISLATURE

11/28/18

TABLED RES. NO. 229-18 - Acceptance of Funds from NYSDOT for the Hangar J Door Replacement Design and Construction Project at the Chautauqua County Jamestown Airport

LOCAL LAW INTRO. 9-18 – Amending Local Law 6-01 Regarding Budget Procedures After Issuance of Annual Tentative Budget

RESOLUTIONS:

- 248-18 Confirm Apptmt. – North Chautauqua Lake Sewer District Board**
 - 249-18 Confirm Apptmt. - Chautauqua County Land Bank Bd. of Directors**
 - 250-18 Amend 2018 Budget – North Chautauqua Water District**
 - 251-18 Amend 2018 Budget Appropriations – South & Center Chautauqua Lake Sewer District**
 - 252-18 Approving SEQRA Findings for the Dale Drive Shoulder Expansion Project**
 - 253-18 Amend 2018 Budget for Landfill Gas Well Maintenance**
 - 254-18 Distribution of Mortgage Taxes**
 - 255-18 Approving Consolidation of Vital Statistics Registrar Between Town of Sherman and Village of Sherman**
 - 256-18 Requesting State Legislature to Permit up to Four (4) Assistant District Attorneys to Reside in Adjoining Counties**
 - 257-18 Authorize Execution of Lease Agreement w/ Federal Bureau of Investigation For Tower Space**
 - 258-18 Authorize Agreement w/ Brocton Central School District for School Resource Officer**
 - 259-18 Authorize Agreement w/ Cattaraugus County for Inmate Housing**
 - 260-18 Amend 2018 Budget for Office of the Sheriff**
 - 261-18 Amend 2018 Budget Appropriations and Revenue Associated with Juvenile Services Team (JST)**
 - 262-18 Amend 2018 Budget for SNAP High Performance Bonus Award Allocation**
 - 263-18 Allocation of 2% Occupancy Tax Funding from the 2018 Reserve Account for Cleanup of Burtis Bay on Chautauqua Lake**
 - 264-18 Quit Claim Deed**
 - 265-18 Making Appropriations for the Conduct of County Government for Fiscal Year 2019**
 - 266-18 Authorize Tax Levy**
 - 267-18 Authorize Levy of Town Taxes**
 - 268-18 Authorize Levy of Unpaid Town Charges**
 - 269-18 Authorize Levy of Omitted Taxes**
 - 270-18 Authorize Tax Levy - North Chautauqua Lake Sewer District**
 - 271-18 Authorize Tax Levy – Portland-Pomfret-Dunkirk Sewer District**
 - 272-18 Authorize Levy of Unpaid Sewer User Charges & Civil Penalties – North, South & Center Chautauqua Lake and Portland-Pomfret-Dunkirk Sewer Districts**
 - 273-18 Fixing Equalization Rates for 2019**
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ANNOUNCEMENTS

PRIVILEGE OF THE FLOOR

(A member of the Legislature or the public may speak on any subject.

An individual is limited to 3 minutes and a person representing a group shall be limited to 5 minutes)

CHAUTAUQUA COUNTY
RESOLUTION NO. 193-18

JAG 8/7/2018
KDG 8/8/18
SMA 8/8/18
KMD 8/8/18
GMB 8/9/18

TITLE: Authorize Lease of Cage and Office Space at 201-209 East Fourth Street, Jamestown for the Chautauqua County Sheriff

BY: Public Safety and Audit & Control Committees:

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

WHEREAS, Chautauqua County is in need of office and electronics cage space for a County-operated 911 call center backup center; and

WHEREAS, office and cage space located at 201-209 East Fourth Street, Jamestown is available and suitable for use by the County Sheriff's Office; therefore be it

RESOLVED, That the County Executive is authorized and hereby empowered to execute a lease agreement with Windstream New York, Inc. for such office and cage space on substantially the following terms and conditions:

1. Premises: Approximately 36 square feet of cage space and approximately 1,620 square feet of office space at 201-209 East Fourth Street, Jamestown, N.Y.

2. Term: ^{October} September 1, 2018 to ^{December 31, 2023} February 29, 2024.

3. Rent:

	Monthly Rent	Annual Payment	Total for Lease Period
Months 1-24:	\$ 500.00	\$ 6,000.00	\$ 12,000.00
Months 25-48:	\$ 600.00	\$ 7,200.00	\$ 14,400.00
Months 49-66:	\$ 650.00	\$ 7,800.00	\$ 11,700.00
Total Over Term:			\$ 38,100.00

*9,750.⁰⁰
*35,500.⁰⁰

4. Other: As negotiated by the County Executive.

Terry Mehel *George M. Borrello*

Paul W. Whitford

Jim W. Babel

Rosa Ventron

Dawn Arma

Chief [Signature]

[Signature]

APPROVED
 VETOES (VETO MESSAGE ATTACHED)

George M. Borrello 8/23/18
County Executive Date

CHAUTAUQUA COUNTY
RESOLUTION NO. 229-18

BPB - 9/27/18
ABC 9/27/18
SMA 10/2/18
KMD 10/2/18
KLC 10/3/18
GMB 10/5/18

TITLE: Acceptance of Funds from NYSDOT for the Hangar J Door Replacement Design and Construction Project 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 90% of the allowable costs incurred in accomplishing the following project at the Chautauqua County/Jamestown Airport: Hangar Door Replacement Project No. 5903.55 ("Project"); and

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

WHEREAS, the New York State Department of Transportation ("NYSDOT") is offering a grant for 90% of the of the eligible costs; and

WHEREAS, funding shares for the Project are as follows:

State	\$ 271,800
Local	\$ <u>30,200</u>
Total Project Costs	\$ 302,000

; and

WHEREAS, the Airport Commission has considered and recommended that the County accept this funding as the Project is crucial for the operation of the Airport; therefore be it

RESOLVED, That Chautauqua County enter into agreements with the NYSDOT for financial assistance for the Project described above at the Chautauqua County/Jamestown Airport; 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 A Fund Balance is appropriated as follows:

INCREASE THE USE OF FUND BALANCE:

A.-----878.0000 Fund Balance, Reserved Fund Balance—Reserve for Capital \$ 30,200

; and be it further

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2018 Capital Budget:

John W. Henner
Chief of Staff
Paul M. [unclear]
Frank J. [unclear]

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive Date

Tabled in AC 10/18/18
Legislature - Amended
10/24/18 - To Board

INCREASE APPROPRIATION ACCOUNT:

A.9950.-----9 Interfund Transfer—Transfer to Capital \$ 30,200

ESTABLISH AND INCREASE CAPITAL APPROPRIATION ACCOUNT:

H.5610.5610.25009.4 Contractual— Hangar Door-JHW (2018) \$ ~~30,200~~
* 302,000

ESTABLISH AND INCREASE CAPITAL REVENUE ACCOUNTS:

H.5610.5610.25009.R503.1000 Interfund Transfer – Interfund Transfer \$ 30,200

H.5610.5610.25009.R359.7001 NYS Aid – Airport Capital Grants \$ 271,800

Total \$ 302,000

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

LOCAL LAW
INTRODUCTORY NUMBER 9-18
CHAUTAUQUA COUNTY

A LOCAL LAW AMENDING LOCAL LAW 6-01 REGARDING BUDGET PROCEDURES
AFTER ISSUANCE OF ANNUAL TENTATIVE BUDGET

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

1. Amendment. Local Law 6-01 of the County of Chautauqua, as amended by Local Law 3-03, Local Law 2-04, and Local 3-04 of the County of Chautauqua, is hereby further amended in Section 3 to read as follows:

Section 3. Public Hearing

The date and time of the public hearing on the tentative budget shall be ~~2:00 p.m. and~~ 6:30 p.m. on the fourth Wednesday of October, at which time any person may be heard for or against recommendations made by the County Executive or any other comments relevant to the tentative budget.

2. Effective Date. This Local Law shall become effective upon filing with the Secretary of State.

Sponsors: Legislators Scudder, Chagnon and Nazzaro

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RES. NO. 248-18

Confirm Appointment – North Chautauqua Lake Sewer District Board

By Public Facilities Committee:

At the Request of Chairman Paul M. Wendel:

WHEREAS, the North Chautauqua Lake Sewer District was established as a County Sewer District by Resolution 86-75, as amended, and Resolution 37-76; and

WHEREAS, Pursuant to County Resolution 38-76 and County Law §261 the District is administered by a board consisting of seven members appointed by the County Legislature, who serve six year terms; and

WHEREAS, Ronald R. McDonald, appointed to the District Board by Resolution 126-13, has resigned from the Board, and the District Board recommends Chris Ames to fill his vacancy and to serve a subsequent six year term; now, therefore, be it

RESOLVED, That the Chautauqua County Legislature appoints the following to the North Chautauqua Lake Sewer District Board:

Chris J. Ames

Replacing Ron McDonald

5624 Sherman-Mayville Rd.

Mayville, N.Y. 14757

Term Expires: 12/31/24

Signed: Hemmer, Nazzaro, Scudder, Wilfong, Gould

RES. NO. 249-18

Confirm Appointment - Chautauqua County Land Bank Board of Directors

By Planning & Economic Development Committee:

At the Request of County Executive George M. Borrello:

WHEREAS, County Executive, George M. Borrello has submitted the following appointment to the Chautauqua County Legislature for action; now therefore be it

RESOLVED, That the Chautauqua County Legislature hereby confirms the following appointment to the Chautauqua County Land Bank Board of Directors.

New Appointment:

Louis Drago Jr.

9 Brook St.

Lakewood, N.Y. 14750

Term Expires: 3/31/20

Signed: Odell, O'Connell, Chagnon, Starks

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RES. NO. 250-18

Amend 2018 Budget – North Chautauqua Water District

By Public Facilities and Audit & Control Committee:

At the Request of County Executive George M. Borrello:

WHEREAS, pursuant to Resolutions 39-16, 81-16, 175-16, and 231-17, the Chautauqua County Legislature established the North Chautauqua County Water District (the “District”), to comprise an area in Chautauqua County consisting of parts of the towns of Portland, Pomfret, Sheridan and Hanover and all of the town of Dunkirk, authorized bonding and in a maximum amount of \$11,750,000 for the cost of the initial capital improvements for the District, and established a capital budget of \$11,750,000; and

WHEREAS, the District is now operational and is generating revenue and incurring expenditures, and operating revenues and expenditures for the District were not included in the 2018 Adopted Budget; now therefore be it

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2018 budget:

ESTABLISH AND INCREASE APPROPRIATION ACCOUNT:

EWN.8310.----.4 Contractual—Water District \$214,000

ESTABLISH AND INCREASE REVENUE ACCOUNT:

EWN.8310.----.R214.4000 Departmental Income—Chrgs: Water \$214,000
Signed: Hemmer, Nazzaro, Scudder, Wilfong, Gould, Chagnon, Muldowney, Niebel

RES. NO. 251-18

Amend 2018 Budget Appropriations – South & Center Chautauqua Lake Sewer District (S&CCLSD)

By Public Facilities & Audit & Control Committees:

At the Request of County Executive George M. Borrello:

WHEREAS, some South & Center Chautauqua Lake Sewer District (S&CCLSD) expenses have exceeded initial budgetary estimates, as well as some appropriations have a surplus; therefore be it

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2018 budget:

INCREASE APPROPRIATION ACCOUNTS:

ESS.8130.----.1 Personal Services—Sewage Treatment \$45,000
ESS.8130.----.8 Employee Benefits—Sewage Treatment \$47,000
Total \$92,000

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DECREASE APPROPRIATION ACCOUNTS:

ESS.8120.----.4	Contractual—Sanitary Sewers	\$45,000
ESS.8130.----.4	Contractual—Sewage Treatment	<u>\$47,000</u>
	Total	\$92,000

Signed: Hemmer, Nazzaro, Scudder, Wilfong, Gould, Chagnon, Muldowney, Niebel

RES. NO. 252-18

Approving SEQRA Findings for the Dale Drive Shoulder Expansion Project

By Public Facilities and Planning & Economic Development:

At the Request of County Executive George M. Borrello:

WHEREAS, the County's Department of Public Facilities (DPF) proposes to reconstruct the existing 4-ft gravel shoulders with asphalt pavement to improve pedestrian and bicycle travel along County Road 48 in the Village of Cassadaga; and

WHEREAS, pursuant to Resolution No. 164-17, DPF was authorized to proceed with the Dale Drive Shoulder Expansion Project; and

WHEREAS, pursuant to Resolution No. 203-17, Chautauqua County entered into an agreement with the New York State Department of Transportation for the Preliminary Engineering (Design I-IV) phase for the Dale Drive Shoulder Expansion Project, PIN 5762.26, County Agreement number (17-25-28); and

WHEREAS, the DPF has completed the project design report and reviewed the project consistent with the New York State Environmental Quality Review Act (hereinafter "SEQRA"), and applicable state regulations; and

WHEREAS, DPF has determined the project to be an Unlisted action as defined by 6 NYCRR 617.2, such that the significance of the environmental impact of the project must be determined in accordance with 6 NYCRR 617.7; and

WHEREAS, pursuant to 6 NYCRR Part 617, the Chautauqua County Legislature, as lead agency, must evaluate the environmental impact of this action; and

WHEREAS, DPF prepared a Short Environmental Assessment Form ("SEAF"), as is required by the County for projects classified as Unlisted actions, and found the probability of any adverse impact to be very low; and

WHEREAS, this Legislature has reviewed the SEAF and supporting documentation, copies of which are attached; therefore be it

RESOLVED, in consideration of the SEAF, and having considered the facts and conclusions relied on to meet the requirements of 6 NYCRR Part 617, the Chautauqua County Legislature hereby finds in accordance with Article 8 of New York State Environmental Conservation Law that:

- 1) the requirements of 6 NYCRR Part 617 have been met; and
- 2) implementation of the proposed action will not result in any significant adverse environmental impacts; and be it further

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RESOLVED, That the County Executive be and hereby is authorized to execute a “Negative Declaration” for the proposed action.

Signed: Hemmer, Nazzaro, Scudder, Wilfong, Gould, Odell, O’Connell, Starks, Chagnon

RES. NO. 253-18

Amend 2018 Budget for Landfill Gas Well Maintenance

By Public Facilities and Audit & Control Committees:

At the Request of County Executive George M. Borrello:

WHEREAS, pursuant to Resolution No. 107-18, the accounting treatment of gas well maintenance was reevaluated, and the associated expenditures were classified as operating rather than capital expenditures; and

WHEREAS, it has now been determined that the original treatment of gas well maintenance as a capital project was correct; and

WHEREAS, the expenditures for gas well maintenance are identified as Alternative A1 on the bid for Landfill Phase IV Construction, and are anticipated to be \$380,893; now therefore be it

RESOLVED, That Landfill--Environment Fund Balance is adjusted as follows:

DECREASE THE USE OF FUND BALANCE:

EL.----.----.889.METHFund Balance – Misc Res: Gas Well Maintenance \$380,893
; and be it further

RESOLVED, That the Director of Finance is authorized make the following changes to the 2018 Budget:

DECREASE APPROPRIATION ACCOUNT:

EL.8160.1000.4 Contractual—Environment-Landfill \$380,893

INCREASE APPROPRIATION ACCOUNT:

EL.8160.025.4 Contractual—Environment-
Phase IV Construction (2007) \$380,893

Signed: Hemmer, Nazzaro, Scudder, Wilfong, Gould, Chagnon, Muldowney, Niebel

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RES. NO. 254-18

Distribution of Mortgage Taxes

By Administrative Services and Audit & Control Committees:

At the Request of County Executive George M. Borrello:

RESOLVED, That the Clerk of the County Legislature of Chautauqua County be and hereby is authorized and directed to compute the amount of Mortgage Tax Monies due the various municipalities under Section 261 of the Tax Law and to draw the warrant or order on the Director of Finance for the distribution to said municipalities of all monies due pursuant to said act and to do all things required to be done by the Board of Legislators as required by Law:

April 1, 2018 through September 30, 2018

TOWNS		CITIES	
Arkwright	6,631.85	Dunkirk	27,049.47
Busti	53,662.43	Jamestown	99,807.77
Carroll	12,727.63		
Charlotte	4,091.47	TOTAL	\$126,857.24
Chautauqua	47,866.61		
Cherry Creek	3,469.79		
Clymer	10,698.60	VILLAGES	
Dunkirk	4,224.73		
Ellery	72,918.49	Bemus Point	4,889.49
Ellicott	33,135.77	Brocton	1,562.10
Ellington	8,989.69	Cassadaga	966.73
French Creek	12,591.83	Celoron	2,185.77
Gerry	8,956.07	Falconer	3,855.39
Hanover	33,618.94	Fredonia	25,479.51
Harmony	18,766.22	Lakewood	16,069.80
Kiantone	5,217.92	Mayville	3,755.63
Mina	12,895.28	Panama	2,234.39
North Harmony	19,870.39	Sherman	965.23
Poland	7,211.16	Silver Creek	3,886.92
Pomfret	49,534.99	Sinclairville	859.99
Portland	17,067.00	Westfield	6,408.16
Ripley	7,347.93		
Sheridan	10,179.33		
Sherman	5,424.55		
Stockton	5,352.26	TOTAL	\$73,119.11
Villanova	8,247.49		
Westfield	17,313.67		
TOTAL	\$498,012.09		

GRAND TOTAL **\$697,988.44**

Signed: Scudder, Nazzaro, Davis, Muldowney, Starks, Himelein, Niebel, Chagnon

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RES. NO. 255-18

Approving Consolidation of Vital Statistics Registrar Districts Between Town of Sherman and Village of Sherman

By Administrative Services Committee:

At the Request of County Executive George M. Borrello:

WHEREAS, the Town of Sherman adopted a resolution on August 3, 2017 approving the consolidation of the Town of Sherman and the Village of Sherman into one primary Vital Statistics Registration District; and

WHEREAS, the Village of Sherman also adopted a resolution on September 6, 2017 approving the consolidation; and

WHEREAS, Section 4120 of the Public Health Law requires the approval of the legislative body of the county where such vital statistics districts are located; now therefore be it

RESOLVED, That the Chautauqua County Legislature hereby approves the consolidation of the Town of Sherman and the Village of Sherman Vital Statistics Registration Districts into one District (672); and be it further

RESOLVED, That certified copies be forwarded to the Town of Sherman and the Village of Sherman.

Signed: Scudder, Davis, Muldowney, Starks, Himelein

RES. NO. 256-18

Requesting State Legislature to Permit up to Four (4) Assistant District Attorneys to Reside in Adjoining Counties

By Administrative Services and Public Safety Committees:

At the Request of County Executive George M. Borrello:

WHEREAS, the office of the Assistant District Attorney is a critical position in the Chautauqua County District Attorney's office, and the District Attorney has advised there has been difficulty in recruiting qualified individuals to fill vacancies in the office of Assistant District Attorney; and

WHEREAS, the District Attorney would in the future like the opportunity to draw from as large a pool of potential applicants as possible when filling the office of Assistant District Attorney; and

WHEREAS, in order for an Assistant District Attorney to reside in an adjoining county, the New York State Legislature must amend Section 3 of New York Public Officers Law; and

WHEREAS, the State Legislature has previously authorized the counties of Westchester, Yates, Madison, Montgomery, Putnam, Fulton, Essex, Wyoming, Sullivan, and Oswego to hire Assistant District Attorneys who reside in adjoining counties; now therefore be it

RESOLVED, That the Chautauqua County Legislature requests the New York State Legislature to adopt legislation amending Section 3 of New York Public Officers Law to permit

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the County of Chautauqua to have up to four (4) Assistant District Attorneys who reside in adjoining New York counties, provided, however, that the Chief Assistant District Attorney shall remain required to be a resident of Chautauqua County; and be it further

RESOLVED, That the Clerk of the County Legislature is authorized and directed to send copies of this resolution to State Senator Catharine Young and Assemblyman Andrew Goodell.

Signed: Scudder, Davis, Muldowney, Starks (Tabled in P.S.)

RES. NO. 257-18

Authorize Execution of Lease Agreement with Federal Bureau of Investigation for Tower Space

By Public Safety and Audit & Control Committees:

At the Request of County Executive George M. Borrello:

WHEREAS, the Federal Bureau of Investigation desires to renew an agreement with the County of Chautauqua to operate and maintain various communications equipment and an antenna at the County-owned tower located on Dutch Hollow Road in the Town of Ellery, New York; and

WHEREAS, there is sufficient space at the County-owned tower to accommodate the communications equipment of the Federal Bureau of Investigation and such tower space is not needed for County purposes, and use of such tower space engenders no additional cost to the County; and

WHEREAS, the parties have agreed to a lease renewal with a one (1) year term and which may be extended for up to four (4) additional one (1) year terms; and

WHEREAS, this revenue is included in the 2018 and 2019 budgets; now therefore be it

RESOLVED, That the County Executive is hereby authorized and empowered to execute the renewed lease agreement with the Federal Bureau of Investigation granting the right to maintain an antenna and communications equipment at the County-owned tower located on Dutch Hollow Road in the Town of Ellery.

Signed: Niebel, Vanstrom, Bankoski, Pavlock, Whitford, Chagnon, Nazzaro, Gould, Muldowney

RES. NO. 258-18

Authorize Agreement with Brocton Central School District for School Resource Officer

By Public Safety and Audit & Control Committees:

At the Request of County Executive George M. Borrello:

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WHEREAS, the Brocton Central School District has requested the Chautauqua County Office of the Sheriff provide a School Resource Officer during the term of November 1, 2018 through June 30, 2020; and

WHEREAS, the Chautauqua County Office of the Sheriff has negotiated a tentative agreement with Brocton Central School District to provide a certified School Resource Officer for the 2018-2019 and 2019-2020 school years at a total cost of \$129,678.23; and

WHEREAS, the County will not incur any local share expense for this position; now therefore be it

RESOLVED, That the County Executive is hereby authorized and empowered to execute an agreement with Brocton Central School District for the purpose of providing a School Resource Officer for the 2018-2019 and 2019-2020 school years as set forth above; and be it further

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2018 budget:

INCREASE APPROPRIATION ACCOUNTS:

A.3110.----.1 Personal Services – Sheriff	\$ 8,755
A.3110.----.8 Employee Benefits – Sheriff	<u>\$ 4,213</u>
Total	\$12,968

INCREASE REVENUE ACCOUNT:

A.3110.----.R226.0000 Shared Services – Chrgs: Oth Gov-Pub Safety	\$12,968
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; 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 ACCOUNTS:

A.3110.----.1 Personal Services – Sheriff	\$52,527
A.3110.----.8 Employee Benefits – Sheriff	<u>\$25,280</u>
Total	\$77,807

INCREASE REVENUE ACCOUNT:

A.3110.----.R226.0000 Shared Services – Chrgs: Oth Gov-Pub Safety	\$77,807
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Signed: Niebel, Vanstrom, Bankoski, Pavlock, Whitford, Chagnon, Nazzaro, Gould, Muldowney

RES. NO. 259-18

Authorize Agreement with Cattaraugus County for Inmate Housing

By Public Safety and Audit & Control Committees:
At the Request of County Executive George M. Borrello:

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WHEREAS, on occasion, the Cattaraugus County Jail has a need to relocate inmates to other jail facilities; and

WHEREAS, the Office of the Sheriff has negotiated a tentative agreement with Cattaraugus County to house inmates at the Chautauqua County Jail at a current rate of \$50 per day, per inmate; and

WHEREAS, the Cattaraugus County Jail shall assume all medical costs for the inmates boarded in the Chautauqua County Jail; now therefore be it

RESOLVED, That the County Executive is authorized and empowered to execute an agreement with Cattaraugus County for the housing of inmates as set forth above with revenues to be credited to account A.3150.----.R226.0000.

Signed: Niebel, Vanstrom, Bankoski, Pavlock, Whitford, Chagnon, Nazzaro, Muldowney, Gould

RES. NO. 260-18

Amend 2018 Budget for Office of the Sheriff

By Public Safety and Audit & Control Committees:

At the Request of County Executive George M. Borrello:

WHEREAS, some Office of the Sheriff expenses have exceeded initial budgetary estimates, as well as some appropriations have a surplus; therefore be it

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2018 budget:

INCREASE APPROPRIATION ACCOUNTS:

A.3020.E911.4	Contractual – E911	\$4,472
A.3110.3114.8	Employee Benefits – Pistol Permit	<u>\$7,885</u>
		\$12,357

DECREASE APPROPRIATION ACCOUNT:

A.3110.----.1	Personal Services – Sheriff	\$12,357
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Signed: Niebel, Gould, Vanstrom, Bankoski, Pavlock, Whitford, Chagnon, Nazzaro, Muldowney

CHAUTAUQUA COUNTY LEGISLATURE

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RES. NO. 261-18

Amend 2018 Budget Appropriations and Revenues Associated with Juvenile Services Team (JST)

By Public Safety, Human Services and Audit & Control Committees:

At the Request of County Executive George M. Borrello:

WHEREAS, the Department of Probation and the Department of Health and Human Services expected to execute a Memorandum of Understanding (MOU) regarding their implementation of a county-wide, co-located Juvenile Services Team (JST); and

WHEREAS, the MOU was not approved by New York State so the JST program will not be implemented as planned, and the expected revenues will not be realized; and

WHEREAS, pursuant to Resolution No. 143-18, budgeted appropriations and revenues associated with the JST were amended and those amendments now need to be reversed; now therefore be it

RESOLVED, That A Fund Balance is appropriated as follows:

INCREASE THE USE OF FUND BALANCE:

A.----.----.917.0000	Unassigned Fund Balance	\$201,600
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; and be it further

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2018 Budget:

DECREASE APPROPRIATION ACCOUNTS:

A.6010.----.1	Personal Services—Social Services Admin	\$197,381
A.6010.----.8	Employee Benefits—Social Services Admin	<u>\$106,465</u>
	Total	\$303,846

INCREASE APPROPRIATION ACCOUNTS:

A.3140.----.1	Personal Services—Probation	\$197,381
A.3140.----.8	Employee Benefits— Probation	<u>\$106,465</u>
	Total	\$303,846

DECREASE REVENUE ACCOUNTS:

A.6010.----.R361.0000	New York State Aid—Social Services Admin	\$ 38,100
A.6010.----.R461.0000	Federal Aid—Social Services Admin	<u>\$163,500</u>
	Total	\$201,600

Signed: Niebel, Vanstrom, Bankoski, Pavlock. Whitford, Wilfong, O'Connell, Chagnon, Nazzaro, Muldowney, Gould

CHAUTAUQUA COUNTY LEGISLATURE

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RES. NO. 262-18

Amend 2018 Budget for SNAP High Performance Bonus Award Allocation

By Human Services and Audit & Control Committees:

At the Request of County Executive George M. Borrello:

WHEREAS, The New York State Office of Temporary and Disability Assistance (OTDA) has approved the Chautauqua County Department of Health and Human Services' (DHHS) plan for utilization of its Supplemental Nutrition Assistance Program (SNAP) High Performance Bonus Award Allocation for the period of April 1, 2018 through September 30, 2019 in the amount of \$72,042; and

WHEREAS, costs associated with SNAP bonus activities will be funded at 50% by Federal funds and 50% by the SNAP High Performance Bonus Award; and

WHEREAS, the SNAP High Performance Bonus Award and non-payroll costs associated with the SNAP High Performance Bonus Award were not included in the 2018 Budget; and

WHEREAS, Federal SNAP funding that will be available for non-payroll costs associated with the SNAP High Performance Bonus Award was not included in the 2018 Budget; and

WHEREAS, the 2018 Budget must be adjusted to include these awarded funds and related expenditures; now, therefore be it

RESOLVED, That A Fund Balance is appropriated as follows:

DECREASE THE USE OF FUND BALANCE:

A.----.----.917.0000 Unassigned Fund Balance—Unassigned Fund Balance \$51,995

; and be it further

RESOLVED, That the Director of Finance is authorized and directed to make the following changes to the 2018 Budget:

INCREASE APPROPRIATION ACCOUNT:

A.6010.----.4 Contractual- Social Services Admin \$40,093

INCREASE REVENUE ACCOUNT:

A.6010.----.R461.0000 Federal Aid - Social Services Admin \$92,088

Signed: Wilfong, O'Connell, Pavlock, Whitford, Chagnon, Nazzaro, Muldowney, Niebel, Gould

CHAUTAUQUA COUNTY LEGISLATURE

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RES. NO. 263-18

Allocation of 2% Occupancy Tax Funding from the 2018 Reserve Account for Cleanup of Burtis Bay on Chautauqua Lake

At the Request of County Executive George M. Borrello, Legislators Odell, Vanstrom, Chagnon

WHEREAS, Chautauqua Lake is an invaluable asset to Chautauqua County but has been designated as an impaired water body and its health and usability are threatened; and

WHEREAS, excessive amounts of aquatic vegetation, high water levels, and wind conditions have resulted in a large deposit of aquatic vegetation and a fish kill in Burtis Bay on Chautauqua Lake; and

WHEREAS, Chautauqua County recommends a remedy whereby the aquatic vegetation and dead fish are removed and disposed in the Chautauqua County's Ellery Landfill, thereby mitigating potential environmental degradation and human health concerns if the aquatic vegetation and dead fish were allowed to remain and decay in Chautauqua Lake; and

WHEREAS, the Chautauqua Lake Association has the capacity to remobilize its fleet of specialized lake maintenance equipment and the manpower to implement the County's recommended remedy, and has provided a proposal to effectuate the remedy at an estimated cost of \$25,000; and

WHEREAS, the 2% Occupancy Tax Reserve fund has a balance of approximately \$229,882; therefore, be it

RESOLVED, That the Chautauqua County Legislature designates \$25,000 from the 2% Occupancy Tax Reserve to the Chautauqua Lake Association for removal and disposal of aquatic vegetation and dead fish from Burtis Bay on Chautauqua Lake; and be it further

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

RESOLVED, That Fund Balance be appropriated as follows:

INCREASE THE USE OF FUND BALANCE:

A.----.----.889.WATR Fund Bal, Rsvd Fund Bal-MISC RES: Lakes & Watrway \$25,000

; and be it further

RESOLVED, That the Director of Finance is authorized and directed to make the following amendment to the 2018 Budget:

INCREASE APPROPRIATION ACCOUNT:

A.8020.WTRS.4 Contractual—Planning—Watershed Administration \$25,000

Signed: Odell, Vanstrom, Chagnon

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RES. NO. 264-18

Quit Claim Deed

By Administrative Services and Audit & Control Committee:

At the Request of County Executive George M. Borrello:

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

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

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

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

Offer Number	Municipality	S/B/L	Purchaser	Offer Amount	Taxes Owning
PA-254-2018	Gerry	064489-302.00-2-43	Jennifer A Rissel	\$ 3,513.73	\$ 350.00
				\$ 350.00	\$ 3,513.73
			Total	\$ 3,513.73	\$ 350.00
				\$ 350.00	\$ 3,513.73

Signed: Scudder, Davis, Muldowney, Starks, Himelein, Chagnon, Nazzaro, Niebel(Amended in A.C.)

RES. NO. 265-18

Making Appropriations for the Conduct of County Government for Fiscal Year 2019

At the Request of Chairman Paul M. Wendel, Jr.:

WHEREAS, the Chautauqua County Legislature has held public hearings on the 2019 tentative Budget and thereafter considered the budget, made changes therein and has presented the budget along with Resolution No. 247-18 listing the changes, to the County Executive for his consideration; and

WHEREAS, the County Executive has affixed his signature to Resolution No. 247-18 and has returned the same along with the budget and such statement regarding the budget and changes made thereon; and

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WHEREAS, in accordance with Section 8.07 of the Administrative Code the Budget Director is authorized to make any corrections in the budget as may be required due to any typographical, mathematical or technical errors, after conditional adoption of the budget; and

WHEREAS, there is now adopted, pursuant to law, a County budget for the fiscal year beginning January 1, 2019; therefore be it

RESOLVED, That the total amount specified in such budget as adopted for all objects of expenditures set forth therein be and hereby are appropriated for such items.

Signed: Wendel

RES. NO. 266-18
Authorize Tax Levy

At the Request of Chairman Paul M. Wendel, Jr.:

WHEREAS, there has been adopted a budget for the fiscal year of 2019 and

WHEREAS, this Legislature has made appropriations for the conduct of the County Government for the year 2019 therefore be it

RESOLVED, That this Legislature hereby levies:

1. Upon all the taxable property in the County, upon the valuation as equalized by it, the sum specified in said budget for all purposes chargeable to the entire county;
2. Upon all the taxable property in the Chautauqua County Social Services District, upon the valuation as equalized by it, the sum specified in said budget for Social Services purposes;
3. Upon all the taxable property liable therefore, the sum specified in the budgets for the Chautauqua County Health District;
4. Upon all the taxable property of the participating towns in respective amounts set out against each participant of the Chautauqua County Self-Insurance Plan in Resolution 188-18, adopted August 22, 2018.
5. Upon the property on which school taxes are uncollected as of November 30, 2019, the amount of such uncollected school taxes;
6. Upon the property on which village taxes are uncollected as of December 1, 2019, the amount of such uncollected village taxes;

Upon all the taxable property of the several towns and cities, upon the valuation as equalized by it any and all amount charged against any and all said towns and cities during the year 2019 pursuant to law or resolution of this Legislature.

Signed: Wendel

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RES. NO. 267-18

Authorize Levy of Town Taxes

At the Request of Chairman Paul M. Wendel, Jr.:

RESOLVED, That there shall be assessed, levied upon and collected from the taxable real property situated in the Towns of Chautauqua County outside of any incorporated village wholly or partially located therein, the amounts to be raised by taxes for Highway Funds – Outside Village and other Part-Town Functions as specified in the Town Budgets and directed by the Town Boards to be raised; and be it further

RESOLVED, That there shall be assessed and levied upon and collected from the real property liable therefore within the respective Fire, Fire Protection, Fire Alarm, Lighting and Improvement Districts, in said Towns, the amounts for the purpose of such districts as shown and specified in annual budgets; and be it further

RESOLVED, That the amounts to be raised by tax for all other purposes as specified in said annual budgets shall be assessed levied upon and collected from the taxable property of said town as authorized by the Town Boards except as otherwise provided by law; and be it further

RESOLVED, That such taxes and assessments when collected shall be paid to the Supervisor of the several towns, to be distributed by them in the manner provided by law.

Signed: Wendel

RES. NO. 268-18

Authorize Levy of Unpaid Town Charges

At the Request of Chairman Paul M. Wendel, Jr.:

RESOLVED, That the Clerk of the Legislature be directed to include in current tax rolls, all charges which may properly be a lien against real property when certified as due and unpaid by the Town Boards of the various towns in the County.

Signed: Wendel

RES. NO. 269-18

Authorize Levy of Omitted Taxes

At the Request of Chairman Paul M. Wendel, Jr.:

RESOLVED, That the Clerk of this Legislature be instructed to extend the proper tax for the previous year against any omitted tax properly entered upon any of the assessment rolls for the present year as directed by the respective Town Boards or County Legislature in which said property is located.

Signed: Wendel

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RES. NO. 270-18

Authorize Tax Levy – North Chautauqua Lake Sewer District

At the Request of Chairman Paul M. Wendel, Jr.:

WHEREAS, the Board of Directors of the North Chautauqua Lake Sewer District has prepared and presented an assessment roll of the year 2019 as required by Section 271 of the County Law; and

WHEREAS, the requirements of said law regarding availability of public inspection, notice of public hearing and public hearing has been complied with; now therefore be it

RESOLVED, That the assessment roll for the year 2019 presented by the Board of Directors of the North Chautauqua Lake Sewer District in accordance with Section 271 of the County Law is hereby affirmed and adopted as originally proposed and levied as stated therein.

Signed: Wendel

RES. NO. 271-18

Authorize Tax Levy – Portland-Pomfret-Dunkirk Sewer District

At the Request of Chairman Paul M. Wendel, Jr.:

WHEREAS, the Board of Directors of the Portland-Pomfret-Dunkirk Sewer District has prepared and presented an assessment roll for the year 2019 as required by Section 271 of the County Law; and

WHEREAS, the requirements of said law regarding availability of public inspection, notice of public hearing and public hearing has been complied with; now therefore be it

RESOLVED, That the assessment roll for the year 2019 presented by the Board of Directors of the Portland-Pomfret-Dunkirk Sewer District in accordance with Section 271 of the County Law is hereby affirmed and adopted as originally proposed and levied as stated herein.

Signed: Wendel

RES. NO. 272-18

Authorize Levy of Unpaid Sewer User Charges & Civil Penalties – North, South & Center Chautauqua Lake & Portland-Pomfret-Dunkirk Sewer Districts

At the Request of Chairman Paul M. Wendel, Jr.:

WHEREAS, the Director of Finance has transmitted a list of those residents or property owners within the county who are in arrears in the payment of charges made under Section 266 of the County Law for a period of 30 days or more after the last day fixed for payment of such

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charges without penalty in accordance with the requirements of Section 266 (3) of the County Law, and civil penalties outstanding pursuant to Chautauqua County Local Law 6-94; and

WHEREAS, this Legislature is mandated to levy such sums against the properties liable; now therefore be it

RESOLVED, That the county sewer charges and civil penalties contained in the list received by this body from the Director of Finance of Chautauqua County are hereby levied against the properties liable and the amount of such charges shall be stated in a separate column in the annual tax rolls of the various municipalities under the name of "County Sewer Charges" or "County Sewer Penalty".

Signed: Wendel

RES. NO. 273-18
Fixing Equalization Rates for 2019

At the Request of Chairman Paul M. Wendel, Jr.:

WHEREAS, Pursuant to Resolution #216-96 the County of Chautauqua elected to establish Equalization Rates for the several towns and cities in the County of Chautauqua in accord with Title 2, Article 8 of the Real Property Tax Law; and

WHEREAS, the New York State Office of Real Property Services has completed its determination of the equalization rates to be utilized in apportioning the 2018 County Taxes; therefore be it

RESOLVED, That the following rates be fixed as the Chautauqua County Equalization rates for the 2019 tax rolls in the following towns and cities:

Arkwright	49%	Harmony	100%
Busti	100%	Jamestown, City	100%
Carroll	100%	Kiantone	100%
Charlotte	93%	Mina	100%
Chautauqua	100%	North Harmony	98.8%
Cherry Creek	88.70%	Poland	94%
Clymer	100%	Pomfret	17.75%
Dunkirk, Town	67%	Portland	55.00%
Dunkirk, City	77%	Ripley	100%
Ellery	93.50%	Sheridan	59%
Ellicott	90%	Sherman	100%
Ellington	94%	Stockton	100%
French Creek	100%	Villanova	52.50%
Gerry	93%	Westfield	76%
Hanover	86%		

Signed: Wendel