

## Agenda

### Audit & Control Committee

**December 13, 2018, 8:35 a.m., Room 331**

Gerace Office Building, Mayville, NY

- A. Call to Order
- B. Approval of Minutes (11/15/18)
- C. Privilege of the Floor
  - 1. Proposed Resolution- Authorize Agreement for Purchase and Removal of Standing Timber From County Airport Property at the Chautauqua County Jamestown Airport
  - 2. Proposed Resolution- Authorizing Lease Agreement for Development of Renewable Natural Gas at Chautauqua County Landfill
  - 3. Proposed Resolution- Amend 2018 Budget Appropriations and Revenues –Emergency Services
  - 4. Proposed Resolution- Setting Salary for Emergency Medical Technician
  - 5. Proposed Resolution- Amend Budget Appropriations and Revenues Associated with Vehicle Purchases by the District Attorney
  - 6. Proposed Resolution- Authorize Acceptance of the Crimes Against Revenue Program Grant ("CARP") Funds for 2019
  - 7. Proposed Resolution- Authorize Acceptance of the 2019 Stop Violence Against Women (VAWA) Grant Program
  - 8. Proposed Resolution- Authorize Acceptance of the 2018-2023 Victim Assistance Through Attorney Services Program Grant
  - 9. Proposed Resolution- Amend 2018 Budget for Office of the Sheriff
  - 10. Proposed Resolution- Authorize Execution of Statewide Interoperability Communications Grant (SICG) Award FY18
  - 11. Proposed Resolution- Authorize Agreement with Village of Silver Creek for Enhanced Police Protection Services FY19

12. Proposed Resolution- Authorize Agreement with Town of Ripley for Enhanced Police Protection Services FY19
13. Proposed Resolution- Authorize Agreement with Chautauqua Lake Central School District To Provide Enhanced Police Protection Services FY19
14. Proposed Resolution- Authorize Agreement with Town of Ellery for Court Security Detail FY19
15. Proposed Resolution- Authorize Agreement with Town of Kiantone for Court Security Detail FY19
16. Proposed Resolution- Authorize Agreement with Town of Mina for Court Security Detail FY19
17. Proposed Resolution- Authorize Agreement with Town of North Harmony for Court Security Detail FY19
18. Proposed Resolution- Authorize Agreement with Village of Silver Creek for Court Security Detail FY19
19. Proposed Resolution- Authorize Agreement with Town of Stockton for Court Security Detail FY19
20. Proposed Resolution- Amend 2018 Budget for Computer Purchases for Public Health and Jail Nurses
21. Proposed Resolution- Compensation for County Coroners
22. Proposed Resolution- Acceptance of New York State Municipal Restructuring Fund Grant
23. Proposed Resolution- Authorize Agreements and Amend 2019 Budget for the Health Care Proxy Registry
24. Proposed Resolution- Allocation of 2% Occupancy Tax Funding from the 2018 Reserve Account for Cleanup of Burtis Bay on Chautauqua Lake  
(Tabled in Legislature on 11/28/18)
25. Proposed Resolution- Authorize Use of Occupancy Tax Monies for Chautauqua County to Retain Professional Services to Advocate for Federal Projects and Funding
26. Proposed Resolution- Establish Chautauqua County Sewer Agency Pursuant to Article 5-A Of the County Law
27. Proposed Resolution- Amend Capital Budget for New York State Department of Environmental Conservation Water Quality Improvement Project Grants

28. Discussion- Three+One Firm- Regarding Recommendations from Liquidity and Treasury Analysis

29. Other-

Proposed Resolution- Authorize Use of 2% Occupancy Tax Monies to Retain Professional Services to Assist with Developing a Chautauqua Lake Weed Management Consensus Strategy

Proposed Resolution- Establish Capital Accounts for Land Purchase and Avigation Easements at The Dunkirk Airport

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

<b>BPB – 11/27/18</b>
<b>ABC – 11/28/18</b>
<b>SMA – 11/28/18</b>
<b>KMD 11/28/18</b>
<b>KLC 11/28/18</b>
<b>GMB 11/28/18</b>

**TITLE:** Authorize Agreement for Purchase and Removal of Standing Timber  
From County Airport Property at the Chautauqua County Jamestown Airport

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

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

WHEREAS, the County of Chautauqua is authorized by General Municipal Law §72-a and County Law §219 to maintain forest lands and sell trees and timber from such lands; and

WHEREAS, the County contracted with Forecon, Inc. to provide forest management services which include independent quantity surveys and estimates of standing timber value on County reforestation properties; and

WHEREAS, Forecon, Inc. completed a fair market value appraisal of the standing timber on 41 acres of the Chautauqua County Jamestown Airport located in the Town of Ellicott as Section 335.00 Block 3 Lot 12, Section 335.00 Block 2 Lot 13, Section 335.00 Block 3 Lot 14, and Section 335.00, Block 3 Lot 17.1 (“Parcel”), and estimated the value of the mature timber on said Parcel at \$40,000; and

WHEREAS, on December 6, 2018, the County issued an Invitation to Bid on the Parcel for the sale and removal of 90,126 board feet (MBF) hardwood saw timber, with a deadline for all sealed bids to be received by the County no later than January 3, 2019 at 2:00 p.m.; and

WHEREAS, price volatility in the hardwood saw timber market increases risks and limits competition, and the increase in elapsed time between the opening of bids and the awarding of the contract due to obtaining necessary Legislature approval discourages prospective bidders from submitting a bid; and

WHEREAS, the County issued an Invitation to Bid on the Parcel in July 2018 and received no bids due to the above-mentioned factors; and

WHEREAS, it is appropriate for the County to accept the highest offered price that exceeds the fair market value appraisal; and

WHEREAS, pursuant to the Federal Aviation Administration (FAA) Airport Improvement Program’s (AIP’s) Airport Sponsors Assurances, all proceeds derived from the sale of this Parcel must be expended by the County for the capital or operating costs of the Chautauqua County Jamestown Airport; and

WHEREAS, the County desires to enter into a timber sale contract with the bidder who submits the highest technically compliant bid that meets or exceeds the fair market value appraisal; now therefore be it

RESOLVED, That the County Executive is hereby authorized and empowered to execute a timber sale contract with the bidder who submits the highest technically compliant bid for the sale and removal of 90,126 MBF hardwood saw timber on the Parcel that meets or exceeds the fair market value appraisal of \$40,000, with proceeds placed in an account for the capital or operating costs of the Chautauqua County Jamestown Airport.

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**APPROVED**

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**VETOES (VETO MESSAGE ATTACHED)**

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

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

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

<b>SMA 11/6/18 KMD 11/7/18 KLC 11/29/19 GMB by sma 12/4/18</b>
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**TITLE:** Authorizing Lease Agreement for Development of Renewable Natural Gas at Chautauqua County Landfill

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

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

WHEREAS, the County owns and operates a landfill gas-to-energy electric generating facility at the County Landfill that has provided substantial net revenues to the County since 2010; and

WHEREAS, the current depressed market conditions for sale of electricity generated by landfill gas have caused a significant reduction in the revenues received by the County, and it is now more advantageous to directly sell the landfill gas for processing as renewable natural gas (RNG); and

WHEREAS, the County issued a request for proposals for the development of an RNG facility at the County Landfill that should allow the County to continue to retire the outstanding debt on the existing electric generating facility and receive additional net revenues; now therefore be it

RESOLVED, That the County Executive is hereby authorized to execute all necessary agreements for a lease that grants landfill gas rights to a developer to enable the construction and operation of an RNG facility at the County Landfill on substantially the following terms and conditions:

1. Developer. Montauk Energy Holdings, LLC, or its designated affiliated entity, 680 Anderson Drive, Foster Plaza 10 5<sup>th</sup> Floor, Pittsburgh, PA 15220.
2. Term. Twenty (20) years from the commercial operation date of the RNG facility.
3. Premises. An approximately two (2) acre site at the County Landfill.
4. Payments to County.

Years one (1) through ten (10): Base payment of \$1,000,000 per year plus twelve percent (12%) of RNG sale revenues to include revenues from environmental credits or offsets, less the administrative costs associated with the monetizing of the available environmental credits or offsets.

Years eleven (11) through twenty (20): Twenty percent (20%) of RNG sale revenues including revenues from environmental credits or offsets, less the administrative costs associated with the monetizing of the available environmental credits or offsets.

5. Taxes. Developer responsible for all taxes, including real property taxes, associated with its use and ownership of the RNG facility.
6. Other. As negotiated by the County Executive.

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**APPROVED**

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**VETOES (VETO MESSAGE ATTACHED)**

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**County Executive**

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

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

<b>JCG 11/29/18</b>
<b>KDG 11/30/18</b>
<b>SMA 11/30/18</b>
<b>KMD 11/30/18</b>
<b>KLC 11/30/18</b>
<b>GMB by sma</b>
<b>12/4/18</b>

**TITLE:** Amend 2018 Budget Appropriations and Revenues –Emergency Services

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

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

WHEREAS, some Emergency Services department expenses have exceeded initial budgetary estimates; and

WHEREAS, the Emergency Services has received revenues in excess of 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:

INCREASE APPROPRIATION ACCOUNT:

A.3989.CME.4	Contractual-Emergency Medical Service- CME-Continuing Medical Education	\$2,500
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INCREASE REVENUE ACCOUNT:

A.3989.CME.R158.9000	Miscellaneous--Other Public Safety Income	\$2,500
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**APPROVED**

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**VETOES (VETO MESSAGE ATTACHED)**

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

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



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

<b>PES 11/20/18</b>
<b>KDG 11/30/18</b>
<b>SMA 11/30/18</b>
<b>KMD 11/30/18</b>
<b>KLC 11/30/18</b>
<b>GMB by sma</b>
<b>12/4/18</b>

**TITLE:** Amend Budget Appropriations and Revenues Associated with Vehicle Purchases by the District Attorney

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

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

WHEREAS, the capital vehicle budget for the District Attorney was based on purchase prices net of trade-in allowances; and

WHEREAS, there were no trade-in allowances when then new vehicles were purchased, and the old vehicles were sold at auction; now therefore be it

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

INCREASE APPROPRIATION ACCOUNTS:

H.1997.999.4 Contractual—County Vehicle Replacement-Vehicle Replacement	\$27,168
A.1165.----.4 Contractual—District Attorney	<u>\$ 6,792</u>
Total	\$33,960

INCREASE REVENUE ACCOUNT:

H.1997.999.R221.0VEH Shared Services—Shared Services Vehicles	\$27,168
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ESTABLISH AND INCREASE REVENUE ACCOUNT:

A.1165.----.R266.5000 Sale of Property/Compensa—Sale of Equipment	\$ 6,792
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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 operating budget:

INCREASE APPROPRIATION ACCOUNT:

A.1165.----.4 Contractual—District Attorney	\$ 6,792
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INCREASE REVENUE ACCOUNT:

A.1165.----.R266.5000 Sale of Property/Compensa—Sale of Equipment	\$ 6,792
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**APPROVED**

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**VETOES (VETO MESSAGE ATTACHED)**

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**County Executive**

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

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

PES 11/16/2018
KDG 11/30/18
SMA 11/30/18
KMD 11/30/18
KLC 11/30/18
GMB by sma
12/4/18

TITLE: Authorize Acceptance of the Crimes Against Revenue Program Grant ("CARP") Funds for 2019

BY: Public Safety and Audit & Control Committees:

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

WHEREAS, the District Attorney's Office has applied for a grant in the amount of \$80,400 from the New York State Department of Taxation and Finance pursuant to its Crimes Against Revenue Program for the period of January 1, 2019 to December 31, 2019; and

WHEREAS, such funds are to be utilized to develop and implement an effective enforcement strategy ("strategic plan") in collaboration with the State Department of Taxation and Finance (DTF) and other governmental agencies, as appropriate, in order to detect, investigate, prosecute and deter revenue crimes; and

WHEREAS, the revenues and expenditures associated with this grant are already included in the 2019 adopted budget so no budget amendments are necessary; therefore, be it

RESOLVED, That the County of Chautauqua accepts this State grant to provide additional resources to the Office of the District Attorney to detect, investigate, prosecute and deter revenue crime; and be it further

RESOLVED, That the County Executive be and hereby is authorized and directed to execute necessary agreements with the State of New York to obtain these funds.

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**APPROVED**

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**VETOES (VETO MESSAGE ATTACHED)**

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**County Executive**

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

<b>PES 11/05/2018</b>
<b>KDG 11/7/18</b>
<b>SMA 11/7/18</b>
<b>KMD 11/8/18</b>
<b>KLC 11/8/18</b>
<b>GMB 11/26/18</b>

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

**TITLE:** Authorize Acceptance of the 2019 Stop Violence Against Women (VAWA) Grant Program

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

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

WHEREAS, the Offices of the District Attorney and Sheriff have been awarded a grant in the amount of \$66,750.00 from the New York State Division of Criminal Justice Services 2019 Stop Violence Against Women (VAWA) Grant Program to be used from the period of January 1, 2019 to December 31, 2019; and

WHEREAS, such funds are to be utilized for an Assistant District Attorney designated as a Special Victim’s Prosecutor, a part time Deputy Sheriff and a Spanish Interpreter/Victim Advocate/Cultural Liaison; therefore be it hereby

RESOLVED, That the County Executive is hereby authorized and empowered to execute a grant agreement with the New York State Division of Criminal Justice Services (DCJS) to accept a Stop Violence Against Women (VAWA) grant; and be it further

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

**INCREASE APPROPRIATION ACCOUNTS:**

A.1165.----.1	Personal Services-District Attorney	\$10,000
A.1165.----.8	Employee Benefits-District Attorney	<u>\$ 2,350</u>
	Total	\$12,350

**INCREASE REVENUE ACCOUNT:**

A.1165.----.R438.9004	Federal Aid—Violence Against Women	\$12,350
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**APPROVED**

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**VETOES (VETO MESSAGE ATTACHED)**

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

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

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

PES 11/20/18
KDG 11/30/18
SMA 11/30/18
KMD 11/30/18
KLC 11/30/18
GMB by sma
12/4/18

**TITLE:** Authorize Acceptance of the 2018-2023 Victim Assistance Through Attorney Services Program Grant

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

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

WHEREAS, the District Attorney's Office has applied for a grant in the amount of \$600,000 from the New York State Office of Victim Services pursuant to its VOCA Victim Assistance Program for a tentative period of five (5) years; and

WHEREAS, such funds are to be utilized to fill the gap in providing legal needs to crime victims by creating a partnership between the County's Victim Assistance Center and Legal Assistance of Western New York, Inc. (LawNY) that will provide the essential link for victims to receive the civil legal services they need; and

WHEREAS, the revenues and expenditures associated with this grant are not included in the 2019 Adopted Budget; therefore, be it

RESOLVED, That the County of Chautauqua accepts this State grant to provide additional resources to crime victims; and be it further

RESOLVED, That the County Executive be and hereby is authorized and directed to execute necessary agreements with the State of New York to obtain these funds and to execute necessary agreements with LawNY to implement the grant program; 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.1165.1169.4	Contractual—District Attorney-Crime Victims	\$120,000
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INCREASE REVENUE ACCOUNTS:

A.1165.1169.R308.9003	NYS Aid—Oth St Aid: Crime Victims	\$ 96,000
A.1165.1169.R408.9003	Federal Aid—Oth Fed Aid: Crime Victims	<u>\$ 24,000</u>
	Total	\$120,000

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**APPROVED**

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**VETOES (VETO MESSAGE ATTACHED)**

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

\_\_\_\_\_  
Date

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

CJH 11/30/18
KDG 11/30/18
SMA 11/30/18
KMD 11/30/18
KLC 12/3/18
GMB by sma 12/4/18

**TITLE:** 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 ACCOUNT:

A.3315.----.8	Employee Benefits – Stop DWI	\$11,945
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DECREASE APPROPRIATION ACCOUNT:

A.3020.TECH.1	Personal Services – Publ Safety Communication- Technical Services	\$11,945
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**APPROVED**

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**VETOES (VETO MESSAGE ATTACHED)**

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

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



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

CJH 11/30/18
KDG 11/30/18
SMA 11/30/18
KMD 11/30/18
KLC 12/3/18
GMB by sma 12/4/18

**TITLE:** Authorize Agreement with Village of Silver Creek for Enhanced Police Protection Services FY19

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

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

WHEREAS, the Village of Silver Creek and the Town of Hanover have requested the Chautauqua County Office of the Sheriff provide enhanced police protection services within the geographical boundaries of the Village of Silver Creek and the Town of Hanover for the 2019 calendar year; and

WHEREAS, the Chautauqua County Office of the Sheriff has negotiated a tentative agreement with the Village of Silver Creek and the Town of Hanover for the period from January 1, 2019 through December 31, 2019 for an estimated cost not to exceed \$585,284; and

WHEREAS, this revenue and associated expenses are included in the 2019 Budget so no budget amendments are needed; now therefore be it

RESOLVED, That the County Executive is hereby authorized to and empowered to execute an agreement with the Village of Silver Creek for enhanced police protection services as set forth above with revenue to be credited to account A.3110.----.R226.0000.

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**APPROVED**

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**VETOES (VETO MESSAGE ATTACHED)**

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

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

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

CJH 11/30/18
KDG 11/30/18
SMA 11/30/18
KMD 11/30/18
KLC 12/3/18
GMB by sma 12/4/18

**TITLE:** Authorize Agreement with Town of Ripley for Enhanced Police Protection Services FY19

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

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

WHEREAS, the Town of Ripley has requested the Chautauqua County Office of the Sheriff provide enhanced police services within the geographic boundaries of the Township during the 2019 calendar year; and

WHEREAS, the Chautauqua County Sheriff has negotiated a tentative agreement with the Town of Ripley for the period of January 1, 2019 through December 31, 2019 for an estimated cost not to exceed \$32,000.00 based on an hourly rate of at least \$40.38 and a holiday hourly rate of at least \$50.81; and

WHEREAS, this revenue is included in the 2019 Budget so no budget amendments are needed; now therefore be it

RESOLVED, That the County Executive is hereby authorized and empowered to execute an agreement with the Town of Ripley for enhanced police services as set forth above with revenues to be credited to account A.3110.----.R226.0000.

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

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

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

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

CJH 11/30/18
KDG 11/30/18
SMA 11/30/18
KMD 11/30/18
KLC 12/3/18
GMB by sma 12/4/18

**TITLE:** Authorize Agreement with Chautauqua Lake Central School District  
To Provide Enhanced Police Protection Services FY19

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

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

WHEREAS, Chautauqua Lake Central School District has requested that the Chautauqua County Office of the Sheriff provide Deputy Sheriffs at sporting and social events at its schools; and

WHEREAS, the County Sheriff has negotiated a tentative agreement with Chautauqua Lake Central School District for the period from January 1, 2019 through December 31, 2019, for an estimated cost not to exceed \$3,000.00, based on an hourly rate of at least \$40.38; and

WHEREAS, this revenue is included in the 2019 Budget so no budget amendments are needed; now therefore be it

RESOLVED, That the County Executive is authorized to execute an agreement with Chautauqua Lake Central School District for enhanced police protection services as set forth above with revenues to be credited to account A.3110.----.R226.0000.

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**APPROVED**

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**VETOES (VETO MESSAGE ATTACHED)**

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

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

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

CJH 11/30/18
KDG 11/30/18
SMA 11/30/18
KMD 11/30/18
KLC 12/3/18
GMB by sma 12/4/18

**TITLE:** Authorize Agreement with Town of Ellery for Court Security Detail  
FY19

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

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

WHEREAS, the Town of Ellery has requested that the Chautauqua County Office of the Sheriff provide part-time deputy sheriffs for court security detail on designated court nights; and

WHEREAS, the County Sheriff has negotiated a tentative agreement with the Town of Ellery for the period of January 1, 2019 through December 31, 2019, for an estimated cost not to exceed \$2,500.00, based on an hourly rate of at least \$30.10; and

WHEREAS, this revenue is included in the 2019 Budget so no budget amendments are needed; now therefore be it

RESOLVED, That the County Executive is authorized and empowered to execute an agreement with the Town of Ellery for court security as set forth above, with revenues to be credited to account A.1162.1110.R226.000.

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**APPROVED**

\_\_\_\_\_  
**VETOES (VETO MESSAGE ATTACHED)**

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

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

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

CJH 11/30/18
KDG 11/30/18
SMA 11/30/18
KMD 11/30/18
KLC 12/3/18
GMB by sma 12/4/18

**TITLE:** Authorize Agreement with Town of Kiantone for Court Security Detail  
FY19

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

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

WHEREAS, the Town of Kiantone has requested that the Chautauqua County Office of the Sheriff provide part-time deputy sheriffs for court security detail on designated court nights; and

WHEREAS, the County Sheriff has negotiated a tentative agreement with the Town of Kiantone for the period of January 1, 2019 through December 31, 2019, for an estimated cost not to exceed \$6,500.00, based on an hourly rate of at least \$30.10; and

WHEREAS, this revenue is included in the 2019 Budget so no budget amendments are needed; now therefore be it

RESOLVED, That the County Executive is authorized and empowered to execute an agreement with the Town of Kiantone for court security as set forth above, with revenue to be credited to account A.1162.1110.R226.000.

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**APPROVED**

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**VETOES (VETO MESSAGE ATTACHED)**

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

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

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

CJH 11/30/18
KDG 11/30/18
SMA 11/30/18
KMD 11/30/18
KLC 12/3/18
GMB by sma 12/4/18

**TITLE:** Authorize Agreement with Town of Mina for Court Security Detail  
FY19

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

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

WHEREAS, the Town of Mina has requested that the Chautauqua County Office of the Sheriff provide part-time deputy sheriffs for court security detail on designated court nights; and

WHEREAS, the County Sheriff has negotiated a tentative agreement with the Town of Mina for the period of January 1, 2019 through December 31, 2019, for an estimated cost not to exceed \$2,000.00, based on an hourly rate of at least \$30.10; and

WHEREAS, this revenue is included in the 2019 Budget so no budget amendments are needed; now therefore be it

RESOLVED, That the County Executive is authorized and empowered to execute an agreement with the Town of Mina for court security as set forth above, with revenue to be credited to account A.1162.1110.R226.000.

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**APPROVED**

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**VETOES (VETO MESSAGE ATTACHED)**

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

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

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

CJH 11/30/18
KDG 11/30/18
SMA 11/30/18
KMD 11/30/18
KLC 12/3/18
GMB by sma
12/4/18

**TITLE:** Authorize Agreement with Town of North Harmony for Court Security Detail FY19

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

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

WHEREAS, the Town of North Harmony has requested that the Chautauqua County Office of the Sheriff provide court security officers on designated court nights; and

WHEREAS, the County Sheriff has negotiated a tentative agreement with the Town of North Harmony for the period of January 1, 2019 through December 31, 2019, for an estimated cost not to exceed \$7,000.00 based on an hourly rate of at least \$30.10; and

WHEREAS, this revenue is included in the 2019 Budget so no budget amendments are needed; now therefore be it

RESOLVED, That the County Executive is authorized and empowered to execute an agreement with the Town of North Harmony for court security as set forth above, with revenues to be credited to account A.1162.1110.R226.000.

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**APPROVED**

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**VETOES (VETO MESSAGE ATTACHED)**

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

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

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

CJH 11/30/18
KDG 11/30/18
SMA 11/30/18
KMD 11/30/18
KLC 12/3/18
GMB by sma 12/4/18

**TITLE:** Authorize Agreement with Village of Silver Creek for Court Security Detail FY19

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

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

WHEREAS, the Village of Silver Creek has requested that the Chautauqua County Office of the Sheriff provide part-time deputy sheriffs for court security detail on designated court nights; and

WHEREAS, the County Sheriff has negotiated a tentative agreement with the Village of Silver Creek for the period of January 1, 2019 through December 31, 2019, for an estimated cost not to exceed \$3,500.00, based on an hourly rate of at least \$30.10; and

WHEREAS, this revenue is included in the 2019 Budget so no budget amendments are needed; now therefore be it

RESOLVED, That the County Executive is authorized and empowered to execute an agreement with the Village of Silver Creek for court security as set forth above, with revenue to be credited to account A.1162.1110.R226.000.

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**APPROVED**

\_\_\_\_\_  
**VETOES (VETO MESSAGE ATTACHED)**

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

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

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

CJH 11/30/18
KDG 11/30/18
SMA 11/30/18
KMD 11/30/18
KLC 12/3/18
GMB by sma 12/4/18

**TITLE:** Authorize Agreement with Town of Stockton for Court Security Detail  
FY19

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

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

WHEREAS, the Town of Stockton has requested that the Chautauqua County Office of the Sheriff provide part-time deputy sheriffs for court security detail on designated court nights; and

WHEREAS, the County Sheriff has negotiated a tentative agreement with the Town of Stockton for the period of January 1, 2019 through December 31, 2019, for an estimated cost not to exceed \$6,000.00, based on an hourly rate of at least \$30.10; and

WHEREAS, this revenue is included in the 2019 Budget so no budget amendments are needed; now therefore be it

RESOLVED, That the County Executive is authorized and empowered to execute an agreement with the Town of Stockton for court security as set forth above, with revenue to be credited to account A.1162.1110.R226.000.

\_\_\_\_\_  
**APPROVED**

\_\_\_\_\_  
**VETOES (VETO MESSAGE ATTACHED)**

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**County Executive**

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

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

CLS 11/20/18
KMW 11/20/18
SMA 11/26/18
KMD 11/27/28
KLC 11/27/18
GMB 11/27/18

**TITLE:** Amend 2018 Budget for Computer Purchases for Public Health and Jail Nurses

**BY:** Public Safety, Human Services and Audit & Control Committees:

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

WHEREAS, 2018 expenditures for computer purchases for Jail nurses are now projected to be in excess of the budgeted amount; and

WHEREAS, 2018 expenditures for computer purchases for Public Health nurses are now projected to be in excess of the budgeted amount; and

WHEREAS, 2018 expenditures for medical supplies under the Family Planning grant are now projected to be lower than the grant budgeted amount; and

WHEREAS, the New York State Department of Health has approved a budget modification to the Family Planning grant to reallocate funds originally budgeted to medical supplies to equipment; and

WHEREAS, 2018 budgeted State Aid revenue will decrease due to the decrease in public health expenses; and

WHEREAS, 2018 Jail State Aid revenue is now projected to be in excess of the budgeted amount; and

WHEREAS, the 2018 Budget must be adjusted to facilitate purchase of the computers and reflect the above listed changes in revenue; 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 \$13,000

; 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 ACCOUNTS:

A.4010.NURS.2	Equipment- Public Health Admin-Nursing	\$ 490
A.4017.JAIL.2	Equipment- Clinics-Jail	<u>\$18,610</u>
	Total	\$19,100

DECREASE APPROPRIATION ACCOUNT:

A.4010.NURS.4	Contractual- Public Health Admin-Nursing	\$19,100
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INCREASE REVENUE ACCOUNT:

A.4017.JAIL.R340.1000	NYS Aid--Public Health Grant	\$20,000
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DECREASE REVENUE ACCOUNT:

A.4010.PHSA.R340.1000	NYS Aid--Public Health Grant	\$ 7,000
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**APPROVED**

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**VETOES (VETO MESSAGE ATTACHED)**

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

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

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

<b>CLS 11/16/18</b>
<b>KMW 12.4.18</b>
<b>SMA 12/5/18</b>
<b>KMD 12/5/18</b>
<b>KLC 12/5/18</b>
<b>GMB 12/6/18</b>

**TITLE:** Compensation for County Coroners

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

**AT THE REQUEST OF:** County Executive George M. Borrello, Legislative Chairman Paul  
Wendel:

WHEREAS, the Chautauqua County Legislature has the responsibility to fix compensation of all officers paid from County funds; and

WHEREAS, resolution 20-15 changed coroner compensation from \$70 to \$80 per day, resolution 100-18 changed coroner compensation to \$150 per case for the period April 15, 2018 to June 27, 2018, and resolution 156-18 continued coroner compensation at \$150 per case; and

WHEREAS, Local Law 11-18 amended the Chautauqua County Charter to transfer the responsibility for administration of the County's Coroners program from the Legislative Branch to the Executive Branch; and

WHEREAS, Chautauqua County Administrative Code Section 5.00A Department of Health and Human Services was also amended to include Section 5.08A Division of Coroners which provides that coroner compensation may be by salary, by hourly, per diem, or per case rate, or by any other method approved by the County Legislature; and

WHEREAS, the Department of Health and Human Services recommends adjusting the method of compensation for Chautauqua County Coroners to reflect appropriate compensation for death investigation, administration, and educational duties and requirements consistent with operational changes and statutory requirements and responsibilities of the County and individual Coroners; therefore be it

RESOLVED, That the compensation for each County Coroner shall be set on the Management Salary Plan at the Non-Scheduled Salary Range of \$5,000 to \$15,000 annually plus \$150 per coroner case, effective January 1, 2019.

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**APPROVED**

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**VETOES (VETO MESSAGE ATTACHED)**

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

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

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

CLS 11/20/18
KMW 11.27.18
SMA 11/27/18
KMD 11/27/18
KLC 11/27/18
GMB 11/27/18

**TITLE:** Acceptance of New York State Municipal Restructuring Fund Grant

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

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

WHEREAS, Chautauqua County Government is committed to assisting and encouraging shared services and government restructuring efforts through its Regional Solutions Commission and Government Reduction Initiative; and

WHEREAS, a Municipal Consolidation and Efficiency Competition grant application put forth by Chautauqua County and 23 co-applicant local governments included the Chautauqua Region Water and Wastewater Cooperative Project; and

WHEREAS, the Chautauqua Region Water and Wastewater Cooperative Project was tentatively awarded \$1,203,144 in grant funding through the New York Department of State Municipal Restructuring Fund that will be released in phases; and

WHEREAS, Phase I funding in the amount of \$50,000 has been made available to be used to develop a project plan; and

WHEREAS, revenues and expenditures associated with the Phase I funding are not included in the 2019 budget; therefore be it

RESOLVED, That the County Executive is hereby authorized to enter into agreements with the New York Department of State for program funding for so long as the County continues to be eligible for program funds; and be it further

RESOLVED, That the County Executive is hereby authorized to execute any additional documentation, amendments, or addenda necessary to effectuate the County’s receipt of such funds; and be it further

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

**ESTABLISH AND INCREASE REVENUE ACCOUNT:**

A.4090.R348.9WWC NYS Aid—Water & Wastewater Cooperative Project \$50,000

**INCREASE APPROPRIATION ACCOUNT:**

A.4090.----.4 Contractual—Environmental Health \$50,000

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**APPROVED**

\_\_\_\_\_  
**VETOES (VETO MESSAGE ATTACHED)**

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

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

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

<b>MS 11/29/18</b>
<b>KDG 11/30/18</b>
<b>KMD 11/30/18</b>
<b>KLC 11/30/18</b>
<b>GMB 12/4/18</b>

**TITLE:** Authorize Agreements and Amend 2019 Budget for the Health Care Proxy Registry

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

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

WHEREAS, Chautauqua County Office for the Aging (OFA) and the Chautauqua County Health Network (CCHN) agree that the County, through its Office for the Aging and NY Connects program, is an appropriate entity to continue maintenance of the healthcare proxy registry; and

WHEREAS, revenues and appropriations associated with the agreements were not included in the 2019 Budget; now, therefore be it

RESOLVED, That the County Executive be and hereby is authorized and directed to execute necessary agreements with the Chautauqua County Health Network (CCHN); and be it further

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

**INCREASE REVENUE ACCOUNT:**

A.6772.----.R197.2000 Departmental Income – Chrgs: Office for Aging \$5,920

**INCREASE APPROPRIATION ACCOUNTS:**

A.6772.----.1	Personal Services – Office for the Aging	\$1,760
A.6772.----.4	Contractual – Office for the Aging	\$3,040
A.6772.----.8	Employee Benefits – Office for the Aging	<u>\$1,120</u>
	Total	\$5,920

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**APPROVED**

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**VETOES (VETO MESSAGE ATTACHED)**

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**County Executive**

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

**CHAUTAUQUA COUNTY**  
**RESOLUTION NO. 263-18**

<b>DWM 11/16/18</b>
<b>ABC 11/16/18</b>
<b>KMD 11/16/18</b>
<b>KLC 11/16/18</b>
<b>GMB 11/16/18</b>

**TITLE:** 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 and Legislators Mark Odell, Lisa Vanstrom, and Pierre 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 A 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

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**APPROVED**

\_\_\_\_\_  
**VETOES (VETO MESSAGE ATTACHED)**

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

\_\_\_\_\_  
Date

**Tabled in Legislature 11/28/2018**

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

DWM-11-20-18
ABC 11-26-18
SMA 11-26-18
KMD 11/26/18
KLC 11/27/18
GMB 11/27/18

**TITLE:** Authorize Use of Occupancy Tax Monies for Chautauqua County to Retain Professional Services to Advocate for Federal Projects and Funding

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

**AT THE REQUEST OF:** County Executive George M. Borrello and Legislator Pierre Chagnon:

WHEREAS, Chautauqua County's Lake and Waterways are invaluable assets for Chautauqua County that enhance the environment and quality of life, provide recreational and tourism opportunities, and spur economic development; and

WHEREAS, the health and usability of Chautauqua County's Lakes and Waterways have been threatened by numerous factors at various times including, but not limited to, decreased water quality, point source pollution, introduction of non-native species, excessive erosion, sedimentation, flooding and drainage issues, and the decreased ability to launch and navigate watercraft within harbors and waterways; and

WHEREAS, pursuant to Resolution 178-11, the Chautauqua County Legislature authorized the establishment of the Lake Erie Management Commission (LEMC) to prioritize and select Lake Erie watershed projects for funding that conform to the recommendations outlined in the Lake Erie Management Plan, seek additional funding for Lake Erie watershed projects, and undertake such other initiatives and coordination activities for the betterment of the Lake Erie watershed; and

WHEREAS, projects undertaken by the United States Army Corps of Engineers (USACE), such as the much needed maintenance dredging and rehabilitation of breakwaters at Chautauqua County's shallow draft recreational harbors in Barcelona, Dunkirk and Cattaraugus Creek, are of low priority when compared to large deep draft commercial harbors with significant shipping tonnage; and

WHEREAS, federal funds, such as those appropriated under the Water Resources Development Act (WRDA), are initially prioritized by the USACE staff located in Buffalo, Cleveland and Washington D.C. for inclusion in the President's budget, which is then allocated by members of the United States Senate and House of Representatives during federal budget negotiations, and Chautauqua County, as a small rural county, is at a distinct disadvantage with respect to its ability to advocate for its fair share of federal funds; and

WHEREAS, pursuant to Resolutions 106-16, 266-16, and 282-17, Chautauqua County retained the professional services of NEXUS Government Relations (NEXUS), a consultant specializing in water resources, programming, federal projects, and obtaining federal funding during 2016, 2017, and 2018 at a cost not to exceed \$15,000 each year; and

WHEREAS, NEXUS's activities in 2016, 2017, and 2018 helped increase Federal funding for maintenance dredging in the draft recreational harbors in Barcelona and Dunkirk, authorized feasibility studies for flood mitigation in Silver Creek and Sunset Bay in the 2016 Water Resource Development Act (WRDA), and authorized a feasibility study for the Environmental Restoration of Chautauqua Lake which was included in the 2018 WRDA; and

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**APPROVED**

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**VETOES (VETO MESSAGE ATTACHED)**

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**County Executive**

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

WHEREAS, Chautauqua County desires to extend its agreement for professional services with NEXUS throughout the 2019 calendar year at a cost not to exceed \$15,000; and

WHEREAS, LEMC shall provide one-third (\$5,000) of the cost to retain NEXUS from LEMC’s annual 2% allocation and Chautauqua County shall provide the remaining two-thirds (\$10,000) of the cost from the 2% Occupancy Tax Reserve; and

WHEREAS, the fund balance in the 2% Occupancy Tax Lakes and Waterways Reserve Fund is approximately \$204,882; therefore be it

RESOLVED, That the Chautauqua County Legislature hereby authorizes LEMC to represent Chautauqua County’s interests in advocating for increased federal funding and projects and that LEMC will provide one-third (\$5,000) of the cost to retain NEXUS from LEMC’s annual 2% allocation; and be it further

RESOLVED, That the County Legislature hereby authorizes the use of the 2% Occupancy Tax Reserve to provide the remaining two-thirds (\$10,000) of the cost to retain NEXUS; and be it further

RESOLVED, That A Fund Balance be appropriated as follows:

INCREASE THE USE OF FUND BALANCE:

A.-----889.WATR Fund Bal, Rsvd Fund Bal-MISC RES: Lakes & Waterway \$10,000

;and be it further

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

INCREASE APPROPRIATION ACCOUNT:

A.8020.WTRS.4 Contractual—Planning—Watershed Administration \$10,000

**APPROVED**

**VETOES (VETO MESSAGE ATTACHED)**

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County Executive

\_\_\_\_\_  
Date

DWM 11-27-18  
ABC 11-28-18  
SMA 11-28-18  
KMD 11/28/18  
KLC 11/28/18  
GMB 11/29/18

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

**TITLE:** Establish Chautauqua County Sewer Agency Pursuant to Article 5-A  
Of the County Law

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

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

WHEREAS, pursuant to Resolution No. 104-15, the Chautauqua County Legislature established a Chautauqua County Sewer Agency pursuant to Article 5-A of the County Law to evaluate sewer infrastructure needs, prepare maps and plans, and recommend to the County Legislature the expansion of the South and Center Chautauqua Lake Sewer Districts (SCCLSD), and the Sewer Agency completed its evaluations and recommendations in 2017 for the pending first extension of the SCCLSD; and

WHEREAS, the Hamlet of Findley Lake and the Town of Mina are important economic and cultural assets in Chautauqua County; and

WHEREAS, the New York State Department of Environmental Conservation and the United States Environmental Protection Agency issued the 2008 Total Maximum Daily Load (TMDL) for phosphorus in Findley Lake, which attributed the large number of failing and inadequate septic systems that surround the lake as the primary cause of excessive concentrations of phosphorus in the lake; and

WHEREAS, the TMDL recommends a management strategy for septic systems where “the formation of a sanitary sewer district and the discharge of wastewater outside of the watershed is essential to achieving the (phosphorus) load reductions”; and

WHEREAS, pursuant to Resolution No. 163-18, the Chautauqua County Legislature authorized \$9,000 from the 2018 2% Occupancy Tax allocation for the Chautauqua County Sewer Agency to fund the expanded scope for the Comprehensive Evaluation of the Village of Sherman Wastewater Collection System and Wastewater Treatment Plant to determine the feasibility of accepting wastewater flows from the Town of Mina; and

WHEREAS, the Village of Sherman contracted with Barton & Loguidice, P.C., who developed a Preliminary Engineering Report for a Regional Wastewater Treatment Plant Alternative in November 2018; and

WHEREAS, the Preliminary Engineering Report recommends upgrades to publically-owned treatment works (POTWs) in the Village of Sherman and the extension/development of sewer infrastructure to replace existing septic systems in the Town of Mina and the Town of Sherman; and

WHEREAS, the next step in the process towards implementing the project is to reactivate the Chautauqua County Sewer Agency which will be tasked with making recommendations to the County Legislature regarding the formation of districts and other pertinent issues; and

WHEREAS, Article 5-A of New York State County Law authorizes the County to create a County Sewer Agency to evaluate sewer infrastructure needs, prepare maps and plans, and recommend to the County Legislature the creation or expansion of County sewer district(s) as may be necessary and in the best interest of the people of Chautauqua County; therefore be it

RESOLVED, That the Chautauqua County Sewer Agency is hereby reactivated pursuant to Article 5-A of the County Law; and be it further

**APPROVED**

**VETOES (VETO MESSAGE ATTACHED)**

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**County Executive**

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

RESOLVED, That the reactivated Chautauqua County Sewer Agency shall consist of seven (7) members to serve without compensation, as follows:

1. Two (2) County Legislators appointed by the Chairman of the County Legislature;
2. Three (3) elected officials representing the municipalities proposed to be included in areas that will be upgraded with sewer infrastructure, to include the Supervisors of the Town of Sherman and Town of Mina and the Mayor of the Village of Sherman, and their successors in office; and
3. Two (2) members appointed by the County Executive.

; and be it further

RESOLVED, That it is the intent of the Chautauqua County Legislature to review the makeup of the membership of the Chautauqua County Sewer Agency as later phases of the County's future sewer projects are developed.

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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>DWM 12-4-18</b>
<b>ABC 12-4-18</b>
<b>SMA 12-4-18</b>
<b>KMD 12/4/18</b>
<b>KLC 12/4/18</b>
<b>GMB 12/6/18</b>

**TITLE:** Amend Capital Budget for New York State Department of Environmental Conservation Water Quality Improvement Project Grants

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

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

WHEREAS, pursuant to Resolutions 46-15 and 47-15, the Chautauqua County Department of Planning and Development (“CCDPD”) was awarded a grant from the New York State Department of Environmental Conservation’s (“NYSDEC”) Water Quality Improvement Program (“WQIP”) – Round 11 for environmental restoration projects (“Projects”) intended to reduce the deposition of sediment and nutrients into Chautauqua Lake through the stabilization of streambanks on Dewittville Creek and Steinhoff Run; and

WHEREAS, CCDPD was awarded \$132,750 for the Projects through the WQIP grant with a requirement for \$87,500 local funding participation to finance the remaining portion, as shown in the table below:

<b>NYSDEC Water Quality Improvement Program Grant</b>				
<b>Streambank Name</b>	<b>Total Project Cost</b>	<b>NYSDEC-WQIP Funding Received</b>	<b>Commitment of Local Matching Funds</b>	<b>Other Sources of Local Match</b>
Dewittville Creek	\$107,100	\$62,100	\$0	\$45,000
Steinhoff Run	\$113,150	\$70,650	\$0	\$42,500
<b>Totals</b>	<b>\$220,250</b>	<b>\$132,750</b>	<b>\$0</b>	<b>\$87,500</b>

and;

WHEREAS, the local funding match for the Projects includes previously expended funding from the 2% Occupancy Tax in the amount of \$80,000, and in-kind services of the Watershed Coordinator in the amount of \$7,500; and

WHEREAS, pursuant to Resolution 77-15, Chautauqua County determined that the Goose Creek and Dewittville Creek Streambank Stabilization Projects will not have a significant adverse environmental impact in accordance with New York State Environmental Quality Review Act, Article 8 of the New York Environmental Conservation Law, and pursuant to the implementing regulations found at 6 N.Y.C.R.R. Part 617, and accordingly, issued a negative declaration; and

WHEREAS, the Watershed Coordinator will provide administrative oversight, including requests for reimbursement of eligible expenses through the NYSDEC’s WQIP program, the Chautauqua County Soil & Water Conservation District will manage the Project, and the Chautauqua Watershed Conservancy will provide public outreach and education for the Project; now therefore be it

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

INCREASE CAPITAL APPROPRIATION ACCOUNT:  
H.8020.37979.4Contractual - Water Quality Improv Proj (2016) \$220,250

INCREASE CAPITAL REVENUE ACCOUNTS:  
H.8020.37979.R395.9WQI NYS Aid--Water Quality Improvement Program Grant \$220,250

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

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**County Executive**

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

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

DWM-11-21-18
ABC 11-27-18
SMA 11-28-18
KMD 11/28/18
KLC 12/10/18
GMB 12/10/18

**TITLE:** Authorize Use of 2% Occupancy Tax Monies to Retain Professional Services to Assist with Developing a Chautauqua Lake Weed Management Consensus Strategy

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

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

WHEREAS, Chautauqua County's Lake and Waterways are invaluable assets for Chautauqua County that enhance the environment and quality of life, provide recreational and tourism opportunities, and spur economic development; and

WHEREAS, the health and usability of Chautauqua Lake has been threatened by numerous factors including, but not limited to, proliferation of non-native aquatic plant species, nuisance levels of native vegetation and Hazardous Algal Blooms ("HABs"); and

WHEREAS, the Town of Ellery prepared a Supplemental Environmental Impact Statement ("SEIS") as required by the New York State Environmental Quality Review Act ("SEQR"), obtained a New York State Department of Environmental Conservation permit for the application of herbicides, and successfully applied herbicides in certain areas of Chautauqua Lake in July 2018; and

WHEREAS, the Towns of Ellicott, Busti and North Harmony accepted the Town of Ellery SEIS, obtained New York State Department of Environmental Conservation permits for the application of herbicides, and successfully applied herbicides in certain areas of Chautauqua Lake in July 2018; and

WHEREAS, the Chautauqua Institution initiated an Article 78 Proceeding in July 2018 against the Town of Ellery and the New York State Department of Environmental Conservation which seeks to invalidate the continued use of the SEIS for evaluating new permits for applications of herbicides in Chautauqua Lake; and

WHEREAS, the Chautauqua Lake municipalities and stakeholder groups are unable to fully agree upon a comprehensive strategy to manage aquatic vegetation in Chautauqua Lake; and

WHEREAS, Chautauqua County seeks to bring the Chautauqua Lake municipalities and stakeholder groups together to agree upon a Weed Management Consensus Strategy for 2019 and beyond; and

WHEREAS, Chautauqua County solicited a proposal from Ecology and Environment Engineering and Geology, P.C., to review existing information and prepare an outline of potential strategies for building a Weed Management Consensus Strategy at a cost not to exceed \$9,970; and

WHEREAS, the fund balance in the 2% Occupancy Tax Lakes and Waterways Reserve Fund is approximately \$204,882; therefore be it

RESOLVED, That the County Legislature hereby authorizes the use of the 2% Occupancy Tax Reserve to retain Ecology and Environment Engineering and Geology, P.C. for the aforementioned purposes; and be it further

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**APPROVED**

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**VETOES (VETO MESSAGE ATTACHED)**

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**County Executive**

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

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 A Fund Balance be appropriated as follows:

INCREASE THE USE OF FUND BALANCE:

A.----.----.889.WATR Fund Bal, Rsvd Fund Bal-MISC RES: Lakes & Watrway \$9,970

; and be it further

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

INCREASE APPROPRIATION ACCOUNT:

A.8020.WTRS.4 Contractual—Planning—Watershed Administration \$9,970

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

<b>SMA 12/10/18 GMB 12/10/18</b>
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**TITLE:** Establish Capital Accounts for Land Purchase and Avigation Easements at the Dunkirk Airport

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

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

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

WHEREAS, inclusion in the NPIAS makes the Chautauqua County Dunkirk Airport eligible for Federal grant funding under the Airport Capital Improvement Program (ACIP), a grant-in-aid program, to assist local airport sponsors to maintain aviation facilities in exchange for certain grant assurances and obligations; and

WHEREAS, these Federal grants when combined with New York State Department of Transportation (NYSDOT) matching funds provide ninety-five percent (95%) of the capital expense necessary to maintain the Chautauqua County Dunkirk Airport; and

WHEREAS Chautauqua County, as Airport Sponsor under the NPIAS, is obligated to develop and implement an Obstruction Management Plan to maintain runway virtual approach surfaces free and clear of hazards to avigation and under the current FAA-Approved Obstruction Management Plan existing obstructions must be removed as a prerequisite to restoring Instrument Flying Rule (IFR) nighttime approaches to Dunkirk Airport; and

WHEREAS, the Chautauqua County Legislature has previously approved the Dunkirk ACIP which includes capital projects for “Update Runway 06-24 Runway Avigation Easements and Land Acquisition for Runway Protection Areas (RPZ)” and “Update Runways 15-33 Avigation Easements and Land Acquisition for Runway Protection Area (RPZ)”; and

WHEREAS, the Airport Commission has reviewed and approved the DKK Runway 06-24 avigation easements project for FY 2019; therefore be it

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 \$30,000

; and be it further

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2019 Capital Budget, and the County Executive is authorized to enter into all necessary agreements with the State and Federal governments to obtain the expected grant funds set forth below:

INCREASE APPROPRIATION ACCOUNT:

A.9950.---.9 Interfund Transfer – Transfer to Capital \$30,000

ESTABLISH AND INCREASE CAPITAL APPROPRIATION ACCOUNT:

H.5610.25011.4 Contractual – Easement and Land Acquisition DKK \$600,000

ESTABLISH AND INCREASE CAPITAL REVENUE ACCOUNTS:

H.5610.25011.R503.1000 Interfund Transfer—Interfund Transfer \$30,000

H.5610.25011.R359.7001 NYS Aid – Airport Capital Grants \$30,000

H.5610.25001.R459.2000 Federal Aid – Airport Federal Capital Grants \$540,000

Total: \$600,000

\_\_\_\_\_  
**APPROVED**

\_\_\_\_\_  
**VETOES (VETO MESSAGE ATTACHED)**

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

\_\_\_\_\_  
Date