

Minutes

Public Facilities Committee

May 14, 2018, 4:00 pm

Gerace Office Building, Mayville, N.Y.

Members Present: Hemmer, Wilfong, Nazzaro, Scudder, Gould

Others: Tampio, Ames, Chagnon, Dennison, Abdella, Spanos

Chairman Hemmer called the meeting to order at 4:03 p.m.

Approval of Minutes (4/16/18)

MOVED by Legislator Scudder, SECONDED by Legislator Wilfong to approve the minutes.

Unanimously Carried

Privilege of the Floor

No one chose to speak at this time.

Proposed Local Law Intro 8-18- A Local Law Amending Local Law 7-90 Providing For a Management Salary Plan For County Officers and Employees (RE. Chairman of North County Industrial Water District No. 1 and Chairman of North County Industrial Sewer District No. 1)

Mr. Abdella: In the last year or two these two districts budgets have previously been combined into a single budget but it was ascertained that because one of them is a water district and one of them is a sewer district that they needed to be separate budgets. I believe that was accomplished in the 2018 budget. It may have even been accomplished in the 2017 budget. The boards of these two districts which will probably remain the same individuals, and that's OK, had recommended prior to the adoption of the 2018 budget and I looked back and it was discussed during the budget process to allocate separate salary amounts to the district chairman for the function of the water district and the sewer district. So, what was budgeted for 2018 was \$4,500 for the water district piece and \$1,500 for the sewer district piece. Now what I saw was discussed at that time last fall during the budget hearings was that the previous combined salary of the two chairmanships that had been last set in 1993 was \$3,000. This as a whole reflected an increase from \$3,000 to a combined \$6,000. That was talked about and was budgeted. There was a little discussion before the committee relating to the aspect of these districts not having any

paid staff. What they have started to do is contract for some portion of their work with the North Chautauqua Lake Sewer District in terms of some of the maintenance functions. Administratively, they have staff so the chairman ends up interacting directly for instance, with our department on administrative issues and paperwork that needs to be done and has a more active role and responsibilities than the district chairman of some of the other districts that do have paid staff. In this instance, I do know that the chairman responds to alarms and goes out and checks on problems when the pumps are not working properly and other things of that nature. The boards of the districts have recommended this increase. Obviously it has been twenty five years since it had been adjusted but nonetheless it is a significant change, but it was approved in the 2018 budget. What's before you is a local law that would implement that separation of the titles and allocate a salary amount to each chairmanship.

Legislator Scudder: Did you say that this is typically the same individual, or did I hear that wrong?

Mr. Abdella: Yes. So right now, the boards of the two districts are identical and yes the chairman of each district is identical. It would not have to be that way but that is currently the case, yes.

Chairman Hemmer: Is there one meeting that this one board has and they just consider anything that comes before them for either district?

Mr. Abdella: Yes. When they meet they would be addressing both the water district issues and sewer district issues at the same time, typically. They meet on an as-needed basis so I'm sure there are some agendas where there just isn't something that needs attention from one of the districts but they still get together to do the other. I'm sure there are also some meetings where both districts business need to be addressed. I assigned Kristen Wright from my office as the attorney who services their business and their meeting needs as they occur.

Chairman Hemmer: Does anyone else have a question or a concern about this local law? Is this something that requires a public hearing?

Mr. Abdella: If adopted by the County Legislature, then the County Executive would then hold a public hearing on the local law before he can sign it.

Chairman Hemmer: OK. All in favor of the local law please say aye. Opposed?

Unanimously Carried

Mr. Abdella: I think Scott Cummings was intending to be here for the next resolution, so I think Kathleen is checking on that. Could you skip that-

Chairman Hemmer: We will move the "Confirm User Charges" proposed resolution to the end.

Proposed Resolution- Adjust CARTS 2018 Budget to Reflect Additional Funding

Mr. Spanos: Mr. Chairman, this is to receive additional funds that have been available through the New York State DOT- about \$136,000.

Chairman Hemmer: That sounds good. I see its replacing a use of a fund balance. I think it's a wonderful thing. Are there any questions?

Legislator Nazzaro: We will always take additional money, but is a specific purpose tied to this? Is this-

Mr. Spanos: No. General use.

Legislator Nazzaro: General operations, not for buses or anything like that?

Mr. Spanos: No.

Legislator Gould: Is this normal?

Mr. Spanos: Yes.

Legislator Gould: Is this amount of money normal?

Mr. Spanos: Yes.

Chairman Hemmer: It normally comes at this time of the year, or instead of arriving at the beginning of the 2018 year it comes-

Mr. Spanos: Well the State budget just started.

Chairman Hemmer: Oh. OK. Any other questions? All in favor of this proposed resolution please say aye. Opposed?

Unanimously Carried

Proposed Resolution- Authorization for Funding to Replace the Fabric Cover on the Charlotte Salt Shed

Mr. Spanos: This past winter the fabric on the salt shed tore up. We would like to replace it before the next winter season so the salt can be under dry conditions. We did have an opportunity to go through the Planning Board and they have reviewed it and they will make their recommendation. Originally we had requested \$20,000 but since then we have put a bid out and that is the actual amount. We do not anticipate any change with this because it is a lump sum.

Legislator Gould: How long was it on there?

Mr. Spanos: Early 90's. Usually they only have a fifteen year life expectancy, so it served us well.

Chairman Hemmer: I see that it did go through the County Planning Board. It wasn't in the fall process but it did- just as a special- you went to the County Planning Board and had them take a look at it?

Mr. Spanos: We presented it to them last week (*inaudible*) for next year.

Chairman Hemmer: Any other questions? All in favor please say aye. Opposed? The resolution carries.

Unanimously Carried

Proposed Resolution- Adjust D5112 - Capital Improvement Accounts

Mr. Spanos: This is another adjustment due to the New York State budget. It adjusts all the CHIPS related accounts. The CHIPS, the PAVE-NY, and also refunds the extreme weather recovery budget. So there are pluses and minuses, but the pluses far exceed the minuses. At the end we are getting about \$547,000 in additional funding.

Chairman Hemmer: That all sounds good.

Legislator Nazzaro: Do we get that every year?

Mr. Spanos: In the last (*inaudible*) years, yes.

Legislator Nazzaro: But you can't count on it every year?

Mr. Spanos: Correct. The PAVE- NY was a five year program. The CHIPS was always and then the BRIDGE- NY is a five year program. The extreme weather may not be-

Legislator Scudder: What if its 75 degrees all winter? (*Cross-laughter*)

Mr. Spanos: That would be considered extreme weather for heat.

Chairman Hemmer: Did you say there was bridge money in this too?

Mr. Spanos: The program- there are different programs. There is CHIPS, Pave- New York and Bridge- New York and Extreme Weather. The Bridge- New York comes in a separate funding, I was just talking about all the programs that-

Chairman Hemmer: Oh. I see. Any other questions concerning this resolution? All in favor please say aye. Any opposed?

Unanimously Carried

Proposed Resolution- Authorization of Funding to Replace Boiler at the Mayville Municipal Building

Mr. Spanos: The section that the County maintains has two boilers. They work in tandem. Half of the time one works and half of the time the other one works. The one broke down and we tried to repair it. The repairs are about \$49,000 and we asked for a replacement at \$57,000. We believe that spending the \$57,000 and getting a new boiler is a lot better than spending \$48,900 for repairing an old one. This project did go through the Planning Board, again.

Chairman Hemmer: I was going to say, I didn't see that on here.

Mr. Spanos: I just wanted to get ahead of the questions.

Chairman Hemmer: Good, good. Do we own that building?

Mr. Spanos: We own part of it, yes.

Chairman Hemmer: Oh, we do own part of it? OK.

Legislator Nazzaro: Remember when we did the roof?

Legislator Scudder: So, we own the roof and the boiler. (*Cross- laughter*)

Mr. Gould: We own the windows too.

Chairman Hemmer: We will own it bit by bit. Ok. Any other questions? All in favor please say aye. Opposed?

Unanimously Carried

Proposed Resolution- Amend 2017 Budget for Year End Reconciliations – Final Adjustments

Mrs. Dennison: I think this is the third one that we have presented to you. These are the final budget amendments. All of these adjustments have to do with recognizing future pension liabilities and other post-employment benefits not associated with pensions. For the enterprise funds we are required to recognize those future liabilities on the books so there is an expense attached to that. These adjustments are always the last ones to be calculated. These are the adjustments associated with those liabilities and it is self-balancing. As you can see, all adjustments are within enterprise funds only.

Legislator Nazzaro: Pretty much out of your control? They are what they are based on the information that you get.

Mrs. Dennison: That is correct.

Legislator Nazzaro: It's not because of overspending or anything like that, it's just-

Chairman Hemmer: I'm just happy that we found a place to balance it out. OK. Any other questions on this? All in favor of the resolution? Opposed?

Unanimously Carried

Proposed Resolution- Resolution in Support of Chautauqua County Veteran Memorial State Highway Designations

Clerk Tampio: This resolution was originally brought forth by Legislators Vanstrom and Wilfong. Since then several other people and Legislators have signed on and since this was prefiled, even more Legislators have asked to have their names attached to it. So what it is, is it's an effort led by Senator Young to petition the State DOT to rename certain portions of State highways within the County for these Veterans who have been killed in action in Iraq and Afghanistan.

Legislator Gould: We didn't know about it until the prefile. How can we sign on ahead of time if we don't know about it until the prefile? That's one problem with our system.

Clerk Tampio: I understand. You will be on the final resolution when it comes to the Legislature.

Legislator Nazzaro: I would like to be added on too.

Chairman Hemmer: Yes, I would like to be added also.

Legislator Scudder: And me.

Clerk Tampio: OK. Everyone at this table will be added to the resolution. If your names are not on there already, they will be added.

Chairman Hemmer: All in favor of this proposed resolution?

Legislator Chagnon: Mr. Chairman, I have a curiosity question. Why is this a resolution rather than a motion?

Clerk Tampio: I think I can answer that. I conferred with Steve Abdella regarding this and he advised that we should be consistent because the naming of the bridge at Stow-

Legislator Gould: The Bridge at Stow we named for a Korean casualty.

Clerk Tampio: Right. That was a New York State Highway and that was by resolution. Steve advised us to stay with a resolution.

Legislator Chagnon: My understanding was that we were requesting the State to name that highway but in this case, I thought we were just supporting the action by the State. I didn't think we were asking them to do it, I thought we were supporting their initiative to do it.

Mr. Abdella: Well this is one where it can go either way. I guess partly why it might be a resolution is because it's relating to legislation that is specific to Chautauqua County as opposed to just a general state law. You could certainly change "supports" to "requests" but it's true that this was initiated by the State Legislators office and not by us.

Legislator Nazzaro: The State of New York does not need our approval to do this, do they?

Mr. Abdella: I don't know that they needed it on the other one either. I wouldn't think that they did. That was a State Bridge-a State Highway. I don't really recall the Stow situation.

Legislator Nazzaro: Whatever you recommend, we'll support.

Mr. Abdella: We had done the Stow one as a resolution so we were just not wanting to bounce back and forth between the two procedural formats.

Legislator Nazzaro: So going forward they will all be resolutions?

Mr. Abdella: When it involves designation of highways within Chautauqua County.

Chairman Hemmer: All in favor of the proposed resolution please say aye. Opposed?

Unanimously Carried

Proposed Resolution- Confirm User Charges: North Chautauqua Lake Sewer District

Mrs. Dennison: Did all of you get the tracked changes by any chance? You just have the proposed resolution?

Legislator Nazzaro: Tracked changes?

Mrs. Dennison: So you can see what has been changed. I can tell you what has changed on that document. I'll identify what has changed. Changes are concentrated in section four, the scale of charges. The current charges are \$378 per unit, per year. That's one charge for all residents that participate in the North Chautauqua Lake Sewer District and the proposal, as you can see, is to change those to \$135 per quarter, per unit for residents in region one and \$185 per unit per quarter for residents in region two. Then there were also some changes in section five. Just changing some wording and identifying when the bills would be assessed. There will be quarters ending in February, May, August, and November. It really just changes the wording on the billing procedure. The months actually haven't changed; it was just a minor wording. There was also a change in the address of the district. It has changed from 50 Clark Street in Mayville to, I believe 450.

Legislator Scudder: Can I jump in with a question?

Mrs. Dennison: Yes.

Legislator Scudder: That \$378 per unit per year, is that a once a year charge as opposed to quarterly.

Mrs. Dennison: I believe it was assessed quarterly. I don't know what it was worded as an annual charge in the document but they have been sending out bills on a quarterly basis. \$94.50 per quarter. Just a little background information, last fall I did work with the Portland, Pomfret and Dunkirk Sewer District and the North Chautauqua Lake to take a look at what their cash flow requirements were. We did an analysis to kind of project what their operating expenses are and also what additional cash flow would be needed in both of those districts. The cash flow projections or their needs going forward were based on their operating expenses and also factored in their needs to repay a debt to Chautauqua County. The North Chautauqua Lake District did borrow funds from the County and is in the process of repaying them. We factored in the principal and the interest payments for that debt and also we did factor in the future needs for the Phosphorous Treatment Program. That is expected to be \$90,000 a year. Based on their needs, we projected that they would need to be charging at least \$120 per unit per quarter. That is a blended rate for all participants in the district. The ones that are in region two, as it says in the document in front of you, rates are treated by the Chautauqua Utility District and there are additional charges from the Chautauqua Utility District for that treatment. There are more expenses for those participants. I did advise the district on what a general need would be and then the district met and decided on the rates that are proposed before you. Based on our analysis, these rates would cover their future operating expenses as well as the contributions for the Phosphorous Treatment Project. There is a little cushion built in there to rebuild the fund balance for the district because the fund balance is currently negative. So, I think that these rates are justified and needed for the district.

Chairman Hemmer: Do we have any questions?

Mr. Abdella: I could add a couple things. As a matter of the procedure for this, the district board was required to give notice to all users and hold a public hearing. They actually ended up holding two public hearings. They did get comment about this with regard to the phosphorous component. That had previously been before the Legislature. At the time that those capital improvements were approved, and at that point in time the phosphorous component alone was going to raise the annual from \$378 to up to \$466- just that component was what was approved back at that point. As I'm understanding it from Kathleen, these rates are all inclusive of that capital improvement along with the other issues she mentioned. As far as the splitting into two regions, that is new for the district but it was felt that the Board, as I understand it and maybe Scott can speak to it at a future meeting, felt that the portion of the district that has the treatment from the Chautauqua Utility District should directly pay those added costs and that it shouldn't be subsidized by the other users in the district. However, they are working to try to renegotiate the treatment agreement with the Chautauqua Utility District and if that were to provide some mitigation of the current expense then they might be able to adjust region two accordingly.

Chairman Hemmer: The North Chautauqua Lake Sewer District is right there in Mayville, right?

Mr. Abdella: That's right.

Chairman Hemmer: The Chautauqua Utility District is in Chautauqua Institution?

Mr. Abdella: In Chautauqua Institution and the users in this region two, as I understand it, lie south of Chautauqua Institution. They are-

Legislator Chagnon: The North Chautauqua Lake Sewer District extends from Mayville down to Chautauqua Institution and then extends beyond Chautauqua Institution down to Chautauqua Shores. The portion south of Chautauqua Institution has always been conveyed to the Chautauqua Utility Treatment Plant in the Institution.

Mr. Abdella: The possibility of them bypassing the Chautauqua Utility District has been thought about but there would be costs involved. Someday, the South and Center or some district may extend all the way coming from the south and that might end up being another opportunity for an alternative disposition of that waste water.

Mrs. Dennison: The projected cost of treating that sewage from the Chautauqua Utility District is \$135,000 a year, which translates to approximately \$175 per unit, so that jives with the differential that you see in the proposal that the Chautauqua Utility District rates would be \$200 more per unit, per year. That again, is an appropriate surcharge for the Chautauqua Utility District.

Chairman Hemmer: Thank you for that explanation. I didn't know that. Any other questions? All in favor of this proposed resolution please say aye. Opposed?

Unanimously Carried

Chairman Hemmer: Does anyone have anything under other?

Legislator Nazzaro: Motion to adjourn, Mr. Chairman.

Legislator Gould: Second.

Unanimously Carried 4:43 p.m.

Respectfully submitted and transcribed,
Olivia L. Ames, Committee Secretary