

Regular Meeting
Chautauqua County Legislature
Wednesday, May 23, 2018, 6:30 p.m.
Mayville, N.Y. 14757

Chairman Wendel called the meeting to order at 6:30 p.m.

Clerk Tampio called the roll and announced a quorum present. Absent: Rankin, Starks,
Wilfong

Chairman Wendel asked at this time to give a moment of silence for the passing of our previous County Clerk, Sandy Sopak.

Legislator Pavlock delivered the prayer followed by the pledge of allegiance.

MOVED by Legislator Bankoski, SECONDED by Legislator Nazzaro, the minutes were approved. (4/25/18)

Unanimously Carried

1st Privilege of the Floor

My name is Peter Weimer from We Wan Chu Cottages. I'm here to talk about the proposed increase in the North Chautauqua Lake Sewer District. We were basically informed about this just a few months ago and they had a public hearing. They proposed to double our sewer tax or fees from the southern part of Chautauqua Institution border to Manor Drive. That is going to impact our business by thousands of dollars. I'm respectfully asking you to postpone this vote for a month which will still give the sewer district what they need but it would pass it into the next quarter, September, October, November. Here it's going to ding us, June, July, and August and we haven't had the opportunity to raise our prices because we were informed about it such late into the project. We Wan Chu Cottages brought in almost \$24,000 last year in bed tax to Chautauqua County. And we didn't ask for anything. We bring in tens of thousands of dollars of property tax and we don't ask anything either. I'm asking you tonight not to spend either one of those dollars on any herbicide treatment that would shoot a hole in the tourism industry. We can't and you shouldn't take tourism dollars to harm us and you should do me a favor please and postpone this vote for an increase until next month which would push it into the next quarter and possibly save my family and I \$5,000 or more. Thank you for your time.

Chairman Wendel: Anyone else to speak to the first privilege of the floor? Seeing none, we'll close the first privilege of the floor.

VETO MESSAGES FROM COUNTY EXECUTIVE BORRELLO
NO VETOES FROM 4/25/18

FISHING ESSAY AWARDS
2 GRAND PRIZE WINNERS
Conner Degnan and Mattea Hilliker
By
Sports Fishery Advisory Board
Chairman Wendel
County Executive Borrello

COMMUNICATIONS:

1. Letter – County Executive – Re: Apptmt. to Youth Board
 2. Quarterly Report – Small Business Development Center – 1/1-3/31/18
 3. Letter – NYS Dept. of State – Ack. Receipt of LL’s 5, 6, 7, and 8-18
 4. Letter – Assemblyman Goodell – Ack. Receipt of Motion 4-18
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LOCAL LAW:

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)

Chairman Wendel: Is there any discussion or debate on considering Local Law 8-18? Seeing none, roll call please.

LOCAL LAW INTRO. 8-18 – R/C Vote: 16 Yes; 3 Absent – **UNANIMOUSLY ADOPTED**

RESOLUTIONS:

RES. NO. 124-18 Confirm Appointments – Chautauqua County Youth Board, by Human Services Committee – **UNANIMOUSLY ADOPTED**

RES. NO. 125-18 Confirm User Charges – North Chautauqua Lake Sewer District, by Public Facilities and Audit & Control Committees

Legislator Scudder : I was wondering if we could table this?

Legislator Gould: I would second that.

Chairman Wendel: We have a motion and a second to table resolution 125-18. All those in favor?

RES. NO. 125-18 – **TABLED** w/ Legislators Hemmer, Himelein, Nazzaro, Chagnon, Vanstrom voting “no” to table

Chairman Wendel: This will be tabled until our June meeting.

RES. NO. 126-18 Adjust CARTS 2018 Budget to Reflect Additional Funding, by Public Facilities and Audit & Control Committees – **UNANIMOUSLY ADOPTED**

RES. NO. 127-18 Authorization for Funding to Replace the Fabric Cover on the Charlotte Salt Shed, by Public Facilities and Audit & Control Committees – **UNANIMOUSLY ADOPTED**

RES. NO. RES. NO. 128-18 Adjust D5112 – Capital Improvement Accounts, by Public Facilities and Audit & Control Committees – **UNANIMOUSLY ADOPTED**

RES. NO. 129-18 Authorization of Funding to Replace Boiler at the Mayville Municipal Building, by Public Facilities and Audit & Control Committees – **UNANIMOUSLY ADOPTED**

RES. NO. 130-18 Amend 2017 Budget for Year End Reconciliations – Final Adjustments, by Public Facilities and Audit & Control Committees – **UNANIMOUSLY ADOPTED**

RES. NO. 131-18 Resolution in Support of Chautauqua County Veterans Memorial State Highway Designations, by Public Facilities Committee – **UNANIMOUSLY ADOPTED**

RES. NO. 132-18 Accept William G. Pomeroy Foundation Grant to Provide Historical Marker for Women’s Rights Convention, by Administrative Services and Audit & Control Committees – **UNANIMOUSLY ADOPTED**

RES. NO. 133-18 Distribution of Mortgage Taxes, by Administrative Services and Audit & Control Committees

Legislator Chagnon: It gives me great pleasure to point out to the Legislature that this distribution of mortgage taxes compared to last year the same six month period is a 10.6% increase in distribution of mortgage taxes. This gives us a further indication that Chautauqua County is on the move.

Chairman Wendel: Any other discussion or debate?

RES. NO. 133-18 – UNANIMOUSLY ADOPTED

RES. NO. 134-18 Approving Consolidation of Vital Statistics Registrar Districts Between Town of Portland and Village of Brocton, by Administrative Services Committee – **UNANIMOUSLY ADOPTED**

Legislator Bankoski: I would like to make a motion to block resolutions 135 through 139-18.

Legislator Chagnon: Second.

Unanimously Carried

RES. NO. 135-18 Authorize Agreement w/ Village of Mayville for Enhanced Police Protection Services, by Public Safety and Audit & Control Committees – **UNANIMOUSLY ADOPTED**

RES. NO. 136-18 Authorize Agreement with Town of Hanover for Enhance Police Protection Services, by Public Safety and Audit & Control Committees – **UNANIMOUSLY ADOPTED**

RES. NO. 137-18 Authorize Agreement with Village of Silver Creek for Court Security Detail, by Public Safety and Audit & Control Committees – **UNANIMOUSLY ADOPTED**

RES. NO. 138-18 Authorize Execution of New York State Division of Criminal Justice Services Grant – Southern Tier Regional Drug Task Force FY17, by Public Safety and Audit & Control Committees – **UNANIMOUSLY ADOPTED**

RES. NO. 139-18 Authorize Agreement with Pine Valley Central School District for Provisions of Space for Sheriff’s Sub-Station, by Public Safety and Audit & Control Committees – **UNANIMOUSLY ADOPTED**

RES. NO. 140-18 Authorize Acceptance of the Gun Involved Violence Elimination Grant (“GIVE”) Funds for 2018-2019, by Public Safety and Audit & Control Committees – **UNANIMOUSLY ADOPTED**

RES. NO. 141-18 Authorize Acceptance of the 2018 Stop Violence Against Women (VAWA) Grant Program, by Public Safety and Audit & Control Committees – **UNANIMOUSLY ADOPTED**

RES. NO. 142-18 Authorize Acceptance of the Crimes Against Revenue Program Grant (“CARP”) for Funds for 2018, by Public Safety and Audit & Control Committees – **UNANIMOUSLY ADOPTED**

RES. NO. 143-18 Amend 2018 Budget Appropriations and Revenues Associated with Juvenile Services Team (JST) , by Public Safety, Human Services and Audit & Control Committees – **UNANIMOUSLY ADOPTED**

RES. NO. 144-18 Authorize Capital Project for Purchase of Microsoft Surface Pros, by Human Services and Audit & Control Committees – **UNANIMOUSLY ADOPTED**

RES. NO. 145-18 To Accept Increased Cancer Services Grant Funding, by Human Services and Audit & Control Committees – **UNANIMOUSLY ADOPTED**

ANNOUNCEMENTS:

Legislator Bankoski: On behalf of myself and Legislator Muldowney we would like to welcome everybody to Memorial Park on Memorial Day Monday for our usual Memorial Day service at the Veteran’s Park and then a parade to follow down Central Avenue into City Hall.

Chairman Wendel: Any other announcements? If not, I do have one announcement. This Saturday at the Village Casino beginning at 8:00 a.m., there will be an informational meeting by Chautauqua Lake Partnership involving their efforts in lake and lake education. So I urge all Legislators to attend. If you had not been so, it's a good informational meeting. Again, 8:00 a.m. at the Village Casino in Bemus Point.

2nd Privilege of the Floor

Hi, I'm Jim Wehrfritz and this is Jim Cirbus and we're here representing the Chautauqua Lake Partnership. We appreciate the opportunity to talk to you tonight, shortly. What Jim is holding here is the supplemental environmental impact statement, the SEIS, for herbicides in Chautauqua Lake. This document was to be developed as part of the County's macrophyte management strategy, the MMS, and is necessary for implementation of herbicide based weed management in Chautauqua Lake. SEIS development and its processing consistent with the New York State Environmental Quality Review Act was removed from the MMS scope in the fourth quarter 2016. The SEIS, this document and its SEQRA processing was completed on April 17, 2018. The Town of Ellery as lead agency was supported by thousands of volunteer hours by the Chautauqua Lake Partnership and over \$250,000 in generous contributions from the Chautauqua Regional Community and Lenna Foundations that was \$169,000, individuals and businesses over \$53,000 and the Towns of Ellery, North Harmony, and Busti and the Villages of Bemus Point and Lakewood, \$28,000. Now, for the first time in over 25 years, significant herbicide treatments will join weed harvesting for the optimal management of invasive weeds in Chautauqua Lake. Permits have already been issued for this in the 2018 season.

Mr. Cirbus: As you recall on April 25th of this year the Chautauqua Lake Partnership made a formal request to the Chautauqua County Legislature, legislative body, for \$500,000 to fund this 2018 Chautauqua Lake herbicide treatment program. The request was subsequently reduced to \$300,000 anticipating reductions as permits were eventually granted. The CLP realizes that all the Legislators with constituents near Chautauqua Lake, in the north County, and all the other areas understand the lakes importance to the economic interest and quality of life of all residents in Chautauqua County. CLP was confident that required 10 of 19 votes would be cast in favor of this critical funding resolution. Unfortunately we couldn't really get a Legislator to introduce this funding resolution requested on the 25th and as a result no vote was taken at this meeting of the Legislature. However, we all remain hopeful that Chautauqua County will assist this funding for the 2018 Chautauqua Lake herbicide treatment program, the first significant such opportunity in over 25 years. This has all been as the result of the leadership of the Town of Ellery, participations by the Towns of North Harmony, Busti, Ellicott, and the Villages of Celoron and Bemus Point with the support and facilitation of the CLP. We have a poster but basically we're hoping the County can dig deep and find some funding here at the last minute to help us. We're aiming for the first week in June. We have everything in order and we'll talk more about this at the rally which PJ, Mr. Wendel just mentioned and we hope that all the Legislators and any others that seek improvement of the lake, attend this meeting on Memorial Day weekend. It's Saturday, from 8:00 to 10:30 at it's at the Village Casino in Bemus Point. We thank you for your time and cooperation.

Chairman Wendel: Thank you very much. Anyone else to speak to the second privilege of the floor? Seeing none, we'll close the second privilege of the floor.

MOVED by Legislator Gould, SECONDED by Legislator Bankoski and duly carried the meeting was adjourned. (6:58 p.m.)

Respectfully submitted and transcribed,
Lori J. Foster, Deputy Clerk/Secretary to the Legislature