

Regular Meeting
Chautauqua County Legislature
Wednesday, June 27, 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)

Chairman Wendel: I would like to ask for a moment of silence for a long time County Legislator, Joseph Trusso, who passed since our last meeting.

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

MOVED by Legislator Bankoski, SECONDED by Legislator Nazzaro, the minutes were approved. (5/23/18)

Unanimously Carried

1st Privilege of the Floor

Hi, my name is Sophia Willis, I'm the Chautauqua County Alternate Dairy Princess. I live on my family's dairy farm in Dewittville, New York. We have about 750 cows. I have done the 4-H program – I have been in the Dairy Princess program for five years and in the 4-H dairy programs a lot more years than that. I show my cows at the Chautauqua County Fair and I just really love – it's really such a great opportunity for me to be here and to be part of the Chautauqua County Dairy program. So now, I'll hand it over to the Chautauqua County Dairy Princess, Ashley Haskins.

Good evening everyone. My name is Ashley Haskins. Thank you for having me here tonight. I would like to recognize the month of June as being Dairy Month. In the Town of Ellington, New York, where I have lived on my grandparents farm for almost all of 17 years, we have 700 acres of land with 44 head of milking cows and almost 100 heifers and calves that I care for daily. I am very grateful to represent Chautauqua County in all of its hard working farm families like my family in the 2018 and 2019 year as well as I did last year as your Chautauqua County Alternate Dairy Princess. These farm families give 15 cents from every milk check, per 100 weight, to promote the dairy industry and dairy products. Claiming the National Dairy month, June used to be known as National Milk Month, started in 1937 to encourage consumption of milk and other dairy products. Recently crowned as the new County Dairy Princess, I have been working hard to educate the public and reach consumers with as many promotional events possible in one month. June being the beginning of summer and end of a school year, I attended 2 farm tours, served milk punch at a 6th grade graduation. We've had appearances at high schools and elementary schools presenting a dairy product for all of the teachers and was interviewed by Dennis Webster on the Saturday Breakfast Party. Even though June is the only month nationally recognized as Dairy Month, I hope to promote dairy farmers and dairy products all year. The month of June is a great way to start off summer with consumption of any nutrient rich dairy product. In only one 8 oz. glass of milk, there are 9

essential nutrients. Vitamin A to maintain healthy skin, Vitamin D, phosphors, protein, and calcium for strong bones, Vitamin B12 for managing healthy red blood cells, Riboflavin and Niacin to aid in converting food into energy and Potassium to regulate a healthy blood pressure. When you drink a glass of milk from your local farmers, you can know that it is from someone who cares about the health and wellness of their cows because happy, healthy cows produce the finest quality milk all farms strive to deliver. So celebrate the hard working farmers by drinking a glass of milk or enjoying your favorite dairy product in the beautiful month of June. Thank you. (Applause)

Chairman Wendel: Thank you ladies. Anyone to speak to the first privilege of the floor? Seeing none, we'll close the 1st privilege of the floor.

VETO MESSAGES FROM COUNTY EXECUTIVE BORRELLO
NO VETOES FROM 5/23/18

COMMENDATIONS:

DONALD REINHOUDT
By
County Executive Borrello
Chairman Paul M. Wendel, Jr.

DEPUTY STEPHEN MADONIA
By
Chairman Paul M. Wendel, Jr.
Legislator John Davis

CERTIFICATE AWARDS
To High School
VALEDICTORIANS
By
County Executive Borrello
Chairman Paul M. Wendel, Jr.

PRESENTATION:

Planning Board's Review of
2019 Capital Projects
By Doug Bowen

County Executive Borrello, Mr. Chairman, County Legislators, ladies and gentlemen: My name is Douglas Bowen, and I am Chairman of the Chautauqua County Planning Board. The County Administrative Code charges the County Planning Board with the responsibility of annually reviewing capital requests from county departments and making recommendations to County Government with respect to estimated costs, project justification, and priority. This

evening I am here on behalf of the Chautauqua County Planning Board to present the Board's report, with recommendations for the 2019 Capital Budget, and the 2020-2024 Capital Plan.

The County's Capital Project review process has been well-established for a number of years. The review process itself has been reviewed by the Planning Board each year and some minor changes have been made to the application form and all Capital Projects presentations now occur in one day. The challenge the Planning Board faces with Capital Projects, and long term capital budgeting, is the funding source. Traditionally Capital Projects are funded by interest income from the County's investments. Unfortunately the dedicated funding source for this has been shrinking while at the same time we are dealing with aging infrastructure and a rising public demand for improved services. Departments struggle to work within the resources provided and keep our facilities and equipment operational. The scenario of limited resources and increased demand will not work in the long run. As we go forward the Planning Board believes it will be imperative to identify a better way to fund the projects necessary to keep us operational as a county.

One way to manage our annual capital costs is to be able to project what those costs may be and plan for the financial outlay required to meet those capital costs. During discussions regarding the Capital Projects Process, the Planning Board was asked, "Why, do departments have to show the 6-year Capital Plan?" The Board's response to this question is straight forward. Without a spending plan to demonstrate the capital needs of the County over several years, expenditures would fluctuate widely causing budget gaps in some years, which too often fall prey to short term solutions, such as across the board spending reductions, the elimination of so called luxury items, and restrictions on employee hours. Any of these reductions can diminish the long term plan for capital investment or the intent and goals of a particular capital project. The 6-year Capital Plan examines the County's capital assets and determines the best way to maintain these assets efficiently.

On page 5 of the Capital Project Report you will see a copy of the ranking form the County Planning Board uses to rank Capital Projects. There are 9 areas of functionality in the ranking form each with different weighting. The first area in the ranking form is "operating budget impact". The impact of Capital Projects on present and future operating budgets can be significant. Some Capital Projects can add recurring expenditures, possibly creating the need to increase taxes or raise other revenues to offset the new operating expenditures, while other Capital Projects may result in significant savings in future operating budgets.

The future is difficult to predict and it can be difficult to forecast future operating budget impact. However, we can learn from the past. The "Child Protective Services Surface Pro" project request was great example of this. During the review of this project the Planning Board asked questions based on potential future savings in operating expense with the purchase of the Surface Pro. With varying case-loads from year-to-year it was difficult for the department to predict the number of cases in the future. To help answer the question, we can look back at the actual numbers from 2017 and ask the question, if the Surface Pro was available in 2017, how would the operating expenses be affected? The factors to be considered would be reduction in overtime, reduction in mileage, reduction in the turn-over of personnel, and reduction in training cost of new personnel. When departments can develop assumptions based upon variables that they have data for, improved business analysis for the viability of capital investments can be provided. The Planning Board recognizes that not every public project has measurable variables but when they are available we encourage them to be utilized.

This year the planning board reviewed 41 capital projects for the 2019 capital budget and an additional 28 projects for the 2020 – 2024 capital plans. These projects were submitted by 10

various Chautauqua County departments. If you separate out the sub-departments that are under the umbrella of “Public Facilities” there were submissions from 16 different departments. The total cost requested for the 41 capital projects reviewed was \$18,356,635. The county share of these projects was \$9,248,900. Included in this total were 5 Enterprise Fund projects with a total project cost of \$1,342,500. The 5 Enterprise Fund projects included 1 project from the North Chautauqua Lake Sewer District, 1 project from the South and Center Chautauqua Lake Sewer District, and 3 vehicle and equipment requests from the Chautauqua County Landfill. The funding for these enterprise projects is anticipated to come from the respective enterprise user fees generated by the local services.

The Capital Project Report is broken into multiple tables for your use. Table A on page 6 lists a total of the 2019 Capital Project Requests by department. Table B, on page 8, lists the Board's prioritization of general government projects. The table contains corresponding page numbers to allow easy reference to project information.

Table C, on page 12, lists the Prioritization of the requested Enterprise Funded Capital Projects for 2019, again, the table contains corresponding page numbers to allow easy reference to project information.

Table D, on page 14, lists the Prioritization of the requested Airport Capital Projects, and the County Vehicle Requests are listed on page 16.

As I have said in the past, the Capital Project review process is a process of obtaining good information, and making the best use of the information requires a partnership with all parties involved. The Planning Board does not underestimate the human effort required to execute the capital planning and budgeting process by county departments. However, in the end the investment of time is well spent and if done correctly will benefit county operations and the taxpayers.

Before I leave, I would like to thank the County Executive and the County Legislature for the appointments made to the County Planning Board. You have provided the Planning Board with a group of dedicated and knowledgeable individuals with diverse backgrounds who provide valuable insight to future planning for Chautauqua County. That said I would like to thank all the members of the Chautauqua County Planning Board who volunteered many hours reviewing the Capital Projects. I commend them for their efforts. Thank you. Are there any questions?

Chairman Wendel: Thank you Mr. Bowen, excellent presentation.

Legislator Chagnon: I would like to extend our appreciation to Mr. Bowen and to the entire Planning Board for their excellent efforts and work to assist the County Legislature in our work and their dedicated service to all of the departments of Chautauqua County and to the entire community.

Chairman Wendel: Thank you very much.

COMMUNICATIONS:

1. Letter – Coroner Warren Riles – Retiring Effective 6/27/18
2. Letter – Coroner Lawrence Wilcox – Resignation Effective 6/27/18
3. Letter – County Executive – Re: Re-Appt. to JCC Bd. Of Trustees
4. Letter – County Executive – Re: Appt. to IDA Board of Directors
5. Email - Clerk Tampio – Re: Constituent Opposing the Herbicide Use in Chautauqua Lake

6. Letter – A. Nixon, Ex. Dir. CCVB – Re: Funding Application, Budget & Marketing Plan for 2019
7. Letter – NYS Office of Comptroller – Re: Order Regarding Extension to SCLSD – Hamlet of Stow
8. Letter – NYS Dept. of State – Re: Availability of \$100M Funding Through (TAP), Transportation Alternatives Program
9. Letters (2) – NYS Dept. of State – Re: Ack. Receipt of LL's 9-18 & 10-18
10. Reports – Fn. Director Crow – Investments – April/May 2018
11. 2019 Capital Budget & 2020-2024 Capital Plan

TABLED RES. NO. 125-18 – Confirm User Charges North Chautauqua Lake Sewer District

Legislator Chagnon: I would make a motion to move this to the floor.

Legislator Bankoski: Second.

Unanimously Carried

Legislator Chagnon: I would like to make a motion to amend resolution 125-18 by essentially turning one quarter. Where it lists the date of June 1st, that would be substituted with September 1st, and where it list May 31st, substitute it with August 31st.

Legislator Bankoski: Second.

Chairman Wendel: Any discussion?

Unanimously Carried

Chairman Wendel: Now on the resolution as as amended. Again, this is to confirm the user charges for the North Chautauqua Lake Sewer District. Any discussion?

TABLED RES. NO. 125-18 – Unanimously Adopted

RES. NO. 146-18 Confirm Appointment - Chautauqua County Parks Commission, by Public Facilities Committee – **UNANIMOUSLY ADOPTED**

RES. NO. 147-18 Confirm Re-Appointment – JCC Board of Trustees, by Legislator Scudder – **UNANIMOUSLY ADOPTED**

RES. NO. 148-18 Confirm Appointment – Chautauqua County Industrial Development Agency, by Planning & Economic Development Committee

Legislator Niebel: If we are going to grow Chautauqua County's economy we need input from all of our stakeholders, big business, small business, education, and agriculture, plus organized labor. It's been a number of years since we've had a union representative on the IDA

Board. Mr. Thorpe is a member of the Sheet Metal Workers Union and this and appointment that has been long overdue. Thank you.

Chairman Wendel: Any more discussion on the resolution ?

RES. NO. 148-18 – UNANIMOUSLY ADOPTED

RES. NO. 149-18 Authorize Capital Project for JCC Five Year Master Plan, by Public Facilities and Audit & Control Committees – **UNANIMOUSLY ADOPTED**

RES. NO. 150-18 Authorize Agreement To Extend Interim FBO Services at Dunkirk Airport, by Public Facilities and Audit & Control Committees - **ADOPTED** w/ Legislator Scudder voting “no”

RES. NO. 151-18 Authorize NY Alert Use Agreement with NY State Office of Information Technology Services, by Public Safety Committee – **UNANIMOUSLY ADOPTED**

RES. NO. 152-18 Authorize Lease Agreement Extension with New Cingular Wireless PCS, LLC for Space on the Tower & Building at Dunkirk Tower, by Public Safety and Audit & Control Committees – **UNANIMOUSLY ADOPTED**

RES. NO. 153-18 Authorize Lease Agreement Extension with New Cingular Wireless PCS, LLC for Space on the Hall R. Clothier Building Tower, by Public Safety and Audit & Control Committees – **UNANIMOUSLY ADOPTED**

RES. NO. 154-18 Authorize Agreement with Clymer Central School District for Provision of Space for Sheriff’s Sub-Station, by Public Safety and Audit & Control Committees – **UNANIMOUSLY ADOPTED**

RES. NO. 155-18 Authorize Extension for New York State Office of Homeland Security & Emergency Services Grant for Bomb Squad Initiative Program, by Public Safety and Audit & Control Committees – **UNANIMOUSLY ADOPTED**

RES. NO. 156-18 Compensation for County Coroners, by Public Safety and Audit & Control Committees – R/C Vote: 17 Yes; 1 No (Himelein); 1 Absent - **ADOPTED**

RES. NO. 157-18 Authorize County Executive to Execute the Youth Bureau Resource Allocation Plan, by Human Services and Audit & Control Committees – **UNANIMOUSLY ADOPTED**

RES. NO. 158-18 Authorize the County Executive to Execute a Use & Dissemination Agreement with the New York State Division of Criminal Justice Services, by Human Services Committee - **UNANIMOUSLY ADOPTED**

RES. NO. 159-18 Acceptance of New York State Empire Development “I Love NY” Funding for the Promotion of LECOM Health Challenge, by Planning & Economic Development and Audit & Control Committees – **UNANIMOUSLY ADOPTED**

RES. NO. 160-18 Funding in Support of Chautauqua County Residents to Attend the Babe Ruth World Series in Jamestown, New York, by Planning & Economic Development and Audit & Control Committees

Legislator Wilfong: This resolution was brought forward by my good friend Paul Whitford from the City of Jamestown and I would like to go on record publically thanking him for his hard work and dedication to the Babe Ruth World Series in the City of Jamestown. Thank you.

Chairman Wendel: Thank you Mr. Whitford and for those of us throughout the County, the Babe Ruth World Series has been a (*inaudible*) here in Jamestown, New York and the Babe Ruth World Series Committee always looks forward to coming here and through the efforts of Mr. Whitford, they have been coming here successfully year after year. So we would like to thank you. (Applause) Seeing no other further discussion.

RES. NO. 160-18 – UNANIMOUSLY ADOPTED

RES. NO. 161-18 Authorize Chautauqua County Visitors Bureau as the Local Tourist Promotion Agency for Matching Funds Program Sponsored by NYS Division of Tourism, by Planning & Economic Development and Audit & Control Committees – **UNANIMOUSLY ADOPTED**

RES. NO. 162-18 Authorizing SEQRA Review of Waterways Panel 2019 2% Occupancy Tax Recommendations, by Planning & Economic Development and Audit & Control Committees – **UNANIMOUSLY ADOPTED**

RES. NO. 163-18 Auth. Use of Funds from the Chautauqua County Sewer Agency to Assess the Feasibility of Treating Wastewater Flows from the Town of Mina in the Village of Sherman Sewer Wastewater Treatment Plant, by Planning & Economic Development and Audit & Control Committees – **UNANIMOUSLY ADOPTED**

RES. NO. 164-18 Order Extending the South Chautauqua Lake Sewer District, by Audit & Control Committee – **UNANIMOUSLY ADOPTED**

RES. NO. 165-18 Quit Claim Deeds, by Audit & Control Committee – R/C Vote: 18 Yes; 1 Absent - **UNANIMOUSLY ADOPTED**

EMERG. RES. NO. 166-18 Confirm Appointments - Chautauqua County Coroners, by Chairman Wendel

Legislator Niebel: Mr. Chairman, I would like to make a motion that we go into executive session?

Legislator Nazzaro: I will second that motion.

Chairman Wendel: The executive session would be in regards to matter of appointing a particular person to the position. It's a simple majority.

Carried w/ Gould and Bankoski voting “no”

Legislature in executive session at 7:16 p.m.

MOVED by Legislator Gould, SECONDED by Legislator Whitford to come out of executive session. (7:35 p.m.)

Chairman Wendel: Again, we’ll be discussion resolution 166-18. It’s placed on as an emergency resolution due to timeliness of filing these positions. Any discussion on the matter? We need a motion to bring this to the floor.

Legislator Bankoski: So moved.

Legislator Starks: Second.

Unanimously Carried

Chairman Wendell: Now, any discussion on resolution 166-18?

Legislator Himelein: Roll call please.

EMERG. RES. NO. 166-18 - R/C Vote: 16 Yes; 2 No: (Himelein, Niebel); 1 Absent –
ADOPTED

MOTIONS:

A. Proclaiming June 2018 as Dairy Month in Chautauqua County - UNANIMOUSLY ADOPTED

B. In Support of Proposed Cassadaga Lake Nature Park

Legislator Odell: Just a clarification, (*cross talk*), we’re not having da ja vue, this is the same one we proposed last year but the group sponsoring this proposition is in just in need of an updated motion for this year to put in their CFA application. So that’s the redundancy in case anyone wanted to know.

Chairman Wendel: Any other discussion?

B. - UNANIMOUSLY ADOPTED

ANNOUNCEMENTS:

Legislator Vanstrom: I am very excited and enthused to show my support for the Farmer Neighbor Dinner that’s going to be held at the Grandview in Ellington on Tuesday, August 14th and (*inaudible*) tickets because this event will sell out. It’s that awesome. You can call 664-2351 and tickets are \$20.00 and can reserve those with Deb Kelley. Thank you.

Legislator Bankoski: On behalf of myself and Legislator Muldowney, we would like to welcome everyone to the Dunkirk waterfront for the 4th of July fireworks display which is one of the largest in Chautauqua County.

Chairman Wendel: I too would like to take this time to welcome everybody to the lovely Village of Lakewood for our annual fireworks and 4th of July festivities. There will be vendors throughout the day, different entertainment. You might actually see one of our Chairman in a kilt as my brother's lured me into a demonstration for our Scottish (*inaudible*) wrestling but the Village of Lakewood has always had a strong tradition of 4th of July celebration. Kicking off with the firecracker runs sponsored by the YMCA. So anybody interested, come on out, we'd love to see you.

Also, one of the biggest events in Chautauqua County and I would be remiss if I didn't say that this has taken a great deal of work. I know Ms. Michelle Turner and several others, not to be – I've talked to Michelle several times but our LECOM Golf Challenge is coming to the lovely upper course of Peek N Peak Golf Course, July 2nd through the 8th. It's a phenomenal event. These guys are a stepping stone to the PGA some of which, after seeing them play here, you will see them play in the PGA within a years' time. Also our fine trophy was actually engraved and carved by former native of or actually native of Chautauqua County, Brook Sanderson. His business has been doing engraved woodwork now for some time. It's a great event. I was utterly amazed at how much excitement there is. There's really nothing better than to watch a ball get hit right in front of you and turn around and watch on the Golf Channel where it has been televised throughout the event so it's very impressive. July 2nd through the 8th.

Legislator Scudder: I don't think (*inaudible*) the Fair. The Fair is July 16th. I usually happens a week later so we're kind of - where it happened there in the past but, the Fair is July 16th which will happen before our next meeting so I'll be there at least one night so if you see me I'll be in the tattoo tent. Nothing against tattoos, sorry.

Chairman Wendel: Yes, come out and support the Chautauqua County Fair. Any other announcements.

2nd Privilege of the Floor

My name is Christopher Lobe. I'm here on behalf of myself. I lost my property in the tax sale on June 16th and I'm trying to beg of you guys to stop the sale. I know that this is my last resort. I have the money. I just made a mistake on the date and I'm just begging and pleading that I don't lose my family's house. I left a letter in all your mailboxes last week. So, I really don't have much else to say. I (*inaudible*) one for words but that's it. That's all that I have to say.

Chairman Wendel: Thank you. Anyone else to speak to the 2nd privilege of the floor. Seeing none, we'll close the privilege of the floor.

MOVED by Legislator Gould, SECONDED, by Legislator Starks to adjourn. (7:41 p.m.)

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