

Minutes

Audit & Control Committee

July 19, 2018, 8:35 a.m., Room 331

Gerace Office Building, Mayville, NY

Members Present: Chagnon, Nazzaro, Muldowney, Niebel, Gould

Others: Tampio, Ames, Spanos, Brickley, Crow, Abdella, Dennison, Caflisch, Borrello, Wendel, Lis, Schuyler, Swanson, Malecki, Handley, Almeter, Button

Chairman Chagnon called the meeting to order at 8:35 a.m.

Approval of Minutes (6/21/18)

MOVED by Legislator Niebel, SECONDED by Legislator Muldowney

Unanimously Carried

Privilege of the Floor

No one chose to speak at this time

Presentation- Drescher & Malecki 2017 County Audit by Tom Malecki and Erica Handley

Proposed Resolution- Reallocating Salary Grades for Caseworker, Caseworker (CPS), Senior Caseworker, Senior Caseworker (CPS), Case Supervisor B, Case Supervisor B (CPS), and Case Supervisor A

Ms. Schuyler: I believe that along with this resolution that you also received a memo that had been submitted to County Executive Borrello and Jessica Wisniewski in Human Resources. Jessica could not be here today but in regards to this resolution, she did send a note stating that Human Resources researched various counties throughout New York State with the same or similar titles and compiled salaries for these titles. In the findings, Human Resources found that Chautauqua County was either at the low points or the average of the scale even with those two pay grades increased. Per CSEA 6300 bargaining agreement, there must be a reallocation vote amongst the County Executive, HR Director and Union President. With this research and the department's reasons in a memo for requesting these increases, the vote was unanimously "yes." I do believe that you were able to read through the memo that I submitted that provided some rational for why we are asking for these reallocations. The work that our child welfare and adult protection units are doing is very difficult and the opioid epidemic has only worsened that. We

have had a very difficult time recruiting staff and then retaining them. Recruitment issues somewhat surrounded the Civil Service process and that has now been improved where we are now able to test for these positions twice a year. We had an old Civil Service list that kept being extended and extended way past the two years. Because of the New York State Office of Children and Family training requirements caseworkers are not allowed to take a full caseload until after they have been trained for a year. We had this- I guess you could call it a perfect storm of losing workers and then not being able to hire new workers. I have some charts that may help as we go through this. With the training requirements as they are, we have workers that are unable to take caseloads. If you look at the first chart and look at the percentage of workers with more than 15 investigations- that's the blue line, green is the percentage of timely assessments, and red is percentage of overdue investigations. Those are the three things that the Office of Children and Family Services looks at monthly for every local social services district. Our rankings were at the bottom of the State and are very concerning. Looking at the (*inaudible*) our vacancy is the next chart. It's pretty easy to correlate that when our vacancy rate had went up obviously our overtime went up and that's when our performance indicators took a nosedive. We currently are spending- the next page that you have there is our overtime analysis. It's evident that when we don't have workers who are able to take caseloads it puts a much greater burden on our seasoned workers. So, our overtime costs have gone up and I am very afraid of losing more seasoned workers because of the burnout that goes along with the nature of this work and what we are asking them to do. Your next chart is the State Central Registry report. You can see the number of reports that are determined which means they were closed, and the number of reports that we have received every year. The next chart is a total number of reports received- just in a little different format that is a little easier to see. The spigot doesn't seem to be slowing down at all as far as intake from New York State and we have no control over that at the local level. The State has the Central Registry process, so the State receives all reports of potential abuse and maltreatment. If they determine that it needs to be investigated then they send it on to the local district and then we must respond within 24 hours to assess the safety of children. It doesn't matter what day of the week it is or what time it is, or what the holiday is. It's just the work that we do. On the resolution you will see that what the changes are in the salaries themselves, as well- we have provided you with the local share cost. We do get about 65% reimbursements on all of these positions. So, it is less than a \$60,000 increase in local share. I do believe that we are going to see the overtime go down significantly. My main concern is that if we don't become more competitive with our salaries we are not going to be able to retain staff and we are going to be right back where we were with all of those vacancies, and that means increased caseloads which makes me not get any sleep at night. It is very scary what could happen to children and families that are in our community. This is a mandate. We are the only people who are able to do this work. CPS cannot be contracted out. No other agency can do it and that's the same for Adult Protection.

Chairman Chagnon: Questions or comments from the committee?

Legislator Nazzaro: When would be the effective date of this?

Ms. Schuyler: Kathleen, is it immediate?

Mrs. Dennison: As soon as it can go through the-

Ms. Schuyler: As soon as it's passed. So if its approved, I believe it would be August.

Legislator Niebel: Is it retroactive?

Ms. Schuyler: No.

Legislator Niebel: It would take effect in August- from August on?

Ms. Schuyler: Yes.

Chairman Chagnon: I have a couple of questions. Your charts and your discussion- I took it to be relative to CPS but some of these changes deal with other than CPS?

Ms. Schuyler: The titles that are here are all related to child welfare and adult protection. The beginning level is a caseworker and that deals with foster care, adoption, home finding- when CPS goes out they remove a child and they go into foster care, the case workers in foster care adoption preventive are the one that are dealing with family court and trying to get permanency for the children. CPS parentetical is for CPS investigative work- 60 day investigation work. The senior caseworkers- they take the higher profile cases, more severe abuse or very complicated children that are in foster care- could be multiple siblings that are placed and trying to find them permanent homes. The case supervisors are responsible for leading their teams. They have to review all of the cases they manage and all the children that are in foster care. We currently have 51 children under the age of 5 in foster care and I have never seen numbers that high and a lot of that is related to substance abuse. We have just over 100 children in foster care total, right now. The Case Supervisor A, they are more of the program managers and we have two of those right now.

Chairman Chagnon: Ok, so-

Ms. Schuyler: It's kind of incremental.

Chairman Chagnon: You are proposing to change the salary grades of all the case workers- your discussion and your data you presented was just relative to CPS.

Ms. Schuyler: Correct. I can provide some additional data on foster- what happens in CPS spills over into the rest of-

Chairman Chagnon: I understand. I just wanted to be clear with what we were seeing. The other question I have is-following up on my esteemed colleagues question is this would lead us to believe that something has significantly changed since the preparation of last year's budget and then the follow up question would be, why would we need to implement this now rather than in the 2019 budget? Something has obviously changed for you to bring this to our attention now. I don't know what is bringing this up now. It looks like these trends have been developing for some time.

Ms. Schuyler: When it was brought to my attention of just how significant the issue was and the difficulty that not just us, but several counties are having in recruiting and retaining child welfare and adult protection staff, we really looked clearly at the data and received phone calls from the State Office of Children and Family Services over their concerns with our delinquency rates and our performance measures; I feel that it is in the best interest of the County to take immediate action on this because we cannot lose any of the new staff that we have just hired. We have invested in them. Many of them will be coming off of their annual training requirements this month. If we immediately burn them out and lose them- one case worker just left the other day for a higher paying job.

Ms. Lis: You can see that the increase was fairly new in 2017 in the overtime.

Ms. Schuyler: We prepare our budget so early in the year that-

Ms. Lis: It was on our radar but we thought, oh, is this something unusual, is this going to continue, and it did continue. You know as far as the staffing that- what was happening there-

Chairman Chagnon: Christine, you indicated some things came to your attention and then you got calls from the State. What was the timing of that?

Ms. Schuyler: Looking at our performance reports, that was about the beginning of the year- January or February. I first approached this in February or March with the County Executive and Human Resources and it has taken some time to get it through the Union process and the reallocation process.

Chairman Chagnon: Sure. Chuck?

Legislator Nazzaro: This went through two other committees?

Ms. Schuyler: Yes.

Legislator Nazzaro: And I'm assuming that it passed?

Ms. Schuyler: Yes.

Legislator Nazzaro: This committee is obviously the financial arm. When you say our impact is \$60,000, that is an annual impact? You said our local share was-

Ms. Schuyler: Just shy of -

Ms. Lis: About 35%.

Legislator Nazzaro: So the \$60,000 local share impact-what period of time is that for?

Legislator Niebel: Each year.

Ms. Schuyler: That won't be this year.

Legislator Nazzaro: Well, let's clarify that.

Ms. Schuyler: That would be in the 2018 budget.

Legislator Nazzaro: From August until the end of the year?

Ms. Lis: No. What we were saying is- I have to think about that. What we were looking at was the cost that we have seen in- 2017 is the only complete year that we have and if 2018 trends to be the same as 2017 how much 2018 is going to cost us in overtime compared to how much those increased salaries would have cost us. We tried to annualize it so it's more of an annual figure; it's not what we would see through the end of this year if we made this change.

Legislator Nazzaro: So it is an annual-

Ms. Lis: Yes. (*Cross talk*)

Legislator Niebel: Which only goes up because of the increase in grades and steps that people go to.

Legislator Nazzaro: I have a couple concerns, Mr. Chairman. I'm not questioning the graphs. I'm not questioning the need. We have others coming before this committee that are- I'm sure there will be future meetings as we get into the budget process of- I'm not convinced how this will save overtime. I know that because of the turnover- this is very reactionary here and maybe we have to. I can say that in other sectors, you have that same issue. It's not just here and it's not just in this department. I think that when you make a change like this I would rather have more analysis done and see- it's getting closer to the 2019 budget process and I'm just hesitant to implement something like this mid-year until we really start looking at the complete budget picture for the County. I cannot support this at this time just because we have just heard from our Auditors and I think you are always going to have a risk of losing people. As our chairman pointed out, other workers pay grade is going to be increasing. I'm not sure of the effect of that, unless I missed something. Did you get a clear- are you comfortable with the answer- on the other positions that are in the resolution?

Chairman Chagnon: Well, we didn't see the data for the other positions. We saw the data relative to the CPS workers. The explanation was that they kind of run together. They-

Legislator Nazzaro: I'm just not sure-

Ms. Lis: I think the dollars are the complete picture. I don't know as if there is data, graphical data that relates.

Chairman Wendell: Mr. Chair, if I could. I think the concerns that Ms. Schuyler is trying to express is if we have a (*inaudible*) on a caseload the impact isn't so much dollars and cents, its

human lives. We are talking about children, adults, and those case workers with caseloads are increasing here in Chautauqua County. I know we are all well aware of that. I think this is unique in a sense that even though we are looking at dollars and cents, we are also looking at the human impact that I think is a little more tangible in this department than maybe in other departments. I'm not slighting any of your questions or concerns. This is a human life issue that they are talking about and unfortunately our child abuse cases- working in schools I see this all the time. It's difficult. These cases are not easy. That was just a point that I wanted to make.

Chairman Chagnon: Thank you. Terry?

Legislator Niebel: Christine, so we are talking about seven titles being upgraded. How many people will this effect? Just an approximate number.

Ms. Schuyler: There are 107 staff, but that includes clerical and community services workers which are not included in this. So, I would say about 70? Just off the top of my head.

Legislator Niebel: Ok, so about 70 people. Local share of about \$60,000, all things considered. Another question that I have is as far as your vacancy versus overtime chart here, it looks like we have a big spike from September 16th to March 17th. A huge spike from \$291 to \$11,271, but then it starts to come down and in March of 2018 it's down to \$6,284 and then it spikes again. Is it possible that this last spike is an anomaly? Is it possible that this will come down again?

Ms. Schuyler: With having a full complement of trained staff, overtime should come down. I see no reason- that's the problem. When you have caseworkers that can't take cases- we have caseworkers now who have 30 cases. The recommendation is 15. I wish- counties don't like to hear this, but I wish OCFS would mandate the number of cases that foster care workers and CPS workers can have. They have not yet mandated it. I seriously have- take this one poor guy on the CPS team who just finished his year of training and he now has 40 open CPS investigations. If you don't think that's a liability for this County you're crazy. You don't remember what happened in Erie County a few years ago? Children died. That was a huge- the trauma on the workers alone- but, as the Commissioner, that's on me and it's on each one of you to make sure that the children in our County- that we have the resources we need to do the work that we are mandated to do. No one else can do this but us.

Legislator Niebel: Christine, I have had friends that worked in CPS. It is not an easy job. I don't envy people at all and quite frankly, I couldn't do it. Look, just the increase in title in these upgrades is not going to affect the caseload. You're going to come back and say it may because of the fact that we will decrease the overtime.

Ms. Schuyler: It's retention. We lose workers because they can make more money in most any of the counties surrounding us. Erie County did just pass their increase for their workers. Catt. County was already significantly higher than us. They can go to the private sector and do jobs with a lot less stress and make more money. We cannot afford to lose workers because we are going to be right back in this cycle where we don't have enough workers to take-

Legislator Niebel: Where you will have vacancies and you will have to invest in overtime to pick up the slack?

Ms. Schuyler: Yes. The spillover from CPS goes right into services, which is where we do the work with children and families once they are in a foster home.

Legislator Niebel: Ok.

Ms. Schuyler: That is very hard work.

Legislator Niebel: Ok a lot of time and effort has gone into looking at these upgrades and I understand that. Look, I'm not necessarily opposed to this, but I am concerned about the timing of the upgrades. I kind of would like to see where we are as far as the overtime from April to July or August. Do we have that anyplace?

Ms. Lis: The latest we have is June and it was \$8,800.

Legislator Niebel: So it is coming down.

Ms. Lis: Down again, but I don't know exactly what –

Ms. Schuyler: Because of our-

Legislator Niebel: Is that a trend?

Ms. Schuyler: Because of our delinquency rate, we have so many cases that are beyond the sixty day time frame that they need to be closed. We are doing targeted closing of cases. We are paying supervisors and staff and all of these case workers, even in services who have never been trained to do CPS, all of these workers rotate through second shift, weekends, and holidays. They are on call 24/7. So even though they are not on a CPS team, all the case workers rotate through that. They are the ones that are also working CPS on second shift, on on-call all night long and on the weekends and holidays. It does impact all of the staff within this division and when staff isn't fully trained they can't take a caseload. So between having to do targeted closing, which we have to do, we are doing them on second shift. I'm paying an extra supervisor to come in and extra workers to make catch-up visits and get cases closed because of the delinquency rate. This is what we get from OCFS and we can't give them out because they are confidential from the State. Here we are. Workers with more than 15 investigations. That's us at the very bottom. We are in the red in every single one. This is the sort of liability that as a department head and as Commissioner of Social Services, if we do not retain our CPS staff I am very afraid of what will happen here. That is a spill-out for the entire department because it takes everybody to cover 24/7/365. Nobody else can do- this is a mandate. This isn't one of our departments that we don't have to have or can contract out for. No one can do this but us.

Legislator Niebel: Understood.

Ms. Schuyler: I have workers that are-

Legislator Niebel: Christine, look I have the upmost empathy for the children and the situation that you guys are in, but we also have to look at the fiscal implications as well. I'll be honest with you, I would prefer that these changes occur in the 2019 budget, but I'm not opposed if- because of the fact that our overtime does appear to be trending down right now, I'm not opposed to possibly implementing these changes in the fourth quarter of this year. Again, I would prefer to do it at the first of the year.

Ms. Schuyler: We have got workers with one foot out the door.

Legislator Niebel: One foot out the door? What does that mean?

Ms. Schuyler: They are overstressed. They are overworked. They don't have competitive pay. If we do not retain them now and the State has now just changed their training so that it is consolidated. Come January 1st, all training for anyone in these divisions will all be in Albany. For some reason the State thinks this is a wonderful idea. Instead of our workers having to go for a week or two weeks out of all the required trainings in a year to Albany, they can now go and do some in Buffalo and some in Rochester. We are going to have staff going all the way to Albany to get all of their training done.

Ms. Lis: Travel costs will increase.

Ms. Schuyler: Talk about recruitment issues- that is not going to help us at all when we have a lot of single moms.

Legislator Niebel: Let me just ask another question. Are you confident that the local share increase- and are we talking about a yearly increase of \$60,000 because we are talking about title changes to 70 people. Are you confident that \$60,000- again, I know that next year in 2019 it will increase because of the negotiated wages-

Ms. Schuyler: It's not an exact figure because we get reimbursed on all of the staff and-

Legislator Niebel: You have already taken into consideration that 65%-

Ms. Schuyler: Right now. As you go year to year you take what the total cost is and then we get 65% reimbursement.

Ms. Lis: Let me just jump in here for the numbers for a second. First of all, I want to say that we delayed coming with this- we saw this happening, we tried other methods - changing duties, realigning the department-other things before we- and it continued. The retention is the real problem. One of the major problems with retention is the wages. When we look at these numbers, these numbers are overtime- over 40 hours. The number I could not capture for you- these are 35 hour a week people. You have 5 hours of straight time that we are paying beyond their normal schedule that is not included in the overtime numbers because I would have to go back and look at the individual people and it was not as easy to capture as straight overtime. If we can decrease the overtime, which we feel that we can, we will save about \$150,000 in overtime costs. We think that the increase will cost about \$167,000- is what the increase is going

to cost. The two of them are not too far apart. If we can eliminate the overtime we can cover a lot of the cost of this increase.

Ms. Schuyler: I hope you can appreciate- I have been here for ten years and I have always tried to be very fiscally conservative. I have cut positions, I've cut programs, I have done whatever we had to do to try to make things run more efficiently. I'm trying to make improvements in cost and also in quality. I rarely come to you and ask you for something like this that is going to be an increase in local share unless I truly felt it was necessary.

Legislator Nazzaro: Look, there are a lot of emotions and this is a very sensitive issue. Nobody here questions the need of- I have lived in this County all my life and I work in health care on the financial side and I deal with this all the time. I could not do what you do. I want to be supportive and let me just finish this, I know it will get some reactions, normally a pay increase is a short term motivator. It's the work load and the type of work that you do. Even taking the budget out of this, we keep talking about caseload. To me, I would be more supportive- it would make more sense to me to add staff. If the caseload is where it is at, and I'm not questioning that, increasing peoples hourly rates is not going to affect the caseload. I'm always concerned because people can still leave. People- just because you give them a pay increase doesn't mean that they are going to be here a year from now because they are going to want more later. They have to have a passion about what they do, and I'm sure they do. Some people choose the public sector, some people choose the private sector. I loose people all the time to the public sector because of the benefits. I can't compete with the benefits. To me, to handle this situation would be looking at adding- a local share is a local share whether you add caseworkers to reduce the caseload. To me that would be a better approach.

Ms. Schuyler: We have. We had community service worker vacancies, I converted them to caseworkers.

Legislator Nazzaro: I mean overall staffing to handle-

Ms. Schuyler: I think we can be there. I think we have been able to get all of these new people on board. I think if they can all take caseloads and we can keep them happy and keep them retained in their jobs then the caseloads go down.

Legislator Nazzaro: Where I'm troubled, and maybe I'm missing it but I've been listening very intently, you're not- by increasing the pay scale- I'm still not convinced how it is going to affect the caseload. I know you are talking about retention-

Ms. Schuyler: Because it takes a whole year to train- If you hire a nurse at WCA and they cannot take a patient load for one year, that's a huge investment you have made and you've got all of your seasoned nurses who have more than they should, as far as patient assignments-they can't touch-

Legislator Nazzaro: Well I do that every day-

Ms. Schuyler: No, nurses do not have a year.

Legislator Nazzaro: New York- you can not put a nurse in the (*inaudible*) unless they have-

Ms. Schuyler: That's the-

Legislator Nazzaro: My point is that I go through this all the time and I never like it- it seems like- I hope this is not the case, employees are saying either they get a pay increase or I'm going through the exit.

Ms. Schuyler: No. This came from me as I feel that this is a strategy that we have to go down. We are not the only county going down this road.

Legislator Nazzaro: Do you have comparable numbers for salaries for other counties.

Ms. Schuyler: Yes. Human Resourced did that comparison with multiple counties and that's where we- (*crossstalk*) and I thought that Jessica would have provided that but it isn't here.

Legislator Nazzaro: You don't want to consider-

Ms. Schuyler: I have seen it, but I don't have it in my hands. That is why she- when we went to her she said she had to do some research and we have to look around and see what other counties are paying. We are lower than any county, especially I our region, but even counties of comparable size across the State.

Legislator Muldowney: She did say that in Administrative Services.

Legislator Nazzaro: So you don't want to bring a proposal to add staff? You don't feel that it would be-

Ms. Lis: It won't help us for a year.

Ms. Schuyler: No. No, because then you have to- we are right back in that training situation.

Legislator Nazzaro: What happens if some of them leave? This does not guarantee that they are going to stay here.

Ms. Schuyler: It doesn't guarantee it, but it certainly makes it a little more attractive.

Legislator Niebel: It's an incentive.

Ms. Schuyler: As you have seen in my memo, no one can do any of this work without a four year degree.

Legislator Nazzaro: What is the average increase per employee? I'm not doing the financial side, I'm just-

Ms. Schuyler: Well salary-

Mrs. Dennison: It's about \$4,000 a year.

Ms. Schuyler: Thank you. I just spoke with the Erie County Commissioner earlier this week and the Erie County Legislature finally passed- she said they got a \$5,000-\$6,000 increase for all of their division-

County Executive Borrello: I think Christine is especially frustrated because she has already gone through this with me. My initial- my first six months of my administration, which is obviously all of it, I said no. My first response was the same response that you are giving. But as things went on I did my own due diligence and I- you look at something like CPS and it is kind of the origin of the disease and the disease that we have here in our county- you know we got sprung a \$4 million charge for state training school. It was an unexpected bill that threw our budget off last year and caused us to dip into our fund balance deeper. That was to take care of 16 kids. If you look at that and you look at the fact that all we would need is one more kid that was ignored or underserved and ends up in that state training school to throw off everything again and increase our cost well beyond what we are requesting here. Forget about the human factor, I'm just talking about the financial impact of that. It's staggering. The costs that we incur when one child is lost into the system are staggering. This is kind of that ounce of prevention versus a pound of cure scenario in my opinion. We had a kid in Jamestown that was making very serious threats and again, we had every resource that we had on it, but because of the laws in this state it was a challenge. This was a kid that could have been helped earlier in his life but he got lost in the system here in Chautauqua County and ended up becoming a handful and a threat because there wasn't the attention given early on in his life. This is the impact that ultimately on top of the human factor, is a financial burden for us. To me, it took me awhile to come around to it, but I eventually decided that it was something that we have to do and not something that I want to do. It is the system that we live in and it is unfortunate. We are battling against competitive situations. Right now, throughout county government- when I first got out of college I would have loved to have gotten a job working in the Planning and Economic Development Department. I would have killed to get a job that- there are jobs that are available right now that we can't fill. We have two open positions in the Planning Department that we can't fill.

Legislator Niebel: What are they paying? (*Cross Laughter*)

County Executive Borrello: Not a lot. That's part of the problem and they require a four year degree in planning. This is a challenge throughout County government right now- filling positions with people that are adequate. If you throw in the- statistically speaking, the average millennial- they are at a job for three months and they think that it's a milestone and that it is time to move on, unfortunately. We are battling the societal impact of this also.

Ms. Schuyler: And planners make a lot more than caseworkers.

County Executive Borrello: All I'm saying is that this is not something that we would like to do. It is not a luxury and it is truly something that is preventing us from spending money

elsewhere, somewhere down the line. With the growth of the drug cases that we have here in our county there is a domino effect. The parents that are addicted to drugs and in the legal system, those are the kids that end up being CPS cases. It's a domino effect that is a societal problem that we are dealing with. To me, this is a relatively inexpensive way to address this issue without having another kid in the state training school, or kiddy prison as I have called us before, that is going to cost us millions.

Chairman Chagnon: George, thank you for that. Val, I wanted to follow up on one of the points that you made earlier. Just so we are clear on this, the memo said that the total additional annual cost of salary and fringes for upgrading the staff in these positions is \$169,000 and local share increase of \$59,000. You indicated, at least I think I heard you indicate, that you believe that the reduction in overtime will offset that-

Ms. Lis: Yes. That is what we are trying to present.

Chairman Chagnon: The reason that I wanted to focus on this is because the next sentence in the memo raised my hackles because it says that DHHS is confident that staff costs will be under budget in other divisions and this increase can be absorbed. That didn't sit well with me, but what you said sits really well with me.

Ms. Schuyler: I wrote that so that's not a financial statement. That is because of our turnover rate in general.

Chairman Chagnon: Right. You indicated that the overtime reduction could offset that entire increase.

Ms. Lis: I believe so.

Chairman Chagnon: Ok. Further discussion?

Legislator Gould: I would just like to say that I have complete confidence in our commissioner and I will gladly support this. I may look into it more at budget time, but until then she has got my full support on this.

Ms. Schuyler: Thank you.

Legislator Nazzaro: I'm really on the fence. This committee is the financial arm. I have known you for quite awhile and I trust in you. Personally, I just have a very uneasiness about this. I'm just not convinced that this is going to correct the issue because I think increasing the staffing would be a much better approach to reduce the caseload. Again, a \$4,000 pay increase is going to be short term motivator and if people don't want to work here, they are going to leave. That's the way that it is anywhere. I will support it because- I'm putting my faith in you. You are much closer to this issue than I am, and so I will reluctantly support it.

Ms. Schuyler: We have done multiple-

County Executive Borrello: This is where you say thank you. (*Cross Laughter*)

Ms. Schuyler: Thank you.

Legislator Muldowney: And I will support it because I supported it in Administrative Services and I think your point about the overtime costs is really (*inaudible*) and I also think that if we don't do it now, that we might be in much worse shape (*inaudible*.)

Legislator Niebel: I am not going to support this at this time and it's only because of the fact of the overtime. It does appear that it is trending downward. I would like to see where we are as far as July and August. If it begins to trend up again and you guys come back in August or September would consider supporting this for the fourth quarter of this year, but because of the trending downward at this time I am not going to support the resolution although you have made a very strong case. Thank you.

Ms. Lis: I would only like to say that we did see a slight downward trend in June or 2017 but it did raise right back up again. This will be the-

Legislator Niebel: That was 2017 and I'm looking at 2018.

Ms. Lis: Right. We believe it may be the same again.

Ms. Schuyler: Some of that has to do with the volume of reports that come in.

Chairman Chagnon: Ok, since everyone is going on the record, I will. I also place a lot of faith in our commissioner and our financial person who gave us an expectation of the overtime covering this annual increase. That speaks loudly to me. I think we have reached the point where it is time to vote unless anyone else has any questions or comments. All those in favor of the proposed resolution please say aye. Opposed?

Carried with Legislator Niebel Voting No

Proposed Resolution- Transfer of Foreclosed Properties to Chautauqua County Land Bank Corporation

Mr. Caflisch: I bring to you a resolution to transfer the fore mentioned tax foreclosed properties to the Chautauqua County Land Bank. We did a lot of work to look over the properties as the foreclosure process progressed and these are the ones that made the most sense in conjunction with previous properties we have taken to try to improve our neighborhoods. Our mission is to improve a distressed property in an otherwise good neighborhood so that we can improve the property value for everyone. I don't have every statistic on every property here, but I can try to answer questions for you.

Chairman Chagnon: Questions? Comments?

Legislator Niebel: One question. Jim, what is the balance or how much revenue does the Land Bank have at this time? Do you have one account? Do you have a number of accounts? What is the total amount that you have in your revenue Land Bank account?

Mr. Caflisch: Well, if you looked at our balance sheet it would be around \$800,000. That includes the inventory of properties from- I didn't bring that with me. We can do a special presentation on that, but it is around \$800,000 is our equity on the properties we hold right now. We do maintain two separate accounts in the Land Bank. One is the OAG, which is the Office of the Attorney General. That's where most of money is allocated. Then we have the Chautauqua County Land Bank Corporation.

Legislator Niebel: Do you know how much is in each one?

Mr. Caflisch: I couldn't tell you for sure.

Legislator Niebel: Ok. Well, are we talking about hundreds of thousands of dollars? Several million?

Mr. Caflisch: No, no. It's not several million, Terry.

Legislator Niebel: I'm just asking because I don't know.

Mr. Caflisch: I would want to say there is probably \$600,000 towards the OAG and \$200,000 towards the Chautauqua County Land Bank-

Legislator Niebel: For a total of \$800,000?

Mr. Caflisch: Yes, somewhere in that range.

Chairman Chagnon: Any other questions?

Legislator Niebel: Ok, so this resolution as I understand it, we would be giving you these 23 properties and we will forego the one year of taxes that ordinarily the Land Bank would pay?

Mr. Caflisch: No. The Land Bank pays taxes in the first year. The properties stay on the tax roll until the next taxable status day, which is March 1st. Any property that has a village tax, we will pay a village tax this year, a school tax, a town and county tax, and next year's village tax. Any property that is not in the Village we will pay this year's school tax, next year's county tax. The Legislature did change the statute for acquisition of properties where the Land Bank could declare- ask for a tax exemption immediately up the sale of the property. So far, we have not chosen to go down that route because Chautauqua County has been very supportive of the Land Bank and we feel that we don't want to impact local budgets if we can help it. We keep paying the taxes in the first year.

Legislator Niebel: Some of the other land banks in the state pay two years taxes?

Mr. Caflisch: No. Most are going down the road of tax exemption immediately upon transfer or property.

Legislator Niebel: On these 23 properties what is the average first years taxes that the Land Bank would have paid?

Mr. Caflisch: That would be hard to know because there are so many different values here. You're probably looking at \$2,000- \$3,000 or so.

Legislator Niebel: For a property?

Mr. Caflisch: On a residential property, yes. On a vacant land it is significantly less because those values are much less.

Legislator Niebel: Ok. For this one here, for the Village of Fredonia, Seymour Street, would this be correct for that property? The first year's taxes would be the 2016?

Mr. Caflisch: No. No, those taxes are all wiped out. What would happen is you see the taxable amounts, but we've highlighted the delinquent amount.

Legislator Niebel: You are saying it's an average of about \$3,000 per property? For these 23 properties?

Mr. Caflisch: It's closer to what the number that you have here is. This property is in a village so that will be a little higher.

Legislator Niebel: Because of the Village tax?

Mr. Caflisch: Right.

Legislator Niebel: If we were to say roughly \$3,000 per property and we have 23 properties, that-

Mr. Caflisch: We would only be paying this high on 18 properties. The other five would not be.

Legislator Niebel: So if it's vacant land, \$1,500?

Mr. Caflisch: No. Less.

Legislator Niebel: \$1,000?

Mr. Caflisch: Probably less than that. We are probably talking about \$300-\$400.

Legislator Niebel: But in all, we are talking about \$60,000 that the County is going to lose by giving you this exemption on these properties?

Mr. Caflisch: After the taxable status date. We are going to pay the first year taxes and then after March 1st of next year they would come off the roll. We would continue to pay the taxes this year until the taxable status day of next year. The only tax bill after that would be a village bill.

Chairman Chagnon: Unless they are sold.

Mr. Caflisch: Right.

Legislator Gould: If these went through the auction a \$3,000 income could become a \$300 income.

Mr. Caflisch: No, because if the property is sold at auction, the buyer is obligated to pay the next school tax coming up along with the next county/town tax-

Legislator Niebel: (*Inaudible*) not just in penalties?

Mr. Caflisch: No. The tax auction- the tax foreclosure extinguishes all the obligations.

Legislator Muldowney: You get a clear title.

Mr. Caflisch: You get a clear title, yes. It clears all the mortgages, liens, judgements, and any action against the property. Every property sold at auction comes clean and the next bill that they would get would be the next typical school or village bill if it was a village property.

Legislator Gould: I'm speaking about what they paid for it at the auction.

Mr. Caflisch: Well, at the auction it's- they are distressed properties. We are not selling them for- you can see the list on the foreclosure- you can see on the quit claims coming up you can see what they are selling for. I don't have their assessed values, but it's a distressed sale. Those sales are not considered arm's length sales for assessing purposes. Most of them are in, what I would consider pretty rough shape. These are not generally move in ready. It costs us anywhere from \$2,000 to \$4,000 to clean up a property as soon as we get title to it.

Legislator Niebel: It says \$2,000-\$6,000.

Mr. Caflisch: We have had some that go that high, but we are more in the 2-4 range, but we can spend up to \$6,000.

Legislator Niebel: Jim, I guess my question is how much is the county going to lose by giving the exemption to you guys for these 23 properties?

Mr. Caflisch: There is no exemption lost. The tax sale- if we would have sold them at the tax auction, is that your questions?

Legislator Niebel: Yes.

Mr. Caflisch: If we would have sold them at the tax auction, I would probably estimate that we would receive somewhere in the neighborhood of \$180,000.

Legislator Niebel: For these properties?

Mr. Caflisch: Somewhere in that vicinity. It's hard to guess. You don't know who the buyers are-

Legislator Niebel: Exactly. Or how many buyers will show up or what kind of competition you have for the properties.

Mr. Caflisch: Right.

Legislator Niebel: Understood. So, had these properties been sold at the tax auction about \$150,000- \$180,000, somewhere in there?

Mr. Caflisch: I would imagine it would be somewhere in that range.

Legislator Niebel: Is this something that the Land Bank is going to look to each year in the future to (*inaudible*) properties like this?

Mr. Caflisch: Yes. This is very close to what we call the sustainability model for us. We are looking to try to be self-sustaining if we can-

Legislator Niebel: I understand-

Mr. Caflisch: With these properties coming in because we are so unsure of our state funding. Our funding comes from the Attorney General's Office which gets their funding from the fines and settlements that they have levied against the major banks associated with the mortgage crisis of 2008-2009. Those settlements are now starting to dry up because as we get further and further away from 2008 and 2009, we have less litigation going on for unfair mortgage practices against the banks.

Legislator Niebel: You have always had- you have always received State aid for the-

Mr. Caflisch: Not State aid, just funding from the Attorney General's Office.

Legislator Niebel: Alright. Funding-

Legislator Muldowney: Based on settlements?

Mr. Caflisch: Based on settlements, so it's not a budgeted item in the State budget.

Legislator Niebel: But you have always received that since 2012?

Mr. Caflisch: We were one of the first Land Banks chartered-

Legislator Niebel: Number five in the State?

Mr. Caflisch: One of the first five, yes. So far we have leveraged, I think \$4 million in-

Legislator Niebel: I think that-

Mr. Caflisch: \$4.42 million we have leveraged in grant funding.

Legislator Niebel: That is how much you have secured. You have leveraged \$2,590,000.00.

Mr. Caflisch: That is private investment. We consider that when the properties go to rehabilitation, that's the investment new owners have put into those properties. That's a value we consider restored back to the tax rolls.

Legislator Niebel: Ok. The \$4.42 million is actual grant funding?

Mr. Caflisch: Yes.

Legislator Niebel: Alright.

Mr. Caflisch: That money is primarily used for demolition purposes.

Chairman Chagnon: Ok, any other questions or comments? For full disclosure, I will confess that I had sent some questions to the Land Bank Executive Director to the old email address and the Clerk of the Legislature helped me rectify last night. I do have some discussions that I will be having with Gina but I will hold those questions and comments at this time until I get a chance to get better educated. Any other questions or comments? All those in favor of this proposed resolution please say aye. Opposed?

Carried with Legislator Niebel Voting No

Proposed Resolution- Quit Claim Deeds

Mr. Caflisch: Thank you, Mr. Chairman. The list of quit claim deeds here, the properties are properties that were sold through the auction as well as some that were- I believe that came through from the reacquisition process. These are all- some of all them don't look like- no, they were reacquisitions because some of them were for the exact amount of money that were owed against the properties-

Chairman Chagnon: What we have before us this morning is an amended proposed resolution. It was amended in Administrative Services.

Mr. Caflisch: Correct. We amended it because we had- the final settlement date is Monday July, 16th. Thirty days from the auction. I wanted to give all of those people that had purchased property an opportunity to have it transferred in July so they didn't have to wait an extra month to get working on that. The quicker they get into private hands, the better. All the PA numbers are the ones that we sold at auction. All the QC's are the reacquisitions.

Chairman Chagnon: Any questions or comments?

Legislator Gould: PA 223, that is in the Village of Cherry Creek?

Mr. Caflisch: Correct.

Legislator Gould: And there is over a half a million dollars on the property and it was sold for \$250.00? Did the Village of Cherry Creek get an unfair advantage?

Mr. Caflisch: Actually, no. At this point in time because what occurred in 2010, previous to our policy on guaranteeing the delinquent taxes (*inaudible*) the Village of Cherry Creek at the time did a demolition. They put that charge back on the tax bill and at that point in time it- when it went back on the tax bill it became a guarantee. I didn't make a copy of it, but it was \$194,000 that was put on the bill. Subsequent to that, there was another \$88,000 that was supposed to go on, or they proposed to put on and at the time I refused as the Tax Enforcement Officer and the Tax Director to put on the tax bill. It resulted in some litigation at the time between the Village of Forestville and Cherry Creek. The outcome of that litigation was never, I don't think it- we never went to court on it, but the villages agreed and the towns and the cities to put no more charges on that were code enforcement charges. The only thing that is legal is a water, sewer, or garbage fee. The County Attorney wrote a memo to all the municipalities and then at that time former County Executive Edwards came up with a plan to allow landfill credits. We have since stopped the practice. This property came up now because after its demolition and restoration there was concerns still about environmental issues, but we have pretty much determined that it is not an issue. Now, it has been sold and we have to realize what the liabilities were against it. The interest number on your sheet is- totals \$238,000. We guaranteed roughly \$281,000 in the base tax. So, those were the guarantees made to the village and schools and towns. It is just a matter of cleaning this up now. I don't foresee any further properties in this-

Legislator Gould: In that-

Mr. Caflisch: In this category. This is nine years ago- it is done and over.

Legislator Muldowney: The other night there was a question if we paid it or not. The County Attorney was saying that we weren't supposed to pay it. Isn't that what you just said, that we did not pay it?

Mr. Caflisch: Well, we paid part of it. We paid what was re-levied on the 2011 county/town tax- the other part of it, we did not pay. That was a-

Legislator Gould: How much did we pay?

Mr. Caflisch: We guaranteed \$194,335.84. That much was a guarantee, so that's what we paid.

Mr. Abdella: I guess you might say that it was that property that brought this whole problem to head because slowly but surely, prior to 2010 there had been more and more instances of code and demolition charges being re-levied on local tax bills which the County ended up guaranteeing. I knew that the Cherry Creek school was one that was part of the litigation that we had with the villages where we refused to do this any further, but it turned out that apparently those- the expense or whatever activity occurred, as far as that demolition, was spread over two years. It was \$88,000 in 2011 and then it was \$250,000 in the Village of Forestville. Those two items will- when we drew the line in the sand and said we are not going to guarantee those anymore- we had given notice to the local governments months earlier that we wouldn't do it, but apparently that first piece of the school project to remove it was in the prior year and had been made it on and had been guaranteed by the County.

Legislator Muldowney: That was \$88,000?

Mr. Abdella: No, it was around \$190,000.

Mr. Caflisch: \$194,000. This practice, going back, was especially prevalent and the City of Jamestown was one that we were paying out a million dollars a year, at one point, in demolition fees.

Chairman Chagnon: Ok, thank you for that. Any questions or comments?

Legislator Niebel: Jim, any of these properties that have a PA were sold at the public auction? When was the last day for a property owner to come in and try to redeem the property?

Mr. Caflisch: The last day would have been June 15th. The day before the auction.

Legislator Niebel: Ok, I am concerned about PA332 in the Town of Sheridan. Have you had discussions with this guy here? This property owner?

Mr. Caflisch: The new property owner? No.

Legislator Niebel: No, this guy here. The previous owner. Has he talked to the Finance Department?

Mr. Caflisch: No, I can't remember any discussion with him.

Legislator Niebel: Ok. I have had discussions with him and actually, I happen to know him. He is manic depressive. He is a single father raising a teenage son and for whatever reason he didn't respond to any of the notices. His son has epilepsy and Asperger's. Well, I could go on and on. What I'm going to do is I'm going to make a motion to exempt this property from the Quit Claim Deeds resolution. What I would like to see is if can- maybe Steve can help us legally-

if we exempt this property could we allow the previous owner to regain the property. Is there a mechanism to do that?

Mr. Abdella: That would-

Legislator Niebel: We did something similar a couple years ago with a veteran from Jamestown. I know it's rare and that we don't even do it, but I think that once in a while there are extenuating circumstances for some of these previous property owners.

Mr. Abdella: It's within the discretion of the Legislature. The concerns in the past have been with trying to preserve the integrity of the auction.

Legislator Niebel: I understand.

Mr. Abdella: It is within the discretion of the Legislature.

Legislator Niebel: I know the guy. He lives down the street from me. He just- look, he had ample time, and he got the notices-

Mr. Caflisch: The problem is that if you start going down this further- I have a hundred of these cases. If you want them all to start coming in and deal with-

Legislator Niebel: Jim, you have to look at them in a case by case basis-

Mr. Caflisch: We can't do that, Terry. We will be opening the door to all sorts of legal action and court action.

Legislator Niebel: Well we did it two years ago with the veteran from Jamestown, didn't we?

Mr. Caflisch: We did and the circumstances for that- to cancel that sale were different-

Legislator Niebel: You were in favor of it-

Mr. Caflisch: No because all that case did was open more doors and we have got other ones out there right now that are making the same claims. When we follow a legal process where everything was done right on our part, you will open the door for all types of litigation that is going to be very expensive and this process will get much more difficult for us downstairs.

Legislator Niebel: Did we end up in any litigation over the veteran from Jamestown two years ago? We didn't.

Mr. Caflisch: No, but it has been brought up by other attorneys since.

Legislator Niebel: The bottom line is that we haven't been involved in any litigation because of that. That's the bottom line. Mr. Chairman, I would like to make a motion that we exempt PA332 -2018 in the Town of Sheridan from the Quit Claim Deed resolution.

Chairman Chagnon: Ok, do we have a motion for a second? Anyone wish to make a second for the motion to amend this proposed resolution?

Motion to Amend did not receive a second, Failed

Chairman Chagnon: Are there any other questions on the proposed resolution? I would like to point out to the Committee, belatedly, that Administrative Services struck three properties from this proposed resolution for further investigation with the expectation that they will come back to us next month on an additional proposed resolution. Is that correct, Jim?

Mr. Caflisch: Next month, or even next week.

Chairman Chagnon: So, we have three properties that were amended from this proposed resolution. The first is PA 267 in the Town of Hanover-

Legislator Gould: Do you know why?

Chairman Chagnon: Olivia, is this correct? Hold on just a moment, Jay. I need to clarify what I just said because I may have misspoke.

Ms. Ames: PA 267-2018-

Mr. Abdella: And just to be clear-

Chairman Chagnon: They were added to the original resolution and then removed?

Mr. Abdella: Yes, yes.

Chairman Chagnon: They were additional properties from the original prefile. Now Jay, what was your question?

Legislator Niebel: The same three properties that were amended are not being taken out?

Chairman Chagnon: There were several properties added in an amendment and then three of those were taken out in Administrative Services.

Mr. Caflisch: May I help you clarify, Mr. Chairman? I amended the original resolution by substitution. We added 40 or 50 parcels. They paid right up until the deadline and we then just amended the resolution by substitution.

Legislator Gould: And why were these taken out by Administrative Services? What is the truthful answer?

Mr. Abdella: The former owner came to the committee and was represented by council and there was a discussion about his concerns about the process, which we are in the process of investigating. We will not be able to give you clear answers until next month. That's why those three are not included in this month's group.

Legislator Gould: Fair enough.

Chairman Chagnon: I would like to complete my clarification. The first property as I indicated was PA-267 in the Town of Hanover and there were two additional properties in the town of Sheridan, PA-329 and PA-330. This proposed resolution that was presented on the table this morning was amended by Administrative Services to remove those three properties for further investigation and legal opinion which will coming forward to us shortly.

Mr. Abdella: It will be next month.

Legislator Niebel: These three properties were sold at the public auction, the previous owner shows up with an attorney and now we have taken those out of the Quit Claim Deeds?

Mr. Abdella: Temporarily.

Legislator Niebel: Ok, temporarily. But we won't do that with the guy from Sheridan? The guy that has the medical problems?

Mr. Abdella: Well, its up to the Legislature-

Legislator Niebel: Is it because he didn't show up with an attorney?

Mr. Abdella: It is up to the Legislature. This is the first that we are hearing about it so it would be up to the committee to decide to keep it in or not.

Legislator Niebel: His family will be at the Legislature meeting next week and they can explain it more.

Chairman Chagnon: Chuck?

Legislator Nazzaro: Just real quick- Terry, I understand, we all get calls like this and there are many stories. We just had an individual at last month's- the last Legislature meeting in June and an individual spoke at the end of the meeting, handed us a letter, he appeared to be very emotional about his situation and if I recall, we did not make an exception there and I think we have to be really careful because there is a process and unless there is something- unless we fail in our process or there is a legal reason that we have to pull it, I'm not in favor of cherry picking people and pulling them out. I think we setting a bad precedent there and that message would get widespread. I appreciate your compassion. I think we should- I call the question-

Legislator Niebel: Before you do- I understand your concern, Chuck, but you were one of the ones that voted in favor of that exemption two years ago.

Legislator Nazzaro: Yes, I did.

Legislator Niebel: So, the precedent has already been set.

Legislator Muldowney: I was the one that made the motion the other night to pull these three after quite a bit of discussion and executive session. The removal of the three properties was based on a legal- we did not have enough facts and we wanted to really look at this after our attorney thoroughly investigated this. That was the reason we pulled them and I don't see this as the same situation.

Chairman Chagnon: Thank you for the clarification. Do you want to call the question?

Legislator Nazzaro: I will call the question.

Chairman Chagnon: The question has been called on the proposed Quit Claim Deeds resolution. All those in favor of the amended resolution please say aye. Opposed?

Legislator Niebel: No.

Carried with Legislator Niebel Voting No

Proposed Resolution- Budget Modification for Actual Youth Bureau Allocations Received

Chairman Chagnon: Is this going to be an easier one? (*Cross Laughter*)

Ms. Lis: I hope so, it is budget neutral. The allocation from the State- we get a preliminary allocation and then we finally get our actual allocation for the year. There was a difference- I don't have it in front of me right now- in amount of money that we were going to get from the State, so we were decreasing our expenses accordingly. That is really all there is.

Chairman Chagnon: Questions? Comments? I of course have a question. We are decreasing the appropriations to these programs and increasing youth bureau- we are essentially shifting \$10,000 from youth programs to youth bureau?

Ms. Lis: Yes. I forgot about that part. There is an administrative- the youth program is one of the actual programs- basketball and things like that- the youth bureau was the administrative side and there was a different allocation between the administrative work and program work.

Chairman Chagnon: A different allocation from-

Ms. Schuyler: New York-

Chairman Chagnon: The State?

Ms. Lis: Yes, yes, yes, yes.

Ms. Schuyler: They tell you how much you can spend on programs and how much you can spend on administration.

Ms. Lis: Yes.

Chairman Chagnon: That was the answer I was looking for, thank you.

Ms. Schuyler: That was the final allocation.

Chairman Chagnon: Great. Other questions or comments? All those in favor please say aye. Opposed?

Unanimously Carried

Proposed Resolution- To Accept New York State Department of Health Nurse Family Partnership Program Grant

Ms. Schuyler: The Nurse Family Partnership is the home visiting program where nurses can make home visits to first time moms that enroll by the time that they are 26 weeks pregnant. They can follow up with moms and the babies up until they are two years old. We already have funding for this program. We just received notice that we are getting more State funding, so this resolution is to accept that increased award of the \$90,954. We had money budgeted under Medicaid for that so this is an offset between the two.

Chairman Chagnon: The reason for the offset?

Ms. Lis: Our Medicaid application is still in progress. It takes quite a while to get that new provider number. So, we have not been able to start billing yet. We can go back 90 days and pick that up, but we don't believe that we are going to be able to have as much billing in 2018 as we had expected. It takes a while for that application to go through.

Ms. Schuyler: This is a really good thing that we got more money from the State.

Chairman Chagnon: The fact that the two numbers are identical is what struck me. Are you just estimating that because we are not going to be able to bill Medicaid as much as we planned- you are essentially saying that it is a wash?

Ms. Lis: I think this was the conservative way to go rather than say we have more money available to spend-

Ms. Schuyler: Instead of just taking that \$90,000 and saying that it will be additional revenue, we would rather be conservative on that-

Ms. Lis: I'm working on trying to capture the amount of billing that we have in hand so I have a better idea of how much it will be for this year and for next year. I have some- I need to dig through some paperwork, so I didn't have an exact figure at this time.

Chairman Chagnon: Thank you. Other questions or comments on the proposed resolution? All those in favor please say aye. Opposed?

Unanimously Carried

Proposed Resolution- Reallocate a Portion of 2018 3% Occupancy Tax Funds and Authorize Use of 3% Occupancy Tax Reserve for Dunkirk Offshore Powerboat Racing Event

County Executive Borrello: Thank you, Mr. Chairman. The Planning Department asked me to speak on the next couple of resolutions. On this one, last night at the PED Committee we had representatives from the City of Dunkirk, Mayor Rosas and Hector Rosas. They explained in some detail the economic impact of this potential- this boat race and the need for some funds allocated. One of the significant things that I pointed out last night was that originally the City had requested \$75,000 from the County out of the bed tax. I told them that being a member of this committee and the PED committee previously that it wasn't going to fly with the Legislature. We worked out some details and I challenged them to raise money from private sponsors and they have been doing that. DFT Communications, Lakeshore Bank, and ATHENEX are some of the names of the sponsors. Even with this allocation from the bed tax, they are still having to close the gap. They have been working on some other sponsors as well, but this is certainly another opportunity for us to shine a positive light on Chautauqua County. It will bring in a national spotlight. CBS sports is going to be broadcasting this. They are also going to be live streaming this event. It is going to bring- these boat races are kind of like formula one racers on water and the people that race these boats are typically pretty wealthy people and they tend to bring an entourage with them. I'm told that there are 600 hotel rooms already booked at very high room rates, which certainly helps to replenish the bed tax funding. They are also going to have some of these guys flying here in their private jets to the Dunkirk Airport and refueling at our fuel farm there. So, I think that the biggest thing here is that we have- this will be the second time this summer that a national spotlight is shined on Chautauqua County. First, with the LECOM challenge golf- I was very pleased to give a live interview on the Golf Channel that went out to 96 counties, including many spots in the US. This is good opportunity to tell people what a wonderful place this is, a great place to visit, to recreate, to live and I think this would be another great opportunity to shine an international spotlight on Chautauqua County.

Legislator Gould: What happened to the airshow?

County Executive Borrello: The airshow they could not get going this year for a number of different reasons. They decided to do the boat race versus the airshow and in fact, there were already \$12,000 allocated in the bed tax for the airshow, which part of this resolution reallocated that to the boat show-

Legislator Gould: The airshow has gone on quite a while.

County Executive Borrello: That was actually just two years, believe it or not. They wanted to do it again- I think one of the challenges was not having some of the flight school stuff at the airport, if I'm not mistaken-or maybe the FBO change or something to that effect.

Mr. Almeter: I don't know if it was that as much as it was just the schedule of the high draw that- I believe it was just a scheduling issue-

County Executive Borrello: Oh, Ok. Just a scheduling issue for them this summer. In place of that, they are hoping the boat race- I will say that they are, as part of this, they are trying to get just one group to come in and do a stunt show during the boat race which is a three day event.

Legislator Gould: The airshow would be easier to see.

County Executive Borrello: Absolutely. It's easier to look up than to look out. Although they are planning on having several viewing areas in Memorial Park along the waters' edge and on the other side heading towards Wright Park. These are high speed boats, so they are going to race fairly close to shore. They kind of sit on top of the water and they can race in shallow water. So they will be close to shore. Also, supposedly they will have drones and video monitors so people can see that, as well. It sounds like a pretty impressive event. They would like to have the airshow back in the future, at some point.

Chairman Chagnon: Discussion or questions?

Legislator Niebel: George, this \$20,000 is in addition to the \$12,000 that we originally allocated for the airshow?

County Executive Borrello: Correct.

Legislator Niebel: And it is down from the \$75,000 that they asked for.

County Executive Borrello: Yes.

Legislator Niebel: This I can support.

County Executive Borrello: Thank you.

Chairman Chagnon: Any other questions or comments? All those in favor please say aye. Opposed?

Unanimously Carried

Proposed Resolution- Authorize Grant Application to New York State Department of State

(NYSDOS) Division of Planning Waterfront Revitalization Program to Fund Lake Erie Waterfront Development and Investment Prospectus

County Executive Borrello: This is actually a CFA application that we put in last year and it unfortunately did not get funded, but we did get some feedback on it. Essentially, this is an opportunity for us to have some true empirical data to let us know what the true economic impact is of the Lake Erie harbors. It's something that we don't have and it's important when you are seeking grant funding, or in particular when we are dealing with the Army Corp. and trying to get maintenance work done on our harbors. The challenge is that none of our harbors have any commercial traffic anymore and when it comes to federal funding, that is the standard that they use. Since we no longer move coal in by barge and that was the last commercial traffic in Dunkirk harbor, it became a challenge for us to get funding. Also, even we are looking at attracting businesses and attracting events it is good to have this data so we can say, this is how many people, this is the economic impact of the harbors on the whole area. We certainly have done our own kind of anecdotal analysis and tried to gather as much information as possible. This CFA application, should it be granted, will give us an actual study to be done by a professional organization that will show us the true impact of the waterfront in northern Chautauqua County, on the entire community. I think it is very important. We reassessed and rebranded and remarketed this according to the feedback that we received. I am hopeful that this year we will get this application in there and get it approved.

Chairman Chagnon: Thank you. Questions or comments on the proposed resolution? All those in favor please say aye. Opposed?

Unanimously Carried

Proposed Resolution- Environmental Assessment of Projects for 2019 2% Occupancy Tax Projects

County Executive Borrello: This is pretty standard. I don't have the resolution in front of me, but this is part of the process of doing the environmental impact statements for the 2% projects that have been approved through the competitive grant process. This is just approving those environmental assessments. At least that's my understanding.

Chairman Chagnon: Any questions or comments on the proposed resolution? All in favor? Opposed?

Unanimously Carried

Proposed Resolution- Implementing Resolution 194-17 - Commitment of Matching Funds For New York State Department of Environmental Conservation/New York State Environmental Facilities Corporation Wastewater Infrastructure Engineering Planning Grant Program for the Mayville – Chautauqua Stormwater Management Engineering Study

Ms. Brickley: Thank you. This resolution is an accounting resolution. Last year around this time, the (*inaudible*) was a commitment for a portion of the local match for the Mayville-Chautauqua storm water study. The grant was awarded as of December, so this is simply moving that commitment to implementation.

Chairman Chagnon: Ok, so last year we made a commitment to match funds to the grant application. The grant was awarded, now we are fulfilling the commitment by actually paying.

Ms. Brickley: That is correct.

Chairman Chagnon: Questions or comments? All those in favor please say aye. Opposed?

Unanimously Carried

Proposed Resolution- Commitment of Matching Funds for Grant Applications to the 2018
New York State Consolidated Funding Application Program

Chairman Chagnon: This proposed resolution was amended last night at the Planning and Economic Development Committee.

Ms. Brickley: This is a little more involved. I would just like to start with a little bit of historical context. Back in 2015 the Chautauqua Lake Management Commission, the CLMC which was the advisory committee to the Legislature that sunsetted and evolved into the alliance, had unexpended funds that were reallocated specifically for the purposes of local match commitment on grant applications to leverage those local dollars. That was \$225,000 allocated at that time. We have been moving through that over the last few years and we will go through that balance at the end. I also want to remind you that several of these projects that we are going to be going through actually stem from the Lakewood- Busti storm water management study that was completed. That was a 2016 grant application. The County also provided some portion of the match on that. That project has gone through and the report was finalized in June. I just want to make a note that often times there is a perception that studies are done and they get set on a shelf and not implemented, but we are going after funding for three out of the six recommended projects. The first that we will be looking at is the Chautauqua Avenue Green Street Retrofit. We are looking for County cash commitment of \$11,099. Lowe Park Stream Daylighting and Sediment Capture Stormwater Project- the amount that we are asking in cash match of \$5,000 did not change. However, the total project cost amount that we are asking for the State grant and the remainder of the other local match sources were amended. For the project total it had listed \$458,693 and we amended that to \$341,269. For the grant request through the CFA process it is changing from \$344,019 to \$255,951. Again, the \$5,000 in county cash commitment from the CLMC is the same. The other remaining match dollars change from \$109,674 to \$80,318. That was due to an engineering error in the budget from the report. Would anybody like me to repeat those numbers? Lakewood- Busti Precision Swale Retrofit project we are looking again for \$5,000 in county cash match. The additional sources of match funding are a combination of cash and in-kind services, commitments from the alliance, the Village of Lakewood and the Town of Busti. The next project listed is the Ellicott Stormwater Management Engineering Study. This is part in parcel with what we have been doing over the past few years, starting with that

Lakewood- Busti stormwater study that has now fed into projects. We also got a Mayville-Chautauqua stormwater study grant last year and that project is underway. This will be the third application for an engineering study throughout the Chautauqua Lake watershed. We are looking for \$5,000 in county cash match funds. Next on the list is a nine element plan This would be basically an addendum to the 2010 Chautauqua Lake management plan. It has been something identified in the 2018 harmful algae bloom for Chautauqua Lake. This will help us quantify the impacts of projects as well as the over (*inaudible*) management of the watershed better than we are doing today. The last project listed in this resolution is for Chautauqua Lake Mechanized Floating Vegetation Collection. That would be for a purchase of two new skimmers, likely to be utilized by the CLA in their maintenance and operation of Chautauqua Lake. We are looking for an in-kind offering sourced from the 2% agency allocation that annually goes to the CLA. This is basically using the money that you are already using to support the CLA and leveraging that to bring in these State dollars. That would be a proportion of that agency allocation over the next few years. I would be glad to answer any questions.

Chairman Chagnon: Erin, I know I asked you last night, but for the committee- the total project costs of these projects is what?

Ms. Brinkley: I think its \$1.842 million.

Chairman Chagnon: \$1.8 million dollars and the amount of in-kind matching funds from the County- CLMC allocation is how much?

Ms. Brinkley: You can see the totals there. We have asked for a commitment of \$55,349 out of a total balance still available to us at \$55,351, leaving a total of \$2.00.

Chairman Chagnon: So \$55,000 to leverage \$1.9 million worth of projects.

Ms. Brinkley: Correct.

Legislator Nazzaro: Not a bad return.

Chairman Chagnon: Not bad at all- if we get the grants.

Ms. Brinkley: We have had a good track record.

Chairman Chagnon: Questions or comments? All those in favor please say aye. Opposed?

Unanimously Carried

Proposed Resolution- Investment Policy for the County of Chautauqua

Ms. Crow: I don't think there are any proposed changes other than the bank name. I did not have any- it was revised pretty well about two years ago.

Chairman Chagnon: Yes. Any comments or questions? All in favor please say aye. Opposed?

Unanimously Carried

Proposed Resolution- Financial Management Policy for the County of Chautauqua

Ms. Crow: Again, I didn't see anybody provide any additional input for changes for this either, so the resolution is to reaffirm the current policy.

Chairman Chagnon: Which again, was revised substantially two years ago. Ok? Questions or comments on the proposed resolution? All those in favor please say aye. Opposed?

Unanimously Carried

Other-

Proposed Resolution- Acceptance of Funds from the FAA and NYSDOT for the Chautauqua County/Jamestown Airport Master Plan Update.

Mr. Spanos: Thank you for accepting this resolution to come before you under "other." This is to fund a master plan for the Jamestown Airport.

Chairman Chagnon: Questions or comments on the proposed resolution? I would point out that in the proposed resolution it states that by resolution 306-17, we approved this project as part of the five year airport capital improvement plan, so this is now the funding for that. The local share funding is 5%.

Mr. Almeter: That is correct.

Chairman Chagnon: Any other questions or comments? All those in favor please say aye. Opposed?

Unanimously Carried

Discussion- 2019 District Attorney Budget, Patrick Swanson

MOVED by Legislator Nazzaro, SECONDED by Legislator Niebel to adjourn.
(11:37 a.m.) *Unanimously Carried*

Respectfully Submitted and Transcribed,
Olivia Ames, Committee Secretary