

Minutes

Audit & Control Committee

September 20, 2018, 8:35 a.m., Room 331

Gerace Office Building, Mayville, NY

Members Present: Chagnon, Muldowney, Gould

Members Absent: Niebel, Nazzaro

Others: Tampio, Ames, Bentley, Griffith, McCoy, Bowen, McCord, Abdella, A. Abdella, Borrello, Cresanti, Gerace, Geise, Brinkman, Dennison, Caflisch, Schuyler, Lis

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

Approval of Minutes (8/16/18)

MOVED by Legislator Muldowney, SECONDED by Legislator Gould

Unanimously Carried

Privilege of the Floor

Mr. Bowen: My name is Douglas Bowen. I am the Supervisor for the Town of Ripley and I am speaking in favor of funding for the Feasibility Study for the Gateway Center in the Town of Ripley. As many of you know, we are in the process of working on water and sewer infrastructure west on Route 20 to Shortman and north on Shortman to Route 5 and west to the PA line on Route 5. We have received approximately \$1.6 million of grant funding through Rural Development for the installation of these projects, along with a long term, low interest loan package for the balance of the cost of the project. As you all know, any development that comes in won't even get started without the proper infrastructure in place. This is a much needed boost for the Town of Ripley and for the County as well. Many of you may also know there was a gateway study completed approximately 20 years ago now, for that same area. I believe that was completed by (*inaudible*) engineering firm and that study is 20 years old already and also this new study would look at a slightly different (*inaudible*) than the original one. Most gateway centers are a rest area where you pick up your maps and take a bathroom break- well, this one is different in that there is tourism and economic development tied to it and that is why I feel that it is a good fit for funds coming out of the bed tax funding arena. If planned properly, we can

funnel people off the thruway to the gateway to see the artisans or whatever type of activities we have there for people to purchase products from. I think this is an important new aspect of this study that we haven't seen in the past. Also, I thank it is very important that we continue to remind Albany that the State doesn't end in Buffalo. Thank you.

Chairman Chagnon: Thank you, Doug.

Proposed Resolution- Authorize Agreement with New York State DOT for Performance of Federal-Aid Project PIN 5762.45

Mr. Bentley: This is for bridge painting and the funds will be used to complete the bridge painting for this year. We anticipate painting all the bridges this year with the contract crews. So, this is pretty simple. Any questions?

Chairman Chagnon: No local share?

Mr. Bentley: Right.

Legislator Gould: I think there is a local share. \$13,600?

Mrs. Dennison: Yes, there is a component of local share as Legislator Gould pointed out of \$13, 600, but it is coming from the D fund from the road fund balance. The money is already in that fund but we will be proposing to use that portion.

Mr. Bentley: I'm sorry, that was my mistake.

Chairman Chagnon: Thank you. Any other questions or comments? All those in favor? Opposed?

Unanimously Carried

Proposed Resolution- Quit Claim Deeds

Mr. Caflisch: Good morning. We have a new amended resolution.

Chairman Chagnon: We have an amended resolution that was amended in Administrative Services.

Mr. Caflisch: Correct. This is going to be amended again.

Chairman Chagnon: OK.

Mr. Caflisch: Steve can lead the discussion on this.

Mr. Abdella: At Administrative Services there were two sets of parcels that were added to the quit claim deeds resolution. The first three involve property that were owned by Bernard Garrasi which were the subject of discussion at prior committee meetings, both Administrative Services and Audit & Control. What was amended in was having those parcels allowed to be reacquired by Mr. Garrasi, paying the usual full amount of back taxes, interest, and penalties. In addition to that, he would be paying the auction fees incurred at the foreclosure sale. That is the first set. Then, the next eight parcels involve what was the former Privitera Farms properties- those, on the eve of the auction an order to show cause was filed in Supreme Court and the court stayed the County moving forward with further auction activities. Subsequent to that, there was also a bankruptcy filing by the former owners. What has been stipulated in a court stipulation is that the parcels will be sold to a third party and the County would receive the full amount of the back taxes, interest and penalties and on top of that, our bankruptcy counsel's fees would be paid and there would be an additional sum- and I guess my questions here, Jim, is the way the numbers came out yesterday was that the County will receive, for these eight parcels, \$74,500-

Mr. Caflisch: That is correct.

Mr. Abdella: I guess I'm not understanding why the offer amount total-

Mr. Caflisch: It doesn't include the recording fees, transfer- we can only get to the \$74,500 with fees- recording fees, transfer tax and deed fees in there.

Mr. Abdella: OK, well I want to clarify that. In my view the buyer is going to have to pay those in addition to the \$74,500. So, I will have to verify that with the attorney-

Mr. Caflisch: OK.

Mr. Abdella: The way that I wanted to view it was the County would net \$74,500 and they would have to pay recording charges on top of that.

Mr. Caflisch: OK.

Mr. Abdella: Which would change these numbers here.

Mr. Caflisch: Yes it would. My understanding- we were just not quite understanding-

Mr. Abdella: OK. I think what we will have to do is pass this in the same manner that it was done at Administrative Services, which is the numbers on the STG Pomfret LLC properties will need to remain blank at this point. For purposes of prefile tomorrow, we will enter proper numbers once I resolve that question. My hope at least, is that we get \$74,500 net which would be actually- I can't add them up here because they are all balled together but, I think the total amount owed in the Privitera Farms situation is roughly \$69,000. If the \$74,500 scenario plays out the County would be netting an additional- approximately \$5,500. I was hopeful that we would have the exact numbers today but I guess there is still this question and we will need to process that.

Chairman Chagnon: Steve, procedurally, what you are suggesting is that we would not amend the resolution?

Mr. Abdella: That would be correct. Not amend it from-

Chairman Chagnon: From what was amended in Administrative Services.

Mr. Abdella: That is correct.

Chairman Chagnon: My second question- what Administrative Services amended then, was adding these parcels and blanking out the offer amounts on the eight STG parcels.

Mr. Abdella: That is correct.

Chairman Chagnon: That wasn't clear to us in the resolution that we received.

Mr. Abdella: OK. For today's purposes what would be forwarded- I guess what I would be asking the committee to do is to authorize us for purposes of full Legislature prefile, to go ahead and fill in the numbers- hopefully we have them by 10:00 a.m. tomorrow. Otherwise, an amendment could be made on the floor of the full Legislature. So, you would be passing the resolution this morning with those eight parcels offer amounts blank but the direction to the Law Department that if available, to fill in the offer amounts for purposes of full Legislature prefile.

Chairman Chagnon: OK. Is everybody straight on that? Anything else to present on this proposed resolution? Questions?

Legislator Gould: Do you know who the STG Pomfret LLC is?

Mr. Abdella: Well, I believe the principles behind that, and it's partly why you see the STG is I believe it's St. George.

Legislator Gould: That makes sense. Thank you.

Chairman Chagnon: Other questions? Gentleman, I tried to work my way through the minutes of the Administrative Services Committee, which were very long, but Steve, my question to you is- the proposed resolution including the three parcels that were sold to Mr. Garassi, is it the opinion of the County Attorney that this is the appropriate disposition of these three parcels?

Mr. Abdella: Yes, I would support moving forward with the reacquisition.

Chairman Chagnon: That just wasn't clear to me. The committee took action but it wasn't clear that it was your recommendation. Jim, you are in support of that recommendation as well?

Mr. Caflisch: I am at this point.

Chairman Chagnon: Thank you. Any other questions or comments? All those in favor of the proposed resolution as amended by the Administrative Services Committee, please say aye. Opposed?

Unanimously Carried

Proposed Resolution- Authorize Transfer of Tax Foreclosure Property to Town of Chautauqua

Chairman Chagnon: I understand that there was a typo on this resolution that was corrected?

Ms. Ames: Yes. In the first “whereas” clause, it should read “pursuant to resolution 110-17” instead of “44-13.”

Mr. Caflisch: Mr. Chairman, the offer was timely received from the Town of Chautauqua. This is a vacant lot that the Town wishes to clean up and I don’t know what they will use it for, but it falls within the prerogative of the Legislative policy. I will state for the record that the foreclosed owner did come in to try to reacquire and we did inform the owner that since he did not pay the taxes in the redemption period that the policy gives the prerogative of the Legislature to give it to a municipality or agency of government if the request is made timely.

Chairman Chagnon: So, the policy of the County was followed precisely on this matter?

Mr. Caflisch: Precisely.

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

Unanimously Carried

Proposed Resolution- Authorize Transfer of Tax Foreclosure Property to Town of Ripley

Chairman Chagnon: I believe there is a typo on this resolution as well?

Ms. Ames: Yes. This is the same correction. The first “whereas” clause should read “pursuant to resolution 110-17,” instead of “44-13.”

Chairman Chagnon: OK, thank you.

Mr. Caflisch: Mr. Chairman, there was a timely request made by the Town of Ripley for this parcel in the redemption period. The owner did come in after the redemption period to try to reacquire, but again, it is your prerogative to deed it to whoever you wish if the request is made timely. There was considerable discussion at the Administrative Services Committee on Monday night and they unanimously supported the resolution to transfer the property to the Town of Ripley.

Chairman Chagnon: I have the same question from the last one- the policy was followed?

Mr. Caflisch: Yes, the policy was followed to a "T."

Chairman Chagnon: Thank you. Questions? Comments?

Mr. Muldowney: It was a very lengthy discussion.

Chairman Chagnon: I saw your name in the minutes a lot.

Mr. Muldowney: It was a tough one.

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

Unanimously Carried

Mr. Caflisch: Mr. Chairman, I would also like to present to you the change in policy we have in our office. I presented it at the Administrative Services Committee so that we hopefully avoid Garrasi type situations in the future.

Chairman Chagnon: OK, thank you for this. The Committee may remember that at the committee meeting last month, we requested Jim to develop a proposal to improve the customer service so that the situations that occurred on the properties that we were dealing with last month can hopefully be avoided in the future. I appreciate this and the Committee will hopefully take this under consideration.

Proposed Resolution- Amend 2018 Budget for Office of the Sheriff

Ms. Cresanti: Good morning. With this particular resolution, we just need a couple of .4 increases due to equipment leases. There were some unanticipated items that needed to be added to new leases when the 2018 budget was being done that was not foreseen.

Chairman Chagnon: These are increased costs of leases?

Ms. Cresanti: Yes.

Chairman Chagnon: Do we understand why the cost of leases increased?

Ms. Cresanti: I would say it was a tech need and it depends on what each department needs at that time-

Chairman Chagnon: Additional services?

Ms. Cresanti: Not additional services. This is for tech equipment.

Chairman Chagnon: OK. Questions? Comments? All those in favor please say aye. Opposed?

Unanimously Carried

Proposed Resolution- Authorize Agreement with Chautauqua-Cattaraugus Erie II BOCES for Culinary Arts Instruction

Sheriff Gerace: Mr. Chair, this is a long standing program that we have had with BOCES and we utilize it to instruct inmates in food preparation and they are- actually, it is a certificate program. They get a certificate through BOCES when they complete the program which may aid them in obtaining jobs once they are released.

Chairman Chagnon: OK. This is a long standing program?

Sheriff Gerace: That is correct.

Chairman Chagnon: OK. Questions or comments on this proposed resolution? All those in favor please say aye. Opposed?

Unanimously Carried

Proposed Resolution- Authorize Agreement with Chautauqua-Cattaraugus Erie II BOCES for School Resource Officer

Sheriff Gerace: This is a long standing- they did add another school- we provide an SRO that splits their time between Hewes and Loguides and then we have an SRO that is fulltime at the Alt Ed facility in Cassadaga.

Chairman Chagnon: Questions or comments? All those in favor? Opposed?

Unanimously Carried

Proposed Resolution- Authorize Execution for New York State Office of Homeland Security Grant for State Law Enforcement Terrorism Prevention Program (SLETPP) FY18

Sheriff Gerace: This is a no local share grant that offsets the salary of Matt Trusso who is in charge of our tech division.

Chairman Chagnon: OK. This is in the 2018 budget?

Ms. Cresanti: 2018 and 2019 budget.

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

Unanimously Carried

Proposed Resolution- Authorize Execution for New York State Office of Homeland Security
And Emergency Services Grant for Explosive Detection Canine Team
FY17

Sheriff Gerace: Mr. Chair, this is a grant and again there is no local share. We utilize this to offset overtime for the canine and then backfill, equipment and supplies. This will be in the 2019 budget and that is why there is no account information here. We are accepting the grant but we will be utilizing it in 2019.

Chairman Chagnon: OK. Just a curiosity question- why is this fiscal year 2017?

Sheriff Gerace: I believe it is because of the lag. A lot of these grants say they have to be used between 2017 and 2019 but by the time they come out from the State with their calendar year-

Chairman Chagnon: By the time we get it we are way passed the time-

Sheriff Gerace: Well, here, we actually could spend this year but it makes a lot more sense to utilize it in 2019.

Chairman Chagnon: Alright. You didn't receive this until recently?

Ms. Cresanti: Right. There has been some delays on the States end with their approval of the grants.

Chairman Chagnon: Any other questions or comments? All those in favor? Opposed?

Unanimously Carried

Proposed Resolution- 2017 Hazardous Materials Grant Program

Mr. Griffith: Good morning. The hazmat grant is an annual grant that we get. This one is for roughly \$80,000. There is no local share for it. It is money in and money out. This is a unique grant- that it is done along with the counties of Alleghany and Cattaraugus. We oversee the grant and implement it, but it is really a grant that is for all three counties in a cooperative effort. Those counties do not have as active and as robust hazmat team as we have in Chautauqua County, so we become the lead agency for this grant.

Chairman Chagnon: This is a long standing program?

Mr. Griffith: Yes sir.

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

Unanimously Carried

Proposed Resolution- Establishment of Certified Ambulance Service

Mr. Griffith: Right now, as you know, we run an ALS intercept service through the County. An ALS intercept service is a true asset to the County and a true savior of lives. To expand this to a fulltime ambulance service allows us to pick up one of the most important pieces and it allows us bill for Medicaid. We are not allowed to bill for Medicaid at this time because we do not have an ambulance service. The billing system in the State of New York is somewhat of a complicated system to say the least. It does not allow for billing of ALS intercept unless you have an ambulance. By placing one ambulance in service it would allow us then to become eligible to bill for those monies which we are not receiving at this time.

Legislator Muldowney: Will this be making money as a result?

Mr. Griffith: We intend to recover more of the money that we are spending now with that, than we are right now, yes.

Chairman Chagnon: John, you explained in Public Safety last evening the costs associated with this, could you help us understand that?

Mr. Griffith: The dollar figure- I don't have exactly how much. To place an ambulance in service we are figuring it will cost us roughly \$6,500, which we probably have in our budget. We have a vehicle that used to belong to the District Attorney that sits outside our building right now and could be converted. We estimate \$6,500 to place the ambulance in service. That would be more for the outside of the ambulance than the inside. All the internal supplies, we already have. We are looking to do this more into the 2019 budget. However, it will take about three months for the municipal certificate of need, which is what this is called, to go through the Department of Health. The municipality, when they file for municipal CON, it is an automatic grant and it allows you to do that and then two years later you have to go back and reapply for your permanent certificate of need. As long as you have done everything that you said in the municipal CON, it should not be a problem to get the permanent municipal CON. These are things that are relatively easy and relatively quick to place the ambulance in service- we need the resolution to establish this and allow the County Executive to enter into paperwork.

Chairman Chagnon: OK. For the Committee, the timeline is that if this is approved by the Legislature these applications will be made for the Certificate of Need and the expectation is that it would take about 90 days to receive.

Mr. Griffith: That's what I have been told. Roughly 90 days. The State of New York- it could come in 30 days, it could come in 120 days.

Legislator Gould: Is this going to try to replace some of the volunteers?

Mr. Griffith: Not at all. Eventually-

Legislator Gould: Will they continue operating the way they are?

Mr. Griffith: They should be able to continue to operate the way they are. If anything, we would be there as a backup supplement for them when they are not able to crew their ambulances themselves. We could crew up and take some of those calls that now are being delayed as multiple departments are being called. We intend by no means do we want to overtake any ambulance services. I would love as a past fire chief and an EMT for a long time, I wish we didn't get to the point, but we have to come up with a plan to supplement it so that the system does not fail. The system is failing now.

Chairman Chagnon: Any other questions or comments? John, I'm still a little unclear on the timing on the expense. So, the \$6,500 that you are estimating- you are anticipating on spending that next year or out of the 2018 budget?

Mr. Griffith: I guess it would really depend on when the certificate of need comes. There is no point in moving forward with it until the State acts on the certificate of need. The timing of the budgetary expense could come either out of 2018 or 2019 depending on that.

Chairman Chagnon: OK. You made the reference that you have the funds in your budget to do this?

Mr. Griffith: I maybe don't have the funds in my budget, but I have funds in other places in my budget that I could move around. We do have some grants that are open that could possibly be used for this but we would have to get approval by the State through the Interoperability Grants that we have received that run for three year windows, so we can actually work on three grants at a time.

Chairman Chagnon: OK, thank you for that clarification. Any other questions or comments? All those in favor please say aye. Opposed?

Unanimously Carried

Proposed Resolution- Indemnification Agreement with Genesee County for Services Performed Under Integrity Partners for Behavioral Health IPA, Inc.

Ms. Brinkman: Good morning. Last year we came before the Committee to request permission to enter into an intermunicipal agreement with six other counties to form an independent practice association. Under the State's new value based payment approach, the services in rural communities across our geographic area could continue and could thrive. I'm pleased to say that the IPA was formed and an exciting dimension to this is that we have been joined by eight other counties so there are now fourteen of us that are a part of this IPA. The State decided to make available grants to the newly formed IPA's that they had encouraged to undertake this initiative and- so, our IPA integrity partners went head and applied for funds. We were awarded \$3.3 million to build the infrastructure to allow us to be ready in 2020 for value

based payments. There are a set of deliverables that we need to do as an IPA to access all those dollars. However, the State designated two managed care companies to funnel those dollars to the different IPA's. Our IPA is under the auspices of Fidelis. Fidelis has determined that they will not contract with the newly formed IPA's and insisted that they contract only with the lead entity for the IPA which is Genesee County. Genesee County was the lead applicant on the grant that we got for the \$3.3 million. So, the resolution that you have in front of you is asking that Chautauqua County indemnify Genesee against any risk that they would incur for moving forward with their actions as lead to access these dollars. We are very fortunate that the County of Genesee determined that it would proceed to sign the contract with Fidelis on behalf of integrity partners because had they not been willing to do that, we would not have been able to access the dollars and our initiative would have been severely underfunded. I don't know if you have any questions?

Chairman Chagnon: Questions? Comments? I would appreciate if the County Attorney could help us understand what we are indemnifying? I don't see him in the room at the moment, so perhaps we could ask him to come in? Steve, my question for you is, do we understand the risks that we are indemnifying and are we bearing any additional risks on the County of Chautauqua by signing up for this indemnification?

Mr. Abdella: I would say no. The reason that we need to do this is that in a way Genesee is sticking their neck out for us to process these items and they just need an assurance from us that solely for items relating to Chautauqua County that we will make them whole if they end up having to expend additional amounts of money on our behalf. So, it is really just simply that they are acting as our agent and they need some assurance that we are not going to leave them hanging out there and not covered by our financial backing for what they are doing on our behalf.

Ms. Brinkman: Barkley Damon is the attorney for the IPA that we have engaged to do the work. They did the incorporation of the IPA and they have assured us and our other thirteen partners that the risk of this is small. Only if we did not deliver the deliverables that are in the grant proposal would we have any exposure.

Chairman Chagnon: Thank you for that, Pat. If one of those remote risks were to occur, if we were doing this directly we would have no less risk than if we were doing it by indemnifying Genesee?

Mr. Abdella: That is right. The risk would be the same.

Chairman Chagnon: I appreciate your opinion on this because when I see that we are indemnifying somebody for primary risks, I would like to have a better understanding. Thank you. Any other questions or comments? All those in favor please say aye. Opposed?

Unanimously Carried

Proposed Resolution- Amend Chautauqua County Health & Human Services 2018 Budget
For Increased Handicapped Preschool Education Tuition Costs

Ms. Lis: Good morning.

Chairman Chagnon: If I could go off agenda for a moment, I read an article out of Buffalo regarding New York State Office of Children and Family Services allocation for childcare block grant funding, which indicated that the County of Chautauqua was seeing a drop in funding of \$395,000. Is this something that is going to be coming before us in the future or is it-

Ms. Lis: Probably not. With our childcare block grant we do have a carry-forward. So, I think that we will be fine with that. It's a sizable carry-forward. I think it was a million dollars last year.

Chairman Chagnon: So, you do not anticipate any impact this year or next year because of this?

Ms. Lis: No.

Chairman Chagnon: Thank you very much. We can go on to the proposed resolution.

Ms. Lis: We have seen an increase in our preschool education costs. Tuitions have gone up and of course we never really know what our population is going to be like when we are budgeting. So, we found as we were budgeting and looking at our projections for the year that we need to increase our education- occupational therapy, speech therapy, physical therapy and those types of things. Our budget for those- we are reimbursed by the State at 59.5% on those costs. So, I'm recognizing some revenue to go along with the costs and then the remainder we are using our Medicaid weekly shares budget to cover the difference because we were over budgeted with that because we budgeted that based on our normal trends and you never know what is going to happen and it actually went down a tiny bit this year.

Chairman Chagnon: Questions?

Legislator Gould: How many kids last year?

Ms. Schuyler: I don't know that off the top of my head. It's in the annual report that we just sent you. I'm thinking it is right around 300. When we start our budget at the beginning of the year, we know how many kids were in the summer program and how many signed up for the fall, but when the spring semester starts children are identified in the fall and then join the preschool education system in the spring and it increases the cost that we didn't anticipate to happen. I am more than happy to get you all the numbers.

Legislator Gould: I am just curious.

Ms. Schuyler: Traditionally, it comes out to about \$10,000 per child per semester. It's more expensive for a full year of preschool education than it is for a year of college tuition in New York.

Legislator Gould: Thank you.

Chairman Chagnon: Jay, if this helps to answer your question, with this increase it's a 9.4% increase over our existing budget, but relative to last year the increased amount is 3.2% over what was actually spent in 2017. It is not a dramatic increase over what was spent last year.

Legislator Gould: Yes, thank you.

Ms. Schuyler: The New York State Education Department sets the rates. We don't have any say in what the rates are. NYSAC has been advocating for years that this program be moved completely to State Education because to have it underneath-Counties having any role in this program really has no sense because we have no say in the program.

Legislator Muldowney: Is the number that you came up with, 300- is it usually around that number or is it steadily increasing?

Ms. Schuyler: I don't know if it has been a steady increase, it's been kind of up and down. We fully expected to have more children related to the opioid epidemic- they do a better job of screening and diagnosing children with autism and other spectrum disorders now than used to happen. I can get you the trends of the numbers; I just don't want to misspeak.

Ms. Lis: One thing is it may be more of a combination of rising costs and some children with difficulties- but we will see.

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

Unanimously Carried

Proposed Resolution- Amend Chautauqua County Health & Human Services 2018 Budget
For Increased Emergency Aid for Adults Costs

Ms. Schuyler: Once again we are going to utilize some of the overage in the Medicaid account to make up for where we are going over budget in emergency aid for adults. This account is made up of things such as rental payments. If someone has an eviction notice, we pay their rent versus them becoming homeless. If someone has a shutoff notice on their utilities we will pay the utilities so they don't lose their utilities.

Chairman Chagnon: In contrast to the last resolution, this one represents a 63% increase over the budget and 27.8% increase over actual expenses for last year. That is a pretty significant increase even though the dollars are not dramatic. Could you explain that a little bit?

Ms. Schuyler: I think it is indicative of what we are seeing in the community as far as our lack of safe, affordable, stable housing. That is a main driver of what we are seeing with

emergencies with adults. As we work to get more stable and supportive housing, we should be able to get our expenses back under control.

Ms. Lis: We have been having some- over the last two years our costs for housing people who have no other place to live is kind of skyrocketing. We have a lot more people that we are housing and most of those run through the safety net program, but there are a few that run through emergency aid for adults just because of their eligibility. This is something that we have been looking at and we- it is coming down. It takes a while to find solutions but we are finding solutions.

Chairman Chagnon: Could you explain how these people are identified?

Ms. Schuyler: Mainly with the emergency aid for adults, they come into our office and fill out their application. They have to show documentation and proof, whether it be an eviction notice or a shutoff notice. They could have an existing case, or they could just be someone that is starting from scratch.

Chairman Chagnon: This program- these funds are a result of all people coming to you and asking for assistance?

Ms. Schuyler: Yes.

Legislator Muldowney: They don't have to have an open case?

Ms. Schuyler: If they do not already have an open case, they will have one after signing up. They still have to go through the eligibility requirements and make sure they qualify.

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

Unanimously Carried

Proposed Resolution- Amend Chautauqua County Health & Human Services 2018 Budget
For Coroner Equipment Purchases

Ms. Schuyler: As you are aware, Health and Human Services took over administration of the Coroner program recently and previously there had been nothing budgeted for any equipment for the Coroners. They had been using personal phones and personal computers for most everything they were doing. Due to the sensitive nature of the job, we really feel it is most prudent for the County to provide county phones, county laptops and reflective vests and some safety gear. We were again able to move some money around within our Health and Human Services budget to be able to give them some of these supplies.

Chairman Chagnon: Thank you. Questions? Comments?

Legislator Gould: I'm going to be quiet.

Chairman Chagnon: I was wondering.

Legislator Gould: Well, what are your plans? Are they all getting computers? Do they all get cell phones for \$10,000?

Ms. Schuyler: They get cell phones and Microsoft Surface Pros. The death recording system has now gone electronic with the State, so Coroners will actually be able to fill death certificates out in the field and get the whole process started electronically. Reflective vests and some personal protective equipment. Val figured out the numbers and rounded it up to-

Ms. Lis: They are new to us, so we are not exactly sure of everything they will need. Some things they have purchased for themselves and we are telling them that if they have receipts for them, perhaps we can pay for that because it is not really appropriate. Also, if you remember, the IT Department, the Legal Department, they all recommend that you don't do any County business on your personal phone because it opens up your entire life if anything is ever brought into a case and that is another reason that we want to do this.

Ms. Schuyler: With the County iPhones, Coroners now have the ability to take photos at the scene and use our encrypted email to send them to the medical examiner's office. So, it makes a much better partnership with the Coroners physicians.

Chairman Chagnon: OK, anything else? All those in favor please say aye. Opposed?

Unanimously Carried

Proposed Resolution- Amend Budget for Renovation of Office Space at 2 Academy Street, Mayville for Chautauqua County Department of Mental Hygiene Administrative Offices

Ms. Brinkman: Last year we went through this process and we allocated funds with your approval to renovate the suite up at 2 Academy Street for Mental Hygiene, which vacated it's suite in the HRC building for the Public Defender. Those funds were in our 2017 budget, however, the process for contracting for the lease and for the Town to put out the bid to significantly more time than we expected. So, the construction didn't actually happen until 2018. We had deferred the monies in 2017 knowing that we would need those funds for 2018. What we are asking is for us to be able to place those funds in our 2018 budget.

Chairman Chagnon: OK, thank you Pat. Questions? Comments? Kathleen, were these funds encumbered?

Mrs. Dennison: So, there was a surplus in 2017 and that surplus would have gone into the fund balance-

Chairman Chagnon: This is an appropriation of fund balance? This is not necessarily miscellaneous unclassified revenue?

Mrs. Dennison: Like Pat said, the revenues were not classified as revenues- the revenues were not recorded in 2017-

Chairman Chagnon: So, the revenues were not recorded in 2017?

Mrs. Dennison: No. I misspoke. The expenses were not encumbered because the contracts were not received. So, there were no expenses in 2017 and the revenue was not moved out of the deferred classification and into actual revenue in 2017.

Chairman Chagnon: Now we are recognizing the revenue and the expenses in 2018.

Mrs. Dennison: Yes. There was one component of this resolution in 2017. You may recall from that resolution that the expenses were expected to be higher than this and there was a portion of this project that was funded by funds that the public defender's office had set aside for renovations to the space. In 2017, it was actually \$145,000 that was anticipated in budget expenditures. So, we moved funds from the Public Defender's Office into the 2017 budget for Mental Hygiene and the expenses actually came out to be a little bit less than anticipated and that is why this resolution is a little bit different. Those funds from the Public Defender's Office were transferred to Mental Hygiene's budget. They were not used and that created a surplus that went to the general fund.

Chairman Chagnon: OK. So, there are two sources of revenue here?

Mrs. Dennison: Yes.

Chairman Chagnon: One is grant funding and one is from 2017 budget that was not expended?

Mrs. Dennison: The two sources of revenue- yes, there is grant funding and if I remember correctly, the \$32, 000 was revenue that was previously received, deferred and not utilized, and can be used for this new purpose.

Chairman Chagnon: So, the total \$128,000 is grant funding?

Ms. Brinkman: It is money that we received for our (*inaudible.*)

Mrs. Dennison: Money that came from outside the County, yes.

Chairman Chagnon: OK. Thank you.

Mrs. Dennison: Sorry, I didn't explain that as well as I should have. There was money that was set aside for these renovations- County money that was set aside and it was not needed.

Chairman Chagnon: I got it. Thank you. Are there other questions? Comments? All those in favor please say aye. Opposed?

*Unanimously Carried*Proposed Resolution- Authorize Allocation of 3% Occupancy Tax Funding from the 2018 Reserve Account for Ripley Gateway/Commerce Center Feasibility Study

County Executive Borrello: We talked a little bit about this last night at the Planning and Economic Development meeting. Supervisor Bowen is here and spoke a little bit this morning during privilege of the floor. I have been talking about this for quite a while. I am excited about the opportunity to create a destination location in Ripley. It's not only the gateway to our State, but the gateway to our County. We have, in the past, talked about a basic welcome center where you stop to get a map, use the bathroom and get on your way. What we want to create is truly a tourism destination that is going to feature the best of Western New York and the best of Chautauqua County with artisans and manufacturers of goods from here in this County. In order to do that we really need to have an outline of the plan and really present this. I have talked about this before. I want to model it after Tamarack in West Virginia which is an amazing place. This is what we need. This is one of the largest and heavily traveled areas in Western New York. It is the main artery if you are coming from the west and there is really nothing there. The entrance to our State is really sad right now. We want to do this and we also want to appeal to the Governor to really revitalize that main entrance to New York State by making this a tourist destination, as well as an opportunity for people to learn more about everything throughout Western New York. So, that is the vision and it is very different than what has been proposed in the past. This is about something more than just a rest area. Mark can speak a little more specifically about he has talked with about this project.

Mr. Geise: Well, I think that first of, having a tool- what does it look like, how big would it be, what would it cost, some conceptual drawings and then leverage that to seek the funding to actually do it. We really need that tool. We based this \$50,000 feasibility study on discussions I had with both Clark Patterson and Labella who has done a lot of this kind of work and they thought \$50,000 would be enough to do what we really wanted to do here. The IDA, of course, is matching that money. If it ends up being a lot more than that, we will figure out how to cover that as well. I feel that \$50,000 is a good amount to get this thing done. The scope of work really would be to investigate what it would look like, what would it do, how big would it be, how would it be configured, what would it cost, and then also identify funding sources that we could seek to get this thing constructed.

County Executive Borrello: This is going to be a heavy lift. Last I knew, the State of New York invested somewhere in the neighborhood of about \$30 million to the one in Grand Island and this would be something on an even grander scale. We are definitely going to have to seek multiple sources of funds for this. I think this is the road map that we are going to need to make this successful and be able to appeal to all those funding sources. There is also a component to this that they have at Tamarack and it's that this is something that can be self-sustaining. Once you have the place constructed and start bringing in all these companies- I'm envisioning bringing in a company like Delaware North to operate- they have the franchise rights to the Anchor Bar - have them locate an Anchor Bar right there like they do in airports. Maybe people

can't make it to downtown Buffalo to go to the home of the original chicken wing, but you could do it by going to this rest area. Those type of things- you will have the artisans paying rent, you will have other businesses paying rent and things like that which would help make a sustainable model from a standpoint of maintaining it once it's been built.

Mr. Geise: Also this idea of a taste of New York will give them a sample of some of the things that are out there to entice them to then go there. Almost like the Grape Heritage Center- you go there, you see what is available and then you go and visit those wineries. We really feel that it would serve that purpose as well.

County Executive Borrello: It is something we are truly missing at the entrance to our State. This will give people a reason to stop and then to explore. I think that is the convincing argument to the State and others. This is the opportunity that we have missed for many, many years with that heavily traveled artery.

Mr. Geise: The fact that we are stepping up and paying for thing locally will demonstrate to them that we are really serious about this.

Chairman Chagnon: OK. Questions? Comments?

Legislator Muldowney: I had the pleasure of sitting on that committee twenty years ago. One of the components was that there is a State Police Barracks that was supposed to be incorporated in that. Is that something that you might look at?

Mr. Geise: We certainly could.

County Executive Borrello: It would be good for security

Legislator Muldowney: The one thing that we always came up against was the current governor was against these things, the buildings themselves. I was surprised to see that they built one in Grand Island because that is what we always ran into. I think it is definitely needed, like you said. When you come into New York State there is nothing there. Would you incorporate Lucy-Desi type stuff?

County Executive Borrello: We want to feature all of those great things about Chautauqua County. The wine trail, the Amish trail and all these things that we take for granted but other people would find attractive and want to stop. I'm told that the Governor is looking for other opportunities to put up more welcome centers. So, this would put forth an idea showing our initiative and it's something that is on a much grander scale than anything that has been previously proposed.

Mr. Geise: This is actually identified in the regional economic development strategy for Western New York- developing something like this. Again, it needs to be more than a place you stop and buy gas and get a map, it needs to incorporate not only what we have locally, but all of Western New York and state-wide. I think that by doing this, we will have a compelling story to tell.

County Executive Borrello: By including all of Western New York and all of the Southern Tier, we are going to have more partners that will hopefully be able to help us with this as well.

Legislator Muldowney: Do you see the rest area on 86 has helped the local area?

County Executive Borrello: I have called that the million dollar porta-potty – so, it's beautiful and has a great location but I think they wasted an opportunity there. They could be doing there, what we are talking about here. It's just not the appropriate place in the sense that it's not the entrance to the State, but it does attract enough tourist traffic because of Chautauqua Lake that they could have- whenever I go there I am disappointed when I look inside and see what is in there. It could be so much more. There could be vendors in there. How many thruway rest areas have farmers markets in the summer- they could be doing things like that. I'm a bit disappointed in how beautiful it is and how underutilized it is.

Mr. Geise: I think the key, also, here is that again it is a feasibility study. We don't want them to tell us what we want to hear, we want to know if this thing is feasible and if it is self-sustaining.

County Executive Borrello: It is beautiful, but it wasn't meant to be a self-sustaining model.

Legislator Muldowney: The County is kind of in charge of running that, right?

County Executive Borrello: I think it's the CCVB.

Mr. Geise: Yeah, I think they get all the volunteers-

County Executive Borrello: I think the State could have done what they have done in the past when they set these things up, and contracted with businesses to have more there. There could be a lot more there.

Chairman Chagnon: Thank you for sharing your past successes. *(Cross-laughter)*

Legislator Muldowney: You are welcome, Mr. Chair.

Chairman Chagnon: Any other questions?

Legislator Gould: I just have a comment. We are spending roughly half of the reserve and that always makes me a little nervous.

County Executive Borrello: I think there is more than that.

Mrs. Dennison: The 3% reserve is currently \$105,000 and that is after subtracting some designations for trail funds. There are quite a few funds that are designated. On the books, right

now, the reserve is \$267,000, but half of that is designated for trails and some other funds designated for projects that we do this year, like the boat race in Dunkirk has not yet come out of the reserve. So, the undesignated balance is almost \$106,000. I should just raise the point that legally we are required to keep a reserve of \$50,000 in the reserve.

Legislator Gould: We are getting very close.

County Executive Borrello: I totally agree, however-

Legislator Gould: I think it is a good project and I think we should do it, I'm just nervous about money.

County Executive Borrello: Agreed. I think that next year with- we have got several new hotels, including the Harbor Hotel, that are going to bring a lot of additional revenue to the bed tax. If you look at that, you will see a pretty substantial increase in our revenues for next year.

Mr. Geise: We just saw report from CCVB a couple days ago that said they had an incredible year, occupancy wise. It was up 25%, or close to that.

Legislator Gould: When do we normally add to that reserve?

Mrs. Dennison: At the end of the year. Typically it is adjusted at the end of the year because some projects that have funds allocated to them and if they don't use all them it is balanced at the end of the year. I would also suggest that one possibility is to take another look at those trail designations- those funds have been designated for those projects for a couple of year and we could revisit them and find out if we need to retain that designation.

Legislator Gould: Thank you.

Chairman Chagnon: Jay, thank you for that question because I had the same concern with taking this much out of the reserve. It sounds like you are optimistic that the reserve will be restored and replenished. Any other comments or questions? All those in favor please say aye. Opposed?

Unanimously Carried

Proposed Resolution- Formation of Chautauqua County Food Policy Council

Mr. McCord: We have a resolution before you for the formation of a food policy council and to also address some administrative revenue that would be generated from that. The department of Planning and Economic Development has had a long history working with the agricultural community. We have overseen Ag districts, we also were the drafters of the current farmland protection plan back in 2001 and we serve the farmland protection board. We became involved with the growing foods connection program that was initiated back in 2015. We have a member of our staff that sits on the steering committee. So, we have been actively involved with the effort to see about food deserts and how to better connect our food system with the consumers in our County. Of course, it has been a possibility for us to work with the health of the County. We also were able to

initiate with the University of Buffalo- food systems assessments that was done by grad students and was no cost to the County. We coordinated with them. They completed that and actually presented to the Legislature last fall. We just received the final draft of that report in August of 2018. We are excited to have that and the recommendations that come out of that. One of the recommendations that came out of that was the formation of this food policy council to keep the momentum going. The food policy council will meet quarterly and its primary purpose is to make recommendations to this body and to the Executive to try to move the program forward.

Mrs. Abdella: I represent the Chautauqua County Health Network. We have been partnering with the County on this project from the beginning along with Cooperative Extension. We are willing to provide- commit some funding to support the effort for the next several years. We really believe this is a tremendous partnership and working with County Planning offers the kind of stability and structure that has the potential to really move our food system forward in some very meaningful and productive ways. We will make sure you get copies of the report. They are being printed right now.

Chairman Chagnon: Questions? Comments?

Mrs. Dennison: Mr. Chairman, I have a possible proposed amendment to the final whereas clause. You had some questions last night about the 2019 budget-

Chairman Chagnon: OK.

Mrs. Dennison: I came up with this last night and was not able to discuss it will Don or Anne and I apologize for that. I wanted to suggest that the last whereas clause could be changed to read, "Revenues and expenditures associated with this grant are proposed in the tentative 2019 budget" so no budget amendments are needed at this time.

Chairman Chagnon: I think that is an improvement. Thank you for that.

Legislator Muldowney: I'll make a motion to amend in accordance to Kathleen's recommendations.

Legislator Gould: I'll second.

Chairman Chagnon: All those in favor of the motion to amend? Opposed?

Amendment is Unanimously Carried

Chairman Chagnon: Thank you, Kathleen. Anne, I guess this is a question for you, I appreciate the fact that the Chautauqua County Health Network is making a grant to get this council started, it says in the resolved clause that the County is entering into an agreement to accept the grant funding. So, does that agreement have any commitments other than forming the council? What is the County committing to?

Mrs. Abdella: It's mostly for coordinating the meetings. There is a suggestion to dedicate staff time- not fulltime by any means. What we are providing in funding would offset the cost of the time for someone to do that work, but it would be quarterly meetings, the minutes, preparing the agenda, attending another group that we have called the Food Security Task Force which worries much more about the actual food desert issues and whether people have food to eat. Many of the food

benefits, SNAP outreach workers and those types of people talking about how we now have food pantries is almost every school in the County- the Colleges have set up food pantries. There is a lot of work going on in that area. There is a lot of privation out there in the community that I think those most of us don't truly appreciate. We have a lot of opportunity to do some meaningful planning that could be win-win economically and health wise in the community and this has been a tremendous opportunity and we are interested in trying to take that to the next level for sustainability. Looking at someone that can start to develop a level of competence and expertise in this area and working with the Health Department and a number of agencies in the community that are interested in seeing this go forward.

Chairman Chagnon: OK, Don I'm sure you understand the nature of my question. In accepting this grant, we are accepting funds for 2019, but are we then taking on any commitments beyond 2019 by entering into the agreement?

Mr. McCord: The agreement is only a one year agreement. It will be through September of 2019 because that will be when another grant cycle will come up.

Chairman Chagnon: Sure.

Mr. McCord: Any future commitment will be discussed with the committee on a year to year basis.

Mrs. Abdella: Our intent is to continue to support you for at least three years.

Chairman Chagnon: Thank you.

Ms. Schuyler: If I may, Mr. Chairman, a lot of this sort of work is what we already do as far as our public health work and this just supports us in our efforts that we already have ongoing and will help us to do more work. We are thankful for the opportunity to have more resources to help us to do what we are already doing anyways.

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

Unanimously Carried as Amended

Proposed Resolution- Authorize Agreement with County of Cattaraugus to Extend Term
Of the Conewango Watershed Commission

Mr. Abdella: This is a renewal of an agreement to continue the Conewango Watershed Commission. The Commission has been in existence back to the 1970's or earlier. This would continue things with the status quo. The basic terms are summarized in the resolution as far as the capital expenses for any projects are the responsibility of the County whose project sits in its borders. The operation component is one that is done pursuant to a shared budget and the resolution references that each county agrees to continue to budget \$7,500 per year for commission work, which is the amount that has been budgeted in the preexisting agreement. There is no change in that respect. As I referenced last night, this does extend the agreement for another five years. As you see in the resolution, it is subject to annual appropriations and can be

terminated on 90 days' notice. So, in practical reality it is really a year to year agreement that you all are approving in the budget process on an annual basis. I think it has worked very well over the years.

Chairman Chagnon: OK, questions? Comments? All those in favor please say aye. Opposed?

Unanimously Carried

Proposed Resolution- Authorize Use of Chautauqua County 2% Occupancy Tax Reserve Funds for Mitigating Dredging Impacts in Dunkirk Harbor

Mr. McCoy: Good morning. The intent of this resolution is to help the City of Dunkirk with some of their costs associated with the dredging and the nationally televised boat races. The dredging brought up a lot of aquatic plants, particularly where it was done in the inner-harbor. They had floated up into the marina area and the public boat launch and rather than have an unsightly waterfront for these events, they retained services of the Cassadaga Lakes Association to bring their weed harvester out. The City also helped out with transportation and labor with the cleanout.

Legislator Muldowney: It was kind of a mess, especially at the ramp area.

Mr. McCoy: It was an unanticipated outcome of what will be in the long term, a very beneficial project.

Legislator Gould: Why was it amended last night?

Chairman Chagnon: The cost that the City is short for this year is estimated at \$2,500. They were anticipating some possible future costs next year- so, the discussion last night was if they need more assistance next year, they can come back again next year.

Legislator Gould: Good.

Chairman Chagnon: I would like to say for the record that I believe this is a very appropriate use of the 2% Occupancy Tax Reserve, especially because of the new program that the City put on with the offshore boat racing. They put that together with pretty short notice. Are there any other questions or comments? All those in favor? Opposed?

Unanimously Carried

Proposed Resolution- Authorize Clerk of the Legislature to Publish Notices – Re: Public Hearings on 2019 Tentative Budget & Sewer District Assessment Rolls & Maximum Salary of Members of the Chautauqua County Legislature and its Chairman

Clerk Tampio: Well, this is something that has to be done every year. In order to adopt the budget you have to hold your two public hearings and it is also required that you publish the salaries of the elected officials of the Legislature. There are no changes to those salaries. They have remained the same for many, many years.

Chairman Chagnon: Any questions on the proposed resolution? All those in favor please say aye. Opposed?

Unanimously Carried

Discussion- Review of County Investments and Internal Audits by Chairman Chagnon and Clerk Tampio

MOVED by Legislator Gould, SECONDED by Legislator Muldowney to adjourn.

Unanimously Carried (10:06 a.m.)

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