

Regular Meeting
Chautauqua County Legislature
Wednesday, November, 20, 2019 6:30 p.m.
Mayville, N.Y. 14757

Chairman Wendel called the meeting to order at 6:35 p.m.

Clerk Tampio called the roll and announced a quorum present.

MOVED by Legislator Bankoski, SECONDED by Legislator Nazzaro and duly carried the minutes were approved. (10/23/19 & 11/7/19)

1st Privilege of the Floor

No one chose to speak at this time

**VETO MESSAGES FROM COUNTY EXECUTIVE BORRELLO
NO VETOES FROM 10/23/19**

COMMENDATION:

**County Executive George M. Borrello
By
Chairman Paul M. Wendel, Jr.**

COMMUNICATIONS:

- 1. Letter – County Executive Borrello – Amendment to Administrative Code – Re: Section 3.02(b)**
 - 2. Report – Finance Director Crow – Investment Report – September 2019**
 - 3. Letter – Department of Public Service – Winter Outreach & Education Campaign**
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**LOCAL LAW INTRO. 6-19 – A Local Law Continuing an Additional Mortgage Tax - R/C
Vote: 19 Yes; 0 No – UNANIMOUSLY ADOPTED**

**LOCAL LAW INTRO. 7-19 –Amending Local Law 7-90 Providing for a Management Salary Plan for County Officers and Employees - R/C Vote: 19 Yes; 0 No –
UNANIMOUSLY ADOPTED**

RESOLUTIONS:

RES. NO. 260-19 Authorize Continued Participation in the Lake Erie Watershed Protection Alliance, by Planning & Economic Development Committee – **UNANIMOUSLY ADOPTED**

RES. NO. 261-19 Authorize County Executive to Enter into Amended Municipal Agreement with the Energy Improvement Corporation (“EIC”) for Sustainable Energy Loan Program of Chautauqua County, by Planning & Economic Development Committee – **UNANIMOUSLY ADOPTED**

RES. NO. 262-19 Amend Resolution 21-18 – Confirming User Charges: Portland Pomfret Dunkirk Sewer District, by Public Facilities and Audit & Control Committees – **UNANIMOUSLY ADOPTED**

RES. NO. 263-19 NCLSD Administrative Board – Membership Reduction, by Public Facilities Committee – **UNANIMOUSLY ADOPTED**

RES. NO. 264-19 Amend Resolution 125-18 – Confirming User Charges: North Chautauqua Lake Sewer District, by Public Facilities and Audit & Control Committees – **UNANIMOUSLY ADOPTED**

RES. NO. 265-19 Confirming User Charges: North County Industrial Sewer District No. 1, by Public Facilities and Audit & Control Committees – **UNANIMOUSLY ADOPTED**

RES. NO. 266-19 Amend Resolution 45-15 – Confirming User Charges: South and Center Chautauqua Lake Sewer Districts, by Public Facilities and Audit & Control Committees – **UNANIMOUSLY ADOPTED**

RES. NO. 267-19 Amend 2019 Budget for Public Facilities Maintenance of Roads and Capital Highway Improvements, by Public Facilities and Audit & Control Committees – **UNANIMOUSLY ADOPTED**

RES. NO. 268-19 Adjust 2019 Budget for Public Facilities Parks Division, by Public Facilities and Audit & Control Committees – **UNANIMOUSLY ADOPTED**

RES. NO. 269-19 Authorize Lease Agreement with Sam Kohler Enterprises, Inc. for Oil and Gas Production on Reforestation Property No. 9 in the Town of North Harmony, by Public Facilities and Audit & Control Committees – **UNANIMOUSLY ADOPTED**

RES. NO. 270-19 Adjust 2019 Budget for Public Facilities Airports Division, by Public Facilities and Audit & Control Committees – **UNANIMOUSLY ADOPTED**

RES. NO. 271-19 Authorize Supplemental Agreement No. 2 with NY State DOT for Performance of Federal-Aid Project PIN 5762.26, Dale Drive Shoulder Expansion, by Public Facilities and Audit & Control Committees – **UNANIMOUSLY ADOPTED**

RES. NO. 272-19 Amend 2019 Budget Appropriations–Information Technology Services, by Administrative Services and Audit & Control Committees – UNANIMOUSLY ADOPTED

RES. NO. 273-19 Amend 2020 Budget Appropriations and/or Revenues – Public Defender, by Public Safety and Audit & Control Committees – UNANIMOUSLY ADOPTED

RES. NO. 274-19 Authorize Lease Agreement with Celebration Hall, LLC, for Office Space for the Chautauqua County Probation Department, by Public Safety and Audit & Control Committees – UNANIMOUSLY ADOPTED

RES. NO. 275-19 Authorize Execution for New York State Office of Homeland Security and Emergency Services Grant for Bomb Squad Initiative Program, by Public Safety and Audit & Control Committees – UNANIMOUSLY ADOPTED

RES. NO. 276-19 Authorize Agreement with Chautauqua-Cattaraugus Erie II BOCES for School Resource Officers, by Public Safety and Audit & Control Committees – UNANIMOUSLY ADOPTED

Legislator Bankoski: I would like to make a motion that we block resolution 277-19 through 283-19.

Legislator Chagnon: I'll second that Mr. Chairman.

Unanimously Carried to Block

RES. NO. 277-19 Authorize Agreement with Town of Stockton for Court Security Detail FY20, by Public Safety and Audit & Control Committees – UNANIMOUSLY ADOPTED

RES. NO. 278-19 Authorize Agreement with Town of North Harmony for Court Security Detail FY20, by Public Safety and Audit & Control Committees – UNANIMOUSLY ADOPTED

RES. NO. 279-19 Authorize Agreement with Town of Ellery for Court Security Detail FY20, by Public Safety and Audit & Control Committees – UNANIMOUSLY ADOPTED

RES. NO. 280-19 Authorize Agreement with Town of Mina for Court Security Detail FY20, by Public Safety and Audit & Control Committees – UNANIMOUSLY ADOPTED

RES. NO. 281-19 Authorize Agreement with Town of Kiantone for Court Security Detail FY20, by Public Safety and Audit & Control Committees – UNANIMOUSLY ADOPTED

RES. NO. 282-19 Authorize Agreement with Village of Silver Creek for Court Security Detail FY20, by Public Safety and Audit & Control Committees – UNANIMOUSLY ADOPTED

RES. NO. 283-19 Authorize Agreement with Town of Harmony for Court Security Detail FY20, by Audit & Control Committee – UNANIMOUSLY ADOPTED

RES. NO. 284-19 FY2018 Hazardous Materials Grant Program, by Public Safety and Audit & Control Committees – UNANIMOUSLY ADOPTED

RES. NO. 285-19 Emergency Management Preparedness Performance Grant for Fiscal Year 2019, by Public Safety and Audit & Control Committees – UNANIMOUSLY ADOPTED

RES. NO. 286-19 Amend 2019 Budget Appropriations and Revenues –Emergency Services – CME, by Public Safety and Audit & Control Committees – UNANIMOUSLY ADOPTED

RES. NO. 287-19 Amend 2019 Budget for State Homeland Security Program (SHSP) Grant Award, by Public Safety and Audit & Control Committees – UNANIMOUSLY ADOPTED

RES. NO. 288-19 Budget Modification for Actual Youth Bureau Allocations Received, by Audit & Control Committee – UNANIMOUSLY ADOPTED

RES. NO. 289-19 Amend 2019 Budget for Additional Capital Project – Chadwick Bay Industrial Park Expansion, by Planning & Economic Development and Audit & Control Committees – UNANIMOUSLY ADOPTED

RES. NO. 290-19 Authorize Extension of Lease Agreement for Department of Planning & Development - Division of Economic Development at the BWB Center, by Planning & Economic Development and Audit & Control Committees – UNANIMOUSLY ADOPTED

RES. NO. 291-19 Authorize Agreement with Small Business Development Center at Jamestown Community College, by Planning & Economic Development and Audit & Control Committees – UNANIMOUSLY ADOPTED

RES. NO. 292-19 Authorize Agreement with the County of Chautauqua Industrial Development Agency for Industrial Development and Promotion, by Planning & Economic Development and Audit & Control Committees – UNANIMOUSLY ADOPTED

RES. NO. 293-19 Authorize Agreement with County of Chautauqua Industrial Development Agency for Attraction and Development of Tourism Related Businesses, by Planning & Economic Development and Audit & Control Committees – UNANIMOUSLY ADOPTED

RES. NO. 294-19 Authorize Agreement with the County of Chautauqua Industrial Development Agency for the Business Assistance Program, by Planning & Economic Development and Audit & Control Committees – UNANIMOUSLY ADOPTED

RES. NO. 295-19 Cancellation of Delinquent Tax Liens, by Administrative Services and Audit & Control Committees – UNANIMOUSLY ADOPTED

RES. NO. 296-19 Distribution of Mortgage Taxes, by Administrative Services and Audit & Control Committees – **UNANIMOUSLY ADOPTED**

RES. NO. 297-19 A Resolution Authorizing the Issuance Pursuant to Section 90.10 of the Local Finance Law of Refunding Bonds of the County of Chautauqua, New York, to be Designated Substantially “Public Improvement Refunding (Serial) Bonds”, and Providing for Other Matters in Relation Thereto and the Payment of the Bonds to be Refunded Thereby, by Audit & Control Committee - R/C Vote: 19 Yes; 0 Absent – **UNANIMOUSLY ADOPTED**

Legislator Bankoski: I would like to make a motion to block resolutions 298-19 through 306-19.

Legislator Chagnon: Mr. Chairman, I will second that motion.

Unanimously Carried to Block

RES. NO. 298-19 Making Appropriations for the Conduct of County Government for Fiscal Year 2020, by Chairman Wendel- R/C Vote: 19 Yes; 0 Absent – **UNANIMOUSLY ADOPTED**

RES. NO. 299-19 Authorize Tax Levy, by Chairman Wendel- R/C Vote: 19 Yes; 0 Absent – **UNANIMOUSLY ADOPTED**

RES. NO. 300-19 Authorize Levy of Town Taxes, by Chairman Wendel- R/C Vote: 19 Yes; 0 Absent – **UNANIMOUSLY ADOPTED**

RES. NO. 301-19 Authorize Levy of Unpaid Town Charges, by Chairman Wendel- R/C Vote: 19 Yes; 0 Absent – **UNANIMOUSLY ADOPTED**

RES. NO. 302-19 Authorize Levy of Omitted Taxes, by Chairman Wendel- R/C Vote: 19 Yes; 0 Absent – **UNANIMOUSLY ADOPTED**

RES. NO. 303-19 Authorize Tax Levy – North Chautauqua Lake Sewer District, by Chairman Wendel- R/C Vote: 19 Yes; 0 Absent – **UNANIMOUSLY ADOPTED**

RES. NO. 304-19 Authorize Tax Levy – Portland-Pomfret-Dunkirk Sewer District, by Chairman Wendel- R/C Vote: 19 Yes; 0 Absent – **UNANIMOUSLY ADOPTED**

RES. NO. 305-19 Authorize Levy of Unpaid Sewer User Charges & Civil Penalties – North, South & Center Chautauqua Lake & Portland-Pomfret-Dunkirk Sewer Districts, by Chairman Wendel- R/C Vote: 19 Yes; 0 Absent – **UNANIMOUSLY ADOPTED**

RES. NO. 306-19 Fixing Equalization Rates for 2020, by Chairman Wendel- R/C Vote: 19 Yes; 0 Absent – **UNANIMOUSLY ADOPTED**

Chairman Wendel: At this time we have two emergency resolutions on the table.

EMERGENCY RES. NO. 307-19 Approving Labor Contract with the Civil Service Employees Association (CSEA Unit 6300)

Legislator Chagnon: I would make a motion that we bring this emergency resolution to the floor.

Legislator Nazzaro: I will second that.

Chairman Wendel: At this point a show of hands- all those in favor of bringing the resolution to the floor? No opposition?

Clerk Tampio: We have a unanimous show of hands.

Chairman Wendel: At this time is there any discussion or debate on the resolution 307-19?

Legislator Niebel: First of all I'd like to thank the County negotiating team and the union for all the hard work that has gone into this settlement. I'll be voting in favor of this resolution because of the projected savings with employees transitioning to the high deductible health care plan. Health care costs are an ever increasing part of personnel costs, so to the extent that the county can reduce these costs I believe it's a good thing for the tax payers. My only concern is that a few years ago we approved a contract settlement that projected savings based on retirements for a certain department- those projections fell a little bit short, so I hope that the projected savings related to transitioning to the high deductible health care plan are more accurate. Thank you.

Chairman Wendel: Thank you.

EMERGENCY RES. NO. 307-19 - R/C Vote: 19 Yes; 0 Absent – UNANIMOUSLY ADOPTED

EMERGENCY RES. NO. 308-19 Approving Benefits and Wages for Confidential Employees and Unrepresented Employees (excluding Senior Aides)

Legislator Nazzaro: I would make a motion that we take this resolution off the desk and bring it forward.

Legislator Chagnon: I will second that motion

Chairman Wendel: Again, this needs a two-thirds majority so we will just use a simple show of hands. All those in favor of bringing this resolution to the floor? Seeing no opposition the resolution is on the table. Any discussion or debate?

EMERGENCY RES. NO. 308-19 - R/C Vote: 19 Yes; 0 Absent – UNANIMOUSLY ADOPTED

ANNOUNCEMENTS:

Legislator Hemmer: This weekend in Westfield is Christmas in Westfield. There's a lot of different events including Santa coming to town on Friday and a pub crawl amongst the businesses on Main street on Saturday and the usual sale of the knick-knacks and goodies at the Y. There's a Victorian tea at the museum on Saturday and on Sunday there's the tour of the houses that are decorated for Christmas.

Chairman Wendel: Thank you.

Legislator Starks: Along those same lines if you are free and near the Village of Fredonia the very first weekend of December it's our miracle on Main Street celebration so come take part in all sorts of traditional Christmas festivities and see Santa.

Chairman Wendel: Excellent. Anyone else?

Legislator Odell: December 7th in the four corners of Cassadaga beginning at 2 p.m. will be the light up Cassadaga event. There will be food, fun, bands and all kinds of great things, so come on out.

Chairman Wendel: Excellent. Anyone else? I would just like to mention on Saturday, December 14th at 10 a.m. the Village of Lakewood is having Christmas in the village. All those interested please come on down to the south end of the county and enjoy the lovely festival we have in the Village of Lakewood.

This Friday and Saturday Clymer-Sherman-Panama will be playing in the state semi-final playoffs followed by Southwestern at noon on Saturday. Both games will be covered by WJTN 1240. So, if you're interested in following local high school football. Also, I would like to give a shout out to Jamestown's own Steven Carlson for a phenomenal touchdown pass solidifying himself in the NFL. So, congratulations to all of our athletes.

2nd Privilege of the Floor

No one chose to speak at this time.

MOVED by Legislator Gould, SECONDED by Legislator Bankoski and duly carried the meeting was adjourned. (7:05 p.m.)

Respectfully submitted and transcribed,
Olivia L. Ames, Deputy Clerk/Secretary to the Legislature