

Minutes

Audit & Control Committee

December 12, 2019, 8:35 a.m., Room 331

Gerace Office Building, Mayville, NY

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

Others: Tampio, Ames, Bentley, Dennison, Swan, Crow, Carrow, Abdella, Narraway, McCoy, DeMarte & Martello, Lis, McCord, Stronz, Orgines

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

Approval of Minutes (11/14/19)

MOVED by Legislator Nazzaro , SECONDED by Legislator Niebel

Unanimously Carried

Privilege of the Floor

No one chose to speak at this time

Proposed Resolution – Establish Complete Streets Account for Acceptance of Funds from the Chautauqua County Health Network (CCHN)

Mr. Bentley: This resolution is an add on to an original request to authorize us to accept the grant. We actually have received the check and we actually have to set up an account to put the money in the account so we can reimburse Complete Streets as the work has been completed on the projects that it was intended for. We submitted the invoice to the Chautauqua County Health Network, they've reimbursed us so this is the mechanism to get it back into the proper accounts. So, good work that was done on Dale Drive for some signage, Central Avenue in Dunkirk, some painting on some (*inaudible*) and a crosswalk on South Main Street.

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

Unanimously Carried

Proposed Resolution – Authorize Agreement to Extend Interim FBO Services at the Dunkirk Airport

Mr. Bentley: This resolution will extend CREDC's by 2 months, operation of the FBO while we evaluate the proposals that we received for the FBO takeover of the services from CREDC in Dunkirk and then from Jamestown Aviation at the Jamestown airport as well. This is really to facilitate the extension of that agreement.

Chairman Chagnon: And from the minutes, I understand there was a lengthy discussion at Public Facilities about this so hopefully Mr. Nazzaro could update us on that.

Legislator Nazzaro: I will give the Readers Digest version if I can. Basically this has been a very long topic and I had requested that before a final product comes to the committee, that the County Executive, whoever is going to be the County Executive, maybe get Leadership together, whoever he decides to, to review the proposals before a final decision is made so we could have input. I just want to make sure and I'm sure others do, that all the important points are covered in these agreements. Instead of having it come and then expect to vote on a final product because I know time is of the essence. That's a short version.

Chairman Chagnon: You did a great job shortening that.

Mr. Bentley: I'll say the DPF appreciates the offer to help. We're looking for all eyes and ears on this and I know the County Executive, whoever that may be, will also appreciate the assistance.

Chairman Chagnon: Now what was uncertain in my reading of the minutes was the timing. There was a sense of urgency to get this review done quickly yet there was talk about the County Executive, whoever that might be, starting it, so where are we in the timeline with this?

Mr. Bentley: To give you where we are at right now is, we received four bids in and a small group of people through the DPF and some others have short listed those proposals and we are currently working through the technical aspects of it. So there is a broad response without – because there is a two part solicitation. What are you interested in and what services are you interested in providing? Because it's more than just running an airport. It's leasing hangars, it's fueling, it's other services that might – like a flight school, aircraft repair, stuff like that. So, we need to evaluate each of those respondents and get a little bit more detail on that. We're currently right now evaluating that with negotiations with the shortlist as to put more end to the paper, if you will, to get the details so that we can bring you something that has a more refined numbers in it, stuff like that. Before any decisions are made, we still have to get some of that information in there. So from the time (*inaudible*) we're putting that together right now and I would expect that information to flow through to the various parties shortly.

Chairman Chagnon: So then we would expect the acting County Executive to be convening that discussion.

Mr. Bentley: Steve or Allison.

Chairman Chagnon: Or the Assistant County Attorney.

Mrs. Carrow: It is the intent that what would happen is that the acting County Executive would then be convening the Legislature Leadership or whomever the Chairman of the Legislature would chose to go review the tentative agreement that had been reached by the perspective FBO operator and the County and get the Legislative Leadership participants input and comment. Once that is done, then we do need to have a public hearing once the Legislature and the County feels that they have a proposed lease agreement for the FBO services. So we would have to file the appropriate resolutions for the public hearing which we do anticipate that that would be addressed during the Organization meeting at the beginning of January with the intent that the public hearing would occur at the January meeting and then those resolutions for the FBO lease services would be presented at the January meeting after the public hearing so then the FBO services could be in effect by the beginning of February of 2020.

Legislator Nazzaro: As was pointed out, we all know in Public Facilities, one of the crucial dates is the current FBO for Jamestown, their contract, at their request, because they terminated it and it expires at the end of January. So beginning February 1st, we will not – currently we don't have any FBO for the Jamestown airport. And as Brad mentioned during our meeting, one of the four proposals was just for the Dunkirk airport and the other three was for both. I think it's critical because of the timing, we definitely need an FBO for Jamestown. So it is a very tight schedule because this before us is only for the Dunkirk airport. Nothing has been said what will happen February 1st, if this whole process doesn't follow as we hope it to.

Mr. Bentley: I do believe there is some short term measures the DPF can take. They are not ideal by any stretch of the imagination but we would manage it and we would again, we'd be looking to get the new FBO in short order. Only those short term measures will be very short.

Chairman Chagnon: Again, from reading the minutes of Public Facilities, I want to be sure that what Allison just described is in accordance with the understanding of Public Facilities that specifically Allison indicated that the acting County Executive will convene a meeting with Leadership once they had negotiated an agreement with the selected respondent and then it would be reviewed and discussed shortly before a public hearing. So that's in accordance with the understanding of the committee?

Legislator Nazzaro: Not quite.

Chairman Chagnon: That's what I thought.

Legislator Nazzaro: And we think alike so much. Allison, what we were actually, what I recommended was, bringing the proposals to us. I know there has been a lot of work and as I mentioned, we don't need to go back to the beginning of time, but where you are with them now, to discuss the proposals before a final decision is made. Because once a final product is done, it's sort of too late. So I'd rather see the proposals that you currently have. Another set of eyes, some good discussion I think would be warranted here. Again, it's not up to me who goes to that but I'm certainly very willing because I was actively involved way back when when we had an airport committee to look at this. So thank you for giving that opportunity Mr. Chairman.

Legislator Niebel: In reviewing the minutes, you don't envision Leadership going back and looking at the technical aspects as to how they got to the agreement?

Legislator Nazzaro: Correct.

Legislator Niebel: You are just going forward with the agreement reviewing that?

Legislator Nazzaro: Similar to what we've done with other things. For example, when you are looking at who the auditors are going to be. We just had to go through a process according to our rules to look at who our auditors are going to be and we were given several proposals. We discussed them and then we made a recommendation, we all agreed, and that's how we did it. So similar to that Mr. Chairman.

Legislator Niebel: O.k., but you don't have to go back and redo everything?

Legislator Nazzaro: No. There are a lot of moving parts in these proposals that are very complicated.

Mr. Bentley: And it's going to go quickly unfortunately because time is of the essence. But I would say that again, this is a two part solicitation and what we're doing right now is getting the additional details that you need to review so that we don't have to do multiple reviews. So, we've shortlisted a very short list. It's not to say that at any one point, if the Legislators had a concern that we missed or just was the overriding factor, that we would go do something else or readjust that negotiation.

Legislator Nazzaro: And Brad where I think it would be helpful with when you get to that and I know Mr. Acting County Executive, is to have a summary sheet of the proposals listing the key components of those. The terms, regarding the fuel, regarding all the different duties, so we have a little snapshot as it will save time and maybe assign a point value. I haven't seen any of these but maybe some proposals have strengths that others don't.

Mr. Bentley: So I want to be clear because Terry brought up a great point. We have to be careful not to go too far back.

Legislator Nazzaro: No, I don't want to go back, I want a summary of where –

Mr. Bentley: I know but that summary can – I understand you asking for the information and we'll provide that but I want to make sure we move past that quickly, hopefully and get to the second part which is the meat on the bone. What services they are going to provide, at what costs, what that whole financial picture looks like in that proposal. You may not have that level of detail in the other proposals because we're not going that negotiation with all proposals. So, it's going to be a little bit – I'm just preparing you for what you might and might not see if we give you information because we won't have done everything that we're going to do with one, with the others. If that makes sense. The proposals kind of speak for themselves but the second part of the negotiations may limit the amount of information we have.

Chairman Chagnon: O.k. so Brad you and your legal counsel are understanding of what the expectations of Public Facilities and now of Audit & Control.

Mr. Bentley: Communicate.

Chairman Chagnon: Other questions or comments on the proposed resolution?

Unanimously Carried

Proposed Resolution – Amend 2019 Budget for Liability Insurance Account

Ms. Crow: Just a reminder of the Liability Insurance fund is where we aggregate all of the cost associated with the liability claims and premiums and such and then that's all allocated back out to departments. So we have a few things that came in over budget. Since this resolution was prefiled there were a few more expenses that would put the account over budget. I would like to include that when we do the year-end wrap up because ultimately we do have final reconciliation of adjustments to all the County departments. I just wanted to bring it to your attention that there will be additional amendments later on beyond the ones that are in this resolution.

Chairman Chagnon: Questions or comments? Kitty, could you give us an example of what a contractual, additional expense that wasn't anticipated?

Ms. Crow: Like, some smaller examples are like if we have vehicles that come on or off the insurance during the year, that might adjust our premiums during the current year. We might have claims that might be settled or the revenue in this case was insurance recovery so if we had like a vehicle that was damaged and then we get the insurance recoveries in from that, so they could be more less during the year.

Chairman Chagnon: Thank you. Questions or comments?

Unanimously Carried

Proposed Resolution - Adjust 2019 Budget for CCSEA Collective Bargaining Agreement

Ms. Crow: As you may recall when we presented this contract, I had indicated that we were projecting sales tax surplus sufficient to cover the expenses of the amendments – what would be needed for the retroactive payments for this contract as well as the CSEA contract. The retroactive payments have been processed so these amendment reflect the actual amounts of what was paid in retro wages for the one-time bonuses in 2018 and then the wage adjustment for 2019. So, it did come in pretty close within range of what my original projections were. Actually a little bit less and sales tax is still trending where it has been so there is definitely a surplus there that will cover this.

Chairman Chagnon: Any questions or comments?

Legislator Niebel: This isn't all the surplus from the sales tax getting this – part of it?

Ms. Crow: Just part of it. We'll have – the CSEA retroactive payment was just made this week or last week so I'll have the final amounts from that forthcoming but yes, there is still additional surplus in the sales tax that will offset those.

Legislator Niebel: That don't spend –

Ms. Crow: No. We have other items that would –

Legislator Niebel: I know.

Chairman Chagnon: Kitty, I'm assuming that the reason that the former Medivac employees are involved is because of the retroactive payments.

Ms. Crow: Yes.

Chairman Chagnon: The other question, could you explain the distinction between the two revenue accounts, sale tax and sales tax County share?

Ms. Crow: The sales tax is the – so there is the base 3%, that is the majority of it and then we have the additional 1% and that's kind of portion of the additional 1%. It's just in two different accounts. Not sure why we ever ended up putting them in different accounts but I think it was just a means to track that additional 1% and what the split between them, the County and the municipalities, is.

Chairman Chagnon: Thank you. Other questions or comments?

Unanimously Carried

Proposed Resolution - Amend 2020 Budget Appropriations and Revenues-Probation

Mr. Narraway: This resolution is to amend the 2020 budget to include some additional funds that the Division of Criminal Justice Service has offered to us for one of our grant programs, the Employment Focus Services grant.

Chairman Chagnon: That sounds good to us. Bring in money.

Mr. Narraway: I wish I could use it someplace else for State mandates but it has to go to that grant program.

Chairman Chagnon: Questions or comments?

Unanimously Carried

Proposed Resolution – Amend 2019 Budget for Office of the Sheriff

Chairman Chagnon: I understand this was amended in the Public Safety Committee. I would ask if Olivia could explain the amendment that was passed in Public Safety. Oh, we have copies.

Deputy Clerk Ames: In the last Decrease Appropriation Accounts, the total amount of will be taken out of contractual for the Sheriff.

Chairman Chagnon: O.k., thank you.

Mrs. Swan: First the Sheriff sends his apologies. He had a critical situation that required his attention that came up this morning so he apologies for his absence. This is pretty much just a typical budget amendment. We are changing it to allocate it to the contractual from the Sheriff because the performance in the snow mobile account, I really don't think we're going to be able to take it out of that as I had originally anticipated. So we're just allocating the full amount to the Sheriff's account contractual.

Chairman Chagnon: Questions or comments? My question would be, why is the navigation services so much over budget?

Mrs. Swan: A portion of that is about \$4,000 worth of overtime in payroll allocations but I have not been able to make because the contract isn't executed yet. So, that makes up about \$4,000 of it. Another portion is, there was a Paramount pictures arrangement that was actually made by the previous County Executive, Mr. Borrello, that required our navigation to run an additional detail that was not budgeted for at the time. We did receive full reimbursement for that but that actually created an additional, about \$3,600 in expense. So that is a lot of where the overage came from. The rest of it is primarily caused by overtime.

Chairman Chagnon: Thank you. Other questions or comments?

Unanimously Carried

Proposed Resolution – Authorize Agreement with Bemus Point Central School District for School Resource Officer

Mrs. Swan: This is actually a renewal of a contract, however you will notice there is a budget amendment required for this. When this contract was established last year, we did not - the Sheriff's office did not budget for backfill to add an additional position to backfill for this so we are making up for that with this renewed contract. Also, you will notice that the term is not a full 12 month term. We are trying to get all of our SRO contracts aligned with the school budget year so we're trying to make the cutoff June 30th as the end date and July 1st as the start date. So we're amending some of our contracts to correlate with that timeframe.

Chairman Chagnon: The reason for that being? Why are you doing that?

Mrs. Swan: To better align it with the schools budget because the school budge year, I guess, I believe starts July 1st.

Chairman Chagnon: So it better aligns with schools budget but more poorly aligns with the County budget.

Mrs. Swan: Correct. More poorly aligns with the County budget but also a number of our SRO contracts, they start at various times so that has created some difficulty on our end as well so we're trying to at least make them uniform so that they start and end at the same time and it works out a little bit better for the schools.

Legislator Niebel: It's easier for you guys to keep track of too.

Mrs. Swan: Oh, absolutely.

Chairman Chagnon: Questions or comments?

Unanimously Carried

Proposed Resolution – Authorize Agreement with Forestville Central School District for School Resource Officer

Mrs. Swan: This is also a renewal and again, a shorter term to align with the July 1st to June 30th timeframe.

Chairman Chagnon: Questions or comments?

Unanimously Carried

Proposed Resolution – Authorize Agreement with Silver Creek Central School District for School Resource Officer

Mrs. Swan: Same as the above. It's a renewal, shortened term to correlate with the July 1st to June 30th.

Chairman Chagnon: Questions or comments?

Unanimously Carried

Proposed Resolution – Authorize Agreement with Chautauqua Lake Central School District for Enhanced Police Protection Services FY20

Mrs. Swan: Yes, this is slightly different than the SRO contracts. This is enhanced police protection services I believe for additional events that are held by the school. Another renewal and this has been a yearly contract.

Chairman Chagnon: There is no indication in this proposed resolution as to whether it was included in the 2020 budget.

Mrs. Swan: It was.

Chairman Chagnon: So it is included in the 2020 budget?

Mrs. Swan: Yes sir, it is.

Chairman Chagnon: Thank you. Other questions or comments?

Unanimously Carried

Chairman Chagnon: And the next two proposed resolutions also don't indicate that they are included in the 2020 budget.

Mrs. Swan: And they are.

Proposed Resolution – Authorize Agreement with Town of Charlotte for Enhanced Police Protection Services FY20

Mrs. Swan: Another renewal contract.

Chairman Chagnon: Included in the budget.

Mrs. Swan: Included in the budget.

Chairman Chagnon: Questions or comments?

Unanimously Carried

Proposed Resolution – Authorize Agreement with Town of Ripley for Enhanced Police Protection Services FY20

Mrs. Swan: Annual renewal and also included in the budget.

Chairman Chagnon: Questions or comments?

Legislator Nazzaro: Just curious for the Chautauqua Lake one, going back to that, you didn't have a holiday hourly rate in that one. Is there a reason for that one?

Mrs. Swan: We don't typically work holiday hours, I don't believe, that are tied to that contract so it would not require the holiday rate.

Legislator Nazzaro: I just wanted to make sure it wasn't an omission.

Mrs. Swan: No, it's strictly for school related events. So, no holidays.

Chairman Chagnon: So, other questions or comments on the proposed resolution?

Unanimously Carried

Proposed Resolution – Authorize Agreement with Village of Silver Creek for Enhanced Police Protection Services FY20

Mrs. Swan: This is also a renewal contract. You will notice it's the same amount as last year's contract. This would be because due to staffing changes, there are a couple less senior deputies assigned to this area now and that enabled us to make the cost neutral for Silver Creek this year.

Chairman Chagnon: Questions or comments?

Unanimously Carried

Proposed Resolution – Authorize Agreement with Ontario County for Juvenile Detention Facility Services

Ms. Lis: This is an agreement with which there is no actual cost at the moment. What we're doing is, we are just reserving the opportunity to use beds for youths at the Ontario County facility at a rate of \$325 a day if needed. Since it's an agreement with another municipality, we needed to have a resolution so that the County Executive could sign off on it.

Chairman Chagnon: Questions or comments? Val, you may have answered this question already but, why is this needed now? What has changed that we need this now?

Ms. Lis: I don't really have a good answer for that one. Actually the Ontario County, whatever their department was, sent out these agreements so we received an agreement from them that they want to set this up with us to give us an opportunity to have – if we need a bed, that we would be able to use one, just on the off chance that we have to house a youth because we really don't have a lot of places to send them right now. So it's just in preparation in case we need one. It's not an emergency or anything like that. We just want to be ready.

Chairman Chagnon: Apparently what prompted it was, lack of a better term, solicitation from Ontario County.

Ms. Lis: Right and I believe that they sent them to a couple of different counties.

Chairman Chagnon: That answers the question, thank you.

Legislator Gould: What counter city is this near?

Ms. Lis: Oh geez, I can find out. I'm not sure.

Mrs. Dennison: Geneva. According to the meeting last night, the question was raised, where is Ontario County and (*cross talk*)....

Chairman Chagnon: Other questions or comments?

Unanimously Carried

Proposed Resolution – Amend Chautauqua County Department of Health & Human Services 2019 Budget for Increased Child Care (Foster/Institutional) Costs

Ms. Lis: Well, we have discussed this before during our budget meetings that we did under budget this year for Foster Care. As we've said before, it was basically that through June and July of 2018, we saw a decrease in those expenses and we kind of bought into it and we shouldn't have. It was more of a timing issue. So this is something that you have been aware that we were going to need to do. Now that it's a little later in the year, I can see where some of our other accounts stand. We haven't gone over yet because these invoices are actually, they always come in quite late. Actually we went over yesterday, it was our first time we went over budget on that account. So, we can see now that Safety Net is running under budget. That our Family Assistance account is running under budget so I am decreasing our expenditures in those departments, decreasing the revenue that relates to those and increasing the expenditure budget in Foster Care and Child Care and increasing the revenue on that side.

Chairman Chagnon: Questions, comments? Val, during the budget hearings when we discussed this as you have pointed out, at that time you were projecting that Child Care or contractual would be over budget by \$1.5 million and now you are estimating it to be over by \$2 million.

Ms. Lis: I thought I was pretty close. I don't remember what it is now, it always takes a while before I show up between when I've written these but we looked over the invoices and where the children are. The rates have increased. Foster Care agencies, like I said, they are always way behind in billing us and so our visibility to those charges is not always as good as it should be and we also have somebody new in our area that works on that. So she's been in training so we're a little bit behind because of that. So, we sat down and looked at it in more detail and that's where we are.

Chairman Chagnon: Well, it was bad news during budget review and apparently the bad news got worse.

Ms. Lis: Yes. I think at budget review time it was earlier in the year so we're basing it on what we had seen so far and children go to different places and as I said, the rates changed. Some of them get approved by the State and get new rates and then they are retroactive, things happen.

Chairman Chagnon: Things happen, that's for sure in this account. Other questions or comments?

Legislator Nazzaro: Just a general comment is, when you look at this, I'm just trying to get my hands around how this all balances. I mean, obviously because the reimbursement rates for different programs are different like as noted in the WHEREAS clauses for Foster Care

basically you get reimbursed, as it says, 37% from the Federal, 20% from the State, that means 43% is our share.

Ms. Lis: Approximately, that is an average.

Legislator Nazzaro: Then you look at the Family Assistance, 79% is from the Federal so 21%, so, obviously you are closer to this than I am, how this all balances out so nice and tight, (*cross talk*) so uneasy.

Ms. Lis: Family Assistance we didn't really take a lot of from. We only took \$300,000 from that one. We took most of our expenditures from Safety Net which we all know was very badly funded. So, I think that is what tips the scales is that we used Safety Net which is only funded at 29%. When we decreased the expenditures there it packs a punch.

Legislator Nazzaro: It's going to be interesting at year-end when we get to see where all these different accounts truly end up.

Ms. Lis: It depends on, you know, who comes to our door and what their eligibility is. We know that Safety Net has been declining over the last few years and we've budgeted so about at the same rate of decline, trying to be conservative, yet, trying not to over budget and still it has been declining. I keep wondering where those people are going because those are the ones who stay on but, it's also – another part of it is that a lot of the people who are staying in the hotels because we don't have a lot of housing for people, if it's specially men, that goes in the Safety Net, there is no children involved, and we're trying to get the people out of there faster and sending them places that are more reasonably priced and I think that that has also had an effect.

Legislator Niebel: You said that you looked June and July and then made a projection from that. I'm just thinking that maybe you should have looked at the first six months of 2019, maybe a longer period, because maybe June and July were abnormally low.

Ms. Lis: I didn't mean to say June and July. It was the year to date through June or July. That is when we usually are doing our budgeting.

Legislator Niebel: Oh, o.k., I thought you said June and July.

Ms. Lis: No, so around June/July time period, all 2018 things, looked low and that is when we were preparing our 2019 budget.

Chairman Chagnon: Year to date.

Ms. Lis: Right.

Legislator Niebel: Thank you.

Ms. Lis: Everybody is so slow to bill us. The hotels are very slow to bill us, there is not much we can do to make them bill us. So a lot of times it is very hard track. We send people places but they might not go.

Chairman Chagnon: Other questions or comments?

Unanimously Carried

Proposed Resolution – To Accept New York State Department of Health 2019-20 Award to Support Nurse Family Partnership

Ms. Lis: This is a nice one because it's decreasing the use of our fund balance. We received an award from the State Legislature and you'll see that it's for April through March of 2020, April of this year through March of 2020, but, we didn't hear about it until October and then I didn't hear about it until recently. So, what happens is, the expenditures that we had under that program that were to be covered by New York State, State aid, will now be covered by this grant. New York State, State aid, does not cover fringe. It only covers the salary costs so we benefit greatly when we can use a grant instead of the State aid. So that is what we are doing, we're shifting some of the payroll over so that we can cover it this way.

Chairman Chagnon: No change to the services provided?

Ms. Lis: No.

Chairman Chagnon: Questions or comments?

Unanimously Carried

Proposed Resolution - Authorize Use of Chautauqua County 2% Occupancy Tax Undesignated Off-Cycle Project Funds to Remove Debris from Bemus Creek

Mr. McCoy: There are some large trees that have toppled into Bemus Creek on the northeastern portion of the Village due to bank erosion. If we don't do something now, I think it will eventually cost us more money than it would to deal with it now. Increase of probability of flooding and property damage to some of our taxpayers, chance of infrastructure damage to our State and local bridges, and also, getting them out of Chautauqua Lake once they make their way down. There would be more expenses than in just simply dealing with it now. We have the resources to deal with that. With the 2%, the undesignated projects category or line item, our partners, Soil & Water have visited the site with several tree surgeons, if you will, and we believe that \$15,000 is an adequate number to make sure we can get in there and get this handled.

Chairman Chagnon: Questions or comments?

Legislator Gould: A lot of trees or just –

Mr. McCoy: It's getting worse. We were there last year –

Legislator Gould: Or five or six or twenty six?

Mr. McCoy: More like 20. A lot of fire wood.

Chairman Chagnon: It's accumulative impact Jay, as I am sure you are aware, one tree that goes down is a problem, but then it starts collecting other debris that comes down stream because of it being there and then the problem just continues to grow. As Dave pointed out, a couple of years ago it was a problem, now it's a big problem.

Legislator Gould: I was just wondering if we were going to spend \$15,000 taking one tree out or spending \$15,000 taking more than one tree out.

Chairman Chagnon: Since you are on the Soil & Water Board, I'm sure you realize that they are very efficient in what they do. We expect that they will do a bang up job and clean it up very well.

Legislator Gould: I do too.

Chairman Chagnon: We're counting on you to make sure that happens.

Legislator Niebel: If it's \$15,000 for one tree, Jay will take it out.

Legislator Gould: Does that require a permit now? It did for a while and then the DEC tells me a few years ago that I could put a string around them and pull them out and it didn't require a permit. That's why I'm asking the question. Has that changed back so it needs a permit?

Mr. McCoy: The DEC's policy remains the same. But we'll need a really big string and some chain saws and maybe a boom truck.

Legislator Gould: I understand that.

Legislator Nazzaro: Dave, after we allocate the \$15,000, do you know what the balance is in the undesignated off-cycle project account?

Mr. McCoy: Around \$27,000 and that money will be returned to the reserve as if any money that is left over from this. It's not our goal to spend it all. The reserve is really a great tool for special projects of need and opportunity. It's good to have those monies there for special incidences.

Chairman Chagnon: It's pretty encouraging when you get right to December and you haven't spent any of the undesignated yet.

Legislator Nazzaro: That is what I was actually wondering Mr. Chairman because we are at the end of the year so it is there to use when needed. I just wondered if we're close to using it all up but obviously not, so we're in good shape. Good use of the money.

Mr. McCoy: Things happen. We dealt with a retaining wall collapse on Bemus a few years ago. We were able to get that out of there. You just don't know what Mother Nature is going to throw at you.

Chairman Chagnon: Other questions or comments?

Unanimously Carried

Proposed Resolution - Provide Funding to the Chautauqua Lake Protection and Rehabilitation Agency (CLPRA) for Outreach and Engagement Services

Mr. McCord: In October of 2018, the Chautauqua Lake Protection Rehabilitation Agency began to meet and we acted as liaisons to that board. They met over the period of the last year. The discussions have really largely been around data methods, looking at the situation, and we had experts come in from other lakes that have already done this although there aren't a large number of lakes that have accomplished this across New York State. Anyways, so it's really been more of a fact finding year for the agency. In October, we had several people attend our agency meeting and they were concerned there wasn't an opportunity for public input engagement. We also, as we got towards coming up with numbers and a method, people were all over the board with it, there was a lot of word on the street because everything happens through public meeting but not everybody always attends. We really felt, as an agency, that we should do public engagement. So, the agency discussed this, we brought a proposal to them from a firm called Highland Planning who specializes in this. The agency voted at their last meeting in November which was, by the way, was held in the room next door and we had enough public there that was standing room only and people out in the hall. Another evidence to us that there really is a need for this public engagement component so the resolution you see before you is to fund Highland Planning which will do public engagement in the months of January through June because we want to get into the summer season and make sure there is an opportunity for the summer residents to also have a voice in this.

Chairman Chagnon: As I pointed out last night in Planning & Economic Development, this proposal was brought to the agency, this idea was brought to the agency by Don, which we very much appreciated. Don did a wonderful job of crafting the proposal that we have from Highland, working with them to bring us a proposal that maximize their strengths and focus their strengths on what we feel we need. So the agency members were very pleased with the proposals and fully in support of this proposal to progress the work of the agency. Thank you all for that Done. Questions or comments on the proposed resolution?

Unanimously Carried

Proposed Resolution - Authorize Acceptance of SAM Grant for North Chautauqua County Water District

Clerk Tampio: This funding opportunity from the Dormitory Authority of the State of New York was introduced to the North Chautauqua County Water District by New York State Assemblyman Andrew Goodell in 2016. Since that time we've gone through a lot of the administrative paperwork back and forth and then last week we finally received notice that we have the grant disbursement agreement ready to be executed by the County and then also by the State. So this \$100,000 grant is specific to a portion of the capital project that we're working on currently and it's for a 2,000 foot section of 12 inch water main which has been installed already on Rt. 5 in the Town of Sheridan. It's in a section of Rt. 5 where current customers have not been served before by municipal water. They are currently on their own wells and many of them have issues in the summer with wells not performing, providing the water and providing good water. So, it will defray a portion of the cost of that water main installation. The total material cost for that is approximately \$300,000 so \$100,000 will go towards that. Currently we do not have revenue account set up for this capital project but we expect a future resolution to do so because we have this grant, once the grant disbursement agreement is executed, then there is a process to request the funds, the payout. Likewise we're in the process of doing that with that first \$1 million dollar ESD grant. So, I hope that answers your question about the revenue accounts.

Chairman Chagnon: Questions or comments?

Legislator Niebel: Just to add to what Kathy said. It will service an additional 17 people?

Clerk Tampio: Yes, approximately 17 residences will now be on municipal water.

Legislator Niebel: And it goes from the conference grounds, east to Harrington Road?

Clerk Tampio: Yes.

Legislator Niebel: Twelve inch line.

Clerk Tampio: Yes.

Legislator Muldowney: Both sides of the road.

Clerk Tampio: Yes, customers on both sides but of course the water main is only on the southern side of the road.

Legislator Muldowney: They are actually hooked up, haven't they?

Clerk Tampio: They have been hooked up. They are not currently receiving water yet because we had to install a master meter pits. There is one by Athenex that will operate that line and until we reach agreement with the City of Dunkirk to turn over service to the district instead of them – their current arrangement that we have with them, but it should be soon. I believe that most of the residences have already installed their connections to the water main. It will also help with fire protection because there are fire hydrants along that line.

Chairman Chagnon: Other questions or comments? From reading the minutes of Public Facilities, I appreciate the questions that came up regarding the revenue. What surprised me was the discussions about the bridge financing that the County is providing for this. This district has a grant from Environmental Facilities Corporation, right?

Clerk Tampio: Yes.

Chairman Chagnon: The Environmental Facilities Corporation has the capability and the ability to provide bridge financing. Has the district explored that possibility so that the County would not be bearing the burden on the loss of potential interest revenue by providing the bridge financing?

Clerk Tampio: Not at this point we haven't but we fully intend to have a meeting, January/February with our County finance people in order to determine how we're going to finance the rest of the project before the grants are received and then we have to talk to EFC in the meantime.

Chairman Chagnon: Good, please pursue that. Other questions or comments on the proposed resolution?

Unanimously Carried

Discussion – Update on JCC Enrollment Development – President DeMarte & Vice President of Administration Martello

Discussion – Courier Capital – Kitty Crow – Jason Stronz & Randy Ordines

Discussion – Proposed Landfill Fee Increase – Brad Bentley

Other

Discussion - Update on AirBnB – Kitty Crow

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

Unanimously Carried (10:16 a.m.)

Respectfully submitted and transcribed,
Olivia Ames, Deputy Clerk/Lori J. Foster, Sr. Stenographer