

Minutes

Public Facilities Committee

January 13, 2020, 4:00 pm

Gerace Office Building, Mayville, N.Y.

Members Present: Hemmer, Scudder, Davis, Nazzaro

Member Absent: Gould

Others: Tampo, Ames, Almeter, Chagnon, Walsh, Cummings, Carrow, Wisniewski, Dennison, Bentley, Abdella, Caflisch, Starks, Vanstrom, Muldowney

Chairman Hemmer called the meeting to order at 4:00 p.m.

Approval of Minutes (12/9/19)

MOVED by Legislator Nazzaro, SECONDED by Legislator Scudder to approve the minutes.

Unanimously Carried

Privilege of the Floor

No one chose to speak at this time.

Proposed Resolution – Confirm Appointments – Portland-Pomfret-Dunkirk Sewer District Board

(Tape malfunction)

Unanimously Carried

Proposed Resolution – Authorize Agreement for Purchase and Removal of County Owned Timber from Property #11 on North Hill Road in Town of Charlotte

Mr. Bentley: This resolution is to authorize the removal of the timber on property #11. I received a couple of bids which was really good and this was the highest bid for the removal. It's \$31,610. That money would be reserved for the Parks capital improvement. I will say, I just now remembering something. I don't know if that's net of the commission.

Mrs. Dennison: I was wondering that myself.

Mr. Bentley: I think this was the gross amount and we do need to net off the Forecon commission which I just now am thinking about that.

Mrs. Dennison: Thank you for bringing that up. I read it today too, I kind of thought it's kind of odd it doesn't indicate in the resolution, the gross and the net.

Mr. Bentley: The gross is there, the net is, theirs is 8%? I'm trying to remember off the top of my head. Roughly 8%, I think is their commission for Forecon.

Legislator Davis: So will those account adjustments then –

Mr. Bentley: We'll do that for Audit & Control.

Legislator Nazzaro: Unless you can get them before.

Mrs. Dennison: I'll see if I can find a previous invoice from (*inaudible*) and see what the commission is.

Mr. Bentley: I'm partially remembering now. One thing is that if you don't give them their commission right away, because it's not until after the work is authorized that they actually get the money. So there could be a little bit of a timing issue here but I think that it would be important to note that in the resolution anyways. One way or another, we should probably acknowledge that because I don't want you to come up and say, where is the Park's money, it's minus, it's not the full amount there. It would be minus the commission dollars.

Chairman Hemmer: So I guess that we can vote on it with that understanding that we'll either have the answer to the total commission difference by the end of our meeting or at least by –

Mr. Bentley: Audit & Control.

Chairman Hemmer: Is that alright with everybody here? (*All agreed*). All in favor of the proposed resolution for the timber removal.

Unanimously Carried

Chairman Hemmer: O.k., it passes and we'll learn either later on today or Thursday what that difference is.

Proposed Resolution - Authorize Federal and State Aid Applications for the Chautauqua County Jamestown Airport Five-Year Capital Improvement Plan (ACIP) for FY 2020-2025

Mr. Bentley: This resolution is for the Jamestown Airport 5 year capital improvement plan. We list out the projects that are in the horizon and again, the Federal grants when combined with the New York State DOT grants, they provide 90% of the capital expense. So this is part of

what is required to maintain the airport under prior grants that were obtained. These are the identified improvements that we – if we did not do these improvements, the prior grant insurances might be in jeopardy, we might be called into question. Like rehabilitating the fence perimeter, maintaining a safe area around the airport, being able to do snow removal, that's also a good thing. Obstruction removal, purchasing deicing equipment. That one is a little bit unique because that's a New York State DOT funded project and Ron could get into a little bit with that.

Mr. Almeter: In 2020 we've included a proposed New York State grant project under the New York State Department of Transportation Aviation Division grants. Those grants are made available for capital investments in airports that are intended to promote business development of the airports. So we're proposing to buy a deicing truck under the – we're allowed to submit grant request for both airports but we're proposing to put this under the Jamestown airport. If we – given the opportunity to submit a New York State grant, we'll submit for a truck, approximate cost of \$250,000 and the return on investment for that would be generate by leasing the vehicle, either leasing the vehicle to the FBO operator to perform deicing operations or performing the deicing operations with County Airport maintenance staff. The local share on a New York State grant would be about 15% or about \$40,000 on the \$250,000 vehicle. The cost recovery on that, typically the cost of deicing is about \$20.00 a gallon, I'm sorry, the fee for deicing is about \$20.00 a gallon, the cost is about \$10.00 a gallon and it takes about anywhere from 50 to 100 gallons to perform a deicing. So we'd have to recover the cost over a 7 year amortization. We'd have to probably do about 16 deicing operations per winter which would be very easy if we had an airline. Perhaps a little more problematic if we were just servicing general aviation aircraft. Anyway, we haven't been given the grant solicitation from New York State yet but if we do, that's I think what we want to put in for.

Mr. Bentley: That should be 95%, right?

Mr. Almeter: No, the Federal match is 90%.

Mr. Bentley: One for Dunkirk, you said?

Mr. Almeter: The New York State – I'm sorry, what are you looking at?

Mr. Bentley: This is Jamestown, it has 95% for the Federal.

Mr. Almeter: It's now 90% because we no longer have the essential air services so it's 90% Federal, 5% State.

Mr. Bentley: So Dunkirk should be 90% then?

Mr. Almeter: I think the combination State and Federal is 95%.

Mr. Bentley: And this is the combined too.

Mr. Almeter: It should be 95%, yes.

Mr. Bentley: So for the Jamestown airport, the third WHEREAS, there is a typo. It should be 95% instead of 90%. The fourth WHEREAS is the 90% when it's only New York State DOT. So when it's Federal and State, you get that other 5% from the State.

Mr. Almeter: As long as we do not have commercial air service. When and if we get the commercial air service, then the Federal share increases to 95%, State share goes to 2 ½% and the local share is 2 ½%.

Legislator Nazzaro: This is where my thought process is going because this assumes current status, that we do not have essential air service.

Mr. Bentley: Right and as we have talked in the past, that would change with the reestablishment of commercial air service. But under the current (*inaudible*) we don't know anything yet. Putting in as what we know.

Chairman Hemmer: Any questions or concerns about this resolution?

Mr. Bentley: I will add that these projects do go through the Planning Board so they're explained and questions are answered through the Planning Board because they are capital investment. So as part of their planning process.

Mr. Almeter: As far as the FAA grant process, we submit the grant applications pending the Legislature's approval, we submit the grant applications for the FAA Federal grants by 31st of January and then review those grant applications and issue the grants typically in April or May. Then we come back to the Legislature with the resolution to accept each individual grant. So for 2020 we would expect to get the grant approval for the environmental assessment at the airport.

Legislator Davis: For fiscal year 2025, the runway rehabilitation design phase. Currently the runway is barely long enough to support a commercial jets, correct?

Mr. Almeter: Yes, this is our crosswind runway which is the shorter of the two. The length of the runway is in broad strokes, is set by our master plan. We're in the midst of our master plan update currently with the FAA and we have been in extensive discussions about the length of our main runway. The main runway is actually in a under a grant (*inaudible*) right now for rehabilitation design phase. It's a 2019 FAA grant will be a 2020 County contract with CNS. There is very little possibility that any change in the length of the runway could be approved as part of the runway rehabilitation design phase for the main runway, currently because we're basically constrained by what our legacy master plan said. Going forward into 13/31, by 2025, we will have a completed new master plan but very candidly, I don't anticipate that the master plan will develop information that will support lengthening that runway.

Chairman Hemmer: All of these are recommended by the engineering firm that -

Mr. Almeter: Our engineering consultant for Jamestown is CNS out of Syracuse. This is their recommendation as reviewed by us and the FAA. Before we bring this resolution to you,

we meet with the FAA in the fall and go over five year program plan to make sure it's consistent with the FAA's policies.

Chairman Hemmer: And CNS has a long term contract with us to do -

Mr. Almeter: They are on a 5 year engineering service contract. we are about 2 ½ years into that.

Chairman Hemmer: Any other questions?

Carried w/ Scudder voting "no"

Proposed Resolution - Authorize Federal and State Aid Applications for the Chautauqua County Dunkirk Airport Five-Year Capital Improvement Plan (ACIP) for FY 2020-2025

Mr. Almeter: I would like to introduce a proposed change to the Dunkirk ACIP for fiscal year 2020. Actually two changes. The first item and first project listed is runway 15/33 lighting improvements project design and construction. I would like to request that we strike the "and construction" and proposed that project for the design phase only in 2020. Then add a project to fiscal year 2021 for the "construction of runway 15/33 lighting improvements. So not withstanding what I just said about meeting with the FAA in the fall and going through these projects, in the case of Dunkirk, as with Jamestown, we did the ACIP review with the FAA in the fall and proposed the lighting project as a design build, which is a little A typical. They typically like to do design bid build projects and spread the project over two years. However they did approve this as a design build because it's relatively straightforward design. But, we recommended to the FAA that we break it into a design and construction project to give the County the latitude to award the construction and the construction oversight to a different engineering firm. It's not to say that we wouldn't necessarily go with the incumbent with Passaro(?), but we want to have the flexibility to bring in a new contractor to handle the construction management of that project. Discussed this with the FAA and they've agreed with our rationale and have agreed with the proposal to break it into two separate projects. I don't anticipate that there would be any appreciable change in the price. The total price of the combined and effort design and the construction. It's in the ACIP now which is an \$800,000 total project cost for design and construction. I anticipate \$120,000 of that will be in the design effort in fiscal year 2020 and then the construction cost would be \$680,000 in fiscal year 2021.

I would also like to propose adding an additional project in 2020 and that again, we've discussed this of late with the FAA and they concur with our rationale, I would like to add a project in 2020 for the displacement of the Dunkirk runway 24 threshold. It's easier to explain that with a photograph or graphic. So our main approach to the main runway in Dunkirk is currently obstructed and we have a project that was approved by the County Legislature in 2019, a \$600,000 project to obtain the easements pursuant to removing those obstructions. That \$600,000 is to cover the cost of the surveys, the appraisals and the negotiations and legal fees associated with negotiating easements and then actually acquiring those easements. That \$600,000 project is for all four approaches to the two runways, both ends of both runways. To date, we have incurred costs of about \$74,000 on that project. However, to date, we have not

secured any easements and in fact, we're bogged down in those negotiations with the landowners for a number of reasons. The FAA wants us to continue to pursue acquiring those easements and in fact, it is one of our obligations under our grant assurances. When we take a grant from the FAA for the airports, one of the grant assurances that we agreed to is to manage our obstructions, to manage the approaches and make the airports safe for aviation use. So currently runway 24 is usable for aircraft landing using visual flying rules but, it is obstructed for aircraft using instrument flying rules and it has been obstructed since the runway was lengthened back in 2012, I think is when that project was completed. It was a manageable problem when we had the VOR navigation equipment on the field. But the FAA decommissioned the VOR in 2018, leaving us only with GPS approaches to the runway. Under those approved approaches, the runway, the approach is obstructed, both on runway 24 and on the other three runways as well but it's particularly problematic on our main runway. Main runway points into in the prevailing winds and it's used about 90% of the time. Until we can remove those obstruction we can't use or the aircraft can't make instrument approaches to that airport. There is however an alternative to this and that is to displace the threshold. We've discussed that of late with the FAA and with our consulting engineers and the consulting engineers have advised that if we move the threshold 500 feet then all the existing obstructions which are visible, if you look on the graphic on the lower part of this site plan, you will see the TSS 20 to 1 surfaces and the part 77 surfaces, it's a blue line and a magenta line respectively, if you take the threshold and move it to the left, 500 feet, those lines will miss all the existing obstructions. By doing so then, we can reestablish our instrument approaches and regain use of the airport for aircraft that are flying under instrument rules, visibility rules. Estimated cost of this is just around, our engineers haven't calculated yet, I'm estimating it at \$200,000 and what will be required is, relocating the threshold lights on the runway and relocating the runway markings, the striping and so forth to note the touch down point for the threshold. So, this is both a short term and potentially a long term solution. In the short term is to allow us to regain use of the runway for instrument approaches and for our base jet owners. We've had in calendar year 2019, we've recorded nearly 500 jet operations and 4,000 general aviation operations. Portion of what are instrument rated aircraft and the pilots. So again, as long as the visibility is good, anybody can come and go using instrument flying rules but when you get into a low visibility situation, without those clear approaches, the aircraft would have to divert to another airport. It's a real impediment to growing the business at the airport with base jets and commercial business aircraft. So once again, I have discussed it with the FAA, they agree that it is a prudent and necessary immediate or expedient to removing the long term requirement to remove the obstructions. But until we can gain the cooperation of landowners and negotiate easements that are acceptable to the County and the FAA, we're in a bit of an impasse on these easements.

Legislator Scudder: I'm trying to go along with it, we're moving the lighting or whatever, 500 feet, so we're shortening the runway by 500 feet?

Mr. Almeter: Correct.

Legislator Scudder: Does that change the possible usage of that runway or certain planes, or jets, or whatever –

Mr. Almeter: Yes, but as a practical matter, it has no impact on the aircraft currently using the airport, currently based at the airport, and it has no impact on takeoff distances. We still have the full 6,000 feet for takeoffs so any of our jet owners that want a full load of fuel to fly to wherever, they can still take full advantage of the 6,000 foot length of the runway. But for landing purposes, the effective landing distances is 5,500 feet with a displaced threshold. For all of the aircraft currently operation there including the based aircraft, including the latest new addition to the airport, a Lear 75 jet, and including the Wells Enterprise aircrafts, all of our routine business users, it has no impact. Well, it has a huge impact, it lets them come in under instrument approach procedures but will not constrain their use of the airport for visual flying rules. There are certain aircrafts, larger aircraft, heavier aircraft with higher landing speeds that potentially wouldn't be able to land there on a 5,500 foot runway, under instrument flying conditions. They could still land using the full 6,000 feet under visual flying rules.

Legislator Scudder: So moving this doesn't exclude them?

Mr. Almeter: Under visual flying rules.

Legislator Scudder: As long as they come in the way –

Mr. Almeter: But there is a small subset of potential aircraft users that could not use a 5,500 foot runway displaced threshold in low visibility conditions. Like your gulf streams.

Legislator Scudder: You said this was a couple of hundred thousand?

Mr. Almeter: That's just around. That is my number, I don't have a number from the engineers.

Legislator Scudder: Let's say that we do that and then we go back and get all the right-of-ways and everything, it is another about that much to move it back?

Mr. Almeter: Yes sir, it would be.

Chairman Hemmer: Is that \$200,000 a design build number?

Mr. Almeter: Yes. There is a scenario where this could be a permanent solution as well. Once we displace the threshold, then we've resolved our obstruction issues and the FAA is happy and the pilots are happy. But we'd still like to go back and obtain those easements so that we have unfettered use of that 6,000 feet. If we get to an impasse with those landowners and we can't make a deal and if it's acceptable to the FAA, we could permanently use that displaced threshold. Frankly that could potentially save the County a lot of money but you have to take into consideration then the full utility of that 6,000 foot runway, how badly or what it's worth to regain that.

Chairman Hemmer: Any more questions concerning this? We've done enough on this thing so I don't think that we can just call this a typo. I think we're going to have to do an amendment. The amendments are then, in fiscal 2020, we're adding a design/build project for

runway 24 displacement of threshold and also in fiscal 2020, we are deleting the construction phase of the runway 12/33 lighting improvement and then we are adding in 2021, runway 15/33 lighting improvement construction phase. I think that's all. Our percentages are 95 and 90 up there so they don't have to be changed. Was there anything else? Did I miss something in that?

Mr. Almeter: The only thing that I didn't mention in here, as with the Jamestown ACIP, we have one project in here for fiscal year 2020 which is a New York State grant opportunity and that is the rehabilitation of hangars 1 and 2. That is not a Federal project, that is one of the State projects which would fall under to the 4th WHEREAS which would be on the 90% State funded, 10% local share.

Mr. Bentley: I would finally add, both of, the prior proposal and this one, they have gone to the Airport Commission and were approved by the Airport Commission with the exception of what Ron most recently said.

Mr. Almeter: Well, the Airport Commission didn't meet last week.

Chairman Hemmer: Right, so they are going to go on later this week to the Airport Commission.

Mr. Bentley: So should I say, they will.

Mr. Almeter: Yea, we didn't have a quorum last week so rescheduled the meeting for Wednesday.

Mr. Bentley: I guess for purposes of the - because we do have a WHEREAS clause in here that was reviewed, I don't know if we have to modify.

Chairman Hemmer: Do we have to modify that to be, will be reviewed?

County Attorney Abdella: This is the wording that would eventually go to the full Legislature so if they are going to meet by then, you can just leave it as it is.

Legislator Nazzaro: You are going to meet by then?

Chairman Hemmer: Yes, this week we're meeting, on Wednesday.

Legislator Nazzaro: Thank you for all that, it was very informative. So basically, after all this, we're, again, this is just to submit the plan and of course every year we go over the capital budget and adding your - so we're adding \$200,000 in total but 90% of that, correct, will be -

Mr. Bentley: Actually the displacement would be 95%.

Legislator Nazzaro: O.k., 95% so the effect on the County if all this goes through, it would be \$10,000, is that correct?

Mr. Almeter: That's correct.

Chairman Hemmer: Any other questions or concerns? We have to have a motion to amend resolution.

Legislator Davis: I move that we amend the existing resolution as you stated just a few moments ago.

Legislator Nazzaro: I will second that amendment.

Chairman Hemmer: Any discussion?

Unanimously Carried

Chairman Hemmer: Any further discussion?

Carried w/ Scudder voting "no" as amended

Proposed Resolution - Authorize FBO and Hangar Lease Agreement at the Chautauqua County Jamestown Airport

County Attorney Abdella: I would suggest that there be a motion to go into executive session regarding this resolution and the next one, relating to matters leading up to the appointment of a particular corporation.

Chairman Hemmer: O.k., I need a motion to move into executive session.

Legislator Nazzaro: I will make a motion to move into executive session to discuss (*inaudible*) obligations –

County Attorney Abdella: Matters leading to the appointment of a particular corporation. That's the (*cross talk*)....

Legislator Davis: Second.

Unanimously Carried (4:40 p.m.)

Legislator Davis: I move to come out of executive session.

Legislator Nazzaro: Second.

Unanimously Carried (5:10 p.m.)

Chairman Hemmer: O.k., we're back to the meeting and we're now considering the proposed resolution for FBO and hanger lease agreement at the Jamestown airport. We have discussed it quite a bit in executive session. Any more discussion?

Unanimously Carried

Proposed Resolution - Authorize FBO and Hangar Lease Agreement at the Chautauqua County Dunkirk Airport

Chairman Hemmer: Any questions or comments on this one?

Unanimously Carried

Proposed Resolution – Setting Salary for Wastewater Maintenance Mechanic III

Ms. Wisniewski: Mr. Walsh contacted the HR office to include an additional title within the line of Wastewater Maintenance Mechanic. So currently he has three in this line. One is the Wastewater Maintenance Mechanic, which is a Grade 9, the Wastewater Mechanic II, Grade 14, and there is a Wastewater Maintenance Mechanic Supervisor, a Grade 18. He has asked to include a Mechanic III and once we did the review it would be Grade 16, so in between a Grade 14 and 18, he's asked for a 16, for an additional title. After reviewing it, we have created a job classification with a 16 and I'll have Tom explain why he wanted the III added.

Mr. Walsh: This is another promotional within our department, it's a stepping stone. This is a skilled (*inaudible*) in different fields and also a working Supervisor in the field with lower grade mechanics. This works very well with our matrix of mechanics so I suggested that we make this next position for advancement.

Legislator Davis: So this is not adding a new position at this point, it's just a reclassification of a current?

Mr. Walsh: It is a new position. There was a Grade 16 but it was overall with the field of the DPF where it included dump trucks and bulldozers that we don't have that equipment. Instead of fixing pistons and engines, we work on piston pumps so there is a cross lateral different type of skill labor that we have that is equivalent to a Grade 16 at the DPF.

Chairman Hemmer: The reason just is to give your mechanics a place to move up and a retention type of move to keep an employee.

Mr. Walsh: Correct. You are absolutely right.

County Attorney Abdella: It's a new title, but –

Legislator Davis: Not a new job.

Mr. Walsh: It is not a new job. It's a new position that a 14 will move into a 16 position.

Legislator Davis: Can move into.

Mr. Walsh: Correct.

Legislator Nazzaro: Is there any need to create this level in any other sewer districts or this is particular to South & Center?

Ms. Wisniewski: This would be particular to South & Center. There hasn't been any discussion about the north. He only holds one employee besides himself. So if we needed to look at that, we could, but it's different. What the needs of the South versus the North are very different.

Legislator Nazaro: That's what I thought. I just wanted to make sure we weren't omitting another district.

Ms. Wisniewski: Right.

Legislator Nazzaro: But there is not a need to add it to the other district.

Ms. Wisniewski: Correct.

Chairman Hemmer: Any other questions?

Unanimously Carried

Other

Mrs. Dennison: Mr. Chairman, I have the answer to our question on the proposed resolution on the timber. I was able to get confirmation from Sam Zafuto who's the fiscal supervisor for the Department of Public Facilities and he said that the amount in the resolution, \$31,610 is the gross amount and the vendor will be entitled to an 8% commission. So I would suggest that we could modify the resolution. In the 4th WHEREAS clause, instead of the total sale amount payable to Chautauqua County, that that could be the net sale amount payable to Chautauqua County is \$29,081.

Chairman Hemmer: O.k., change total to net and then \$29,081.

Mr. Bentley: And 20 cents.

Mrs. Dennison: And 20 cents but we'll put it at 81 so we're guaranteed to make the budget. We're going to exceed the budget by 20 cents.

Mr. Bentley: This is like the IRS wants, you round it.

Mrs. Dennison: I made sure that I lowballed the revenue. So then also in the final RESOLVED clause, the increase capital appropriation would be \$29,081 and the increase to capital revenue would be \$29,081.

Chairman Hemmer: Thank you for those corrections and they will be in the final resolution that reaches the Legislature.

Mrs. Dennison: Do we have to make a motion to amend the resolution to include these changes?

Legislator Nazzaro: I will make a motion to amend resolution #2 to change the 4th WHEREAS, the total to net, dollar amount from \$31,610 to \$29,081 and then changing the two items, increase capital appropriation account to \$29,081 and increase capital revenue account to \$29,081 to reflect the 8% commission.

Mr. Davis: I will second that.

Chairman Hemmer: All those in favor?

Unanimously Carried

Chairman Hemmer: All in favor of the amended resolution?

Unanimously Carried as amended

Discussion - Marla Connelly – Parks Commission

My name is Marla Connelly, I'm actually here representing the Parks Commission. I am on the Parks Commission, I've been a member of the Commission for about two years and have been attending for about five to get some background. I've come to this committee because I believe this is the right step for us to go first since you oversee Brad and Brad oversees us, is the way I understand it anyway.

I wanted to share a couple of observations and ask for some assistance from the Committee. When the Parks Commission was established in the 1960's, our task was to recommend policies and implement programs. One thing that we have observed is that the constituents have changed from the 1960's to now and we would like to start looking at modernization and moving to serve more diverse taxpayer populations. I would like to recognize Brad for reorganizing the Department and I do believe that we are able to utilize the resources that are given to us better at this point but I think we're going to end up needing to look for further resources eventually. Recognizing there is monetary constraints. One of the things that I think we can look at that has been a problem is volunteers. We've had several different groups and people coming to us wanting to volunteer. However the processes that are currently in place for the County, are so onerous and difficult to traverse that none of the volunteer efforts have been able to come to fruition at this point. I would like to ask this Committee for help in fixing that because we are turning away precious resources every day. We've had Boy Scouts come to us wanting to do Eagle projects on the trails, we recently have the Western New York Mountain Bike Association come to us, volunteering to basically take care of the West Overland Trail. I think that we need to be able to give these groups and people a way to help us and help the taxpayers. As they do things like that, it takes some things off of our paid staff which is a savings then. I also work for State Parks. I am the Park Manager for all the State parks within this County so I do have other experiences outside of the County. We work with the Mountain Bike Association, they use Long Point State Park for an example, we just bought a snow dog. We don't run it, they run it for us. We have volunteer agreements with them and they are taking care

of trails for us. They have done so much work for us and I can't imagine getting it done without their help so I would really like to ask that you help us how to utilize volunteers.

The other thing I think we could do a lot better is disseminating information to the public from the Parks Commission. Some administrative help. I'd like to figure out how we get our minutes on the website, how we get our meetings on the calendar so that the public can be informed and come be part of the process if they would like to. That's pretty much why I am here tonight. Can I answer any questions?

Chairman Hemmer: Any questions? Are you thinking that we need a Parks Commission website or do you think that we could put it right on the County's website?

Ms. Connelly: I think on the County's website. There are places for minutes on your website, you have a big calendar, I would just like to figure out the mechanism for getting the Parks Commission on there and our meeting minutes published for the public to see as well.

Mr. Bentley: Obviously, there is so much I can do from a Public Facilities standpoint but the Parks Commission itself is borne under the Legislative branch. I think what Marla is probably asking for is some legislative help because it should belong on the legislative calendar like this committee here and the minutes. I think it's more appropriate for those meeting dates to be published on the legislative calendar. I think we should do something similar like the Airport Commission as well. Because I think that is the more appropriate place to find those things. I know the I.T. Department set up the calendar most recently so they've updated ways to do that but I think there is some help that the Parks Commission itself needs in trying to get there. I think Kathy and Olivia can figure out how best to get that on there. Our Parks Commission maybe not the most technologically advanced so they may need some assistance.

Chairman Hemmer: As far as making agreements with like the biking club, does New York State law – how do you – you have paid employees for the Parks Department and I'm sure there are regulations with them how it – is there like a special agreement in their contract that allows you to make volunteer agreements with -

Ms. Connelly: We can make volunteer agreements with anybody we want to make a volunteer agreement with. Basically when somebody wants to volunteer, we evaluate, is it something good for the park, what's the long term cost to us, do we have to maintain something somebody built like 50 bluebird houses, what do we do with that in five years? What's the cost to us and then we have a volunteer services agreement that they sign basically given liability over to us so that they get hurt, it's not our fault, that kind of thing. Our staff worked wonderfully with them. We've always got some sort of volunteer at almost every park doing something. The disk golf guys are up at Lake Erie doing things. We've got a group at Midway, there is a volunteer group that helps there. We take volunteers – Boy Scouts love us because yes, please come build that little bridge over our creek, sure, absolutely. I know that each group has different expertise and with trying to recognize we have the limits here that we have, you know, we can't raise the taxes more than 2% and you know, you are constrained, the finances. Turning away volunteers is just beyond something that I can believe.

Chairman Hemmer: Yes, I agree.

Legislator Nazzaro: I remember not too long ago, was it before this committee or before the Audit & Control committee that we had the President of the Biking come before this committee and I know he gave a very nice presentation and said we're willing to maintain those trails so where did we end up with that. To your point Mr. Chairman, we were going to do more research. I think if we can get volunteers and we're not violating any contractual agreements with organized labor or any State regulations, I think it's a great way to go.

County Attorney Abdella: We're still, I mean, we have a few other things on our plate right now but yes, we will take a look at it. We definitely have an issue which the State may not have as far as having to look at our union agreements and what we can do as far as - because we just can't unilaterally use volunteers and secondly, we also have to adjust the liability issue as well. Something the State has worked out over time but if we're putting them on County trails that is something we would have to look at separately. So we're definitely looking at the issue but it is multifaceted and not necessarily something that you can address overnight.

Ms. Connelly: I'd really hate to see us turning away the Boy Scouts eagle project and things like that. That's just really bad.

Chairman Hemmer: We did have two Boy Scouts that had volunteered to do some work in conjunction with his eagle scout project.

Legislator Nazzaro: I think we all think it's a great idea. We just have to work through how to get there.

Ms. Connelly: That's what I am asking is help us figure it out please.

Legislator Nazzaro: I'm glad you came so there will be more to come from our legal department.

Ms. Connelly: I appreciate your time, thank you very much.

Chairman Hemmer: Anything else to come before the Public Facilities committee.

Legislator Nazzaro: Motion to adjourn.

Legislator Scudder: Second.

Unanimously Carried (5:30 p.m.)

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