

Regular Meeting
Chautauqua County Legislature
Wednesday, January, 22, 2020 6:30 p.m.
Mayville, N.Y. 14757

Chairman Chagnon called the meeting to order at 6:30 p.m.

Clerk Tampio called the roll and announced a quorum present. (Absent: Gould)

MOVED by Legislator Bankoski, SECONDED by Legislator Nazzaro and duly carried the minutes were approved. (12/18/19 & 1/2/20)

1st Privilege of the Floor

Mr. DeMarte: *(Tape malfunction)* The college is working smart on reversing the trend that has been taking us in the wrong direction for the last 9-10 years. We have a lot of efforts in play to improve recruitment, retention, and our graduation rates. We're happy to share them with you at any time. We are making progress. Thank you.

Chairman Chagnon: Thank you. Anyone else wishing to speak to the first privilege of the floor? Anyone?

**VETO MESSAGES FROM ACTING COUNTY EXECUTIVE ABDELLA AND COUNTY EXECUTIVE WENDEL
NO VETOES FROM 12/18/2019 & 01/02/2020**

COMMENDATION:

**CLYMER- SHERMAN- PANAMA
WOLFPACK
FOOTBALL TEAM
By
Legislator Ward**

**HANNAH ROSING
By
Legislator Bankoski,
Legislator Muldowney**

**HANNAH ROSING
By
Lisa Vanstrom
Representing
Senator George Borrello**

6:35 P.M.

PUBLIC HEARINGS

**REGARDING A PROPOSED FIXED BASE OPERATOR (FBO) AND
HANGAR LEASE AGREEMENT WITH CENTRIC AVIATION AT THE
CHAUTAUQUA COUNTY AIRPORT AT JAMESTOWN**

Chairman Chagnon: We will now open the public hearing. (6:42 p.m.) Is there anyone wishing to speak to the public hearing? Anyone wishing to speak to the first public hearing? Seeing no one, we'll close the first public hearing. (6:43 p.m.)

6:35 P.M.

**REGARDING A PROPOSED FIXED BASE OPERATOR (FBO) AND
HANGAR LEASE AGREEMENT WITH CENTRIC AVIATION AT THE
CHAUTAUQUA COUNTY AIRPORT AT DUNKIRK**

Chairman Chagnon: The second public hearing is now open. (6:44 p.m.) Is there anyone wishing to speak to the second public hearing? Anyone wishing to speak to the public hearing? Seeing no one, we'll close the first public hearing. (6:45 p.m.)

COMMUNICATIONS:

1. Certificate – District Committee of the Chautauqua County Republican Committee - Certificate to Fill Vacancy for Chautauqua County Legislature
2. Letter – Kenneth J. Lawton – Certificate of Acceptance – District 10 Legislator
3. Letter – Chautauqua County Clerk – Jamestown DMV Parking
4. Letter – Paul M. Wendel Jr. – Resignation as District 10 Legislator
5. Letter – Co. Exec. Wendel – Designation of Acting Co. Executive
6. Letters (4) – Acting Co. Exec. Abdella – Appointments To Various Boards
7. Letter – County Attorney – Legal Services for County Legislature – 2020
8. Letter – District Attorney – Appointment of Assistant District Attorneys
9. Letter – District Attorney – Oath of Office
10. Letter – NYS Agriculture and Markets – District No. 1 Review
11. Letter – NYS Office of State Comptroller – Acknowledgement of Local Law 7-19
12. Letter/ Report – NYS Sheriff's Association Inc.

RESOLUTIONS:

RES. NO. 10-20 Appointment of Kenneth J. Lawton as Legislator from District 10, Southwest City of Jamestown, Village of Lakewood and Part Town of Busti, NY

Legislator Odell: I'm dating myself, but I've known Kenny for over 40 years. I know him to be a person of high caliber and will make a great addition to our Legislature.

Chairman Chagnon: Thank you. Any other questions or comments?

RES. NO. 10-20 – UNANIMOUSLY ADOPTED

(Applause)

Legislator Bankoski: Mr. Chairman, I would like to make a motion that we block resolution 11-20 through 15-20.

Chairman Chagnon: O.K., we have a motion to block those resolutions.

Legislator Vanstrom: Second.

Chairman Chagnon: All those in favor of blocking please say aye. Opposed?

Unanimously Carried

RES. NO. 11-20 Confirm Appointments – Portland-Pomfret-Dunkirk Sewer District Board, by Public Facilities Committee – UNANIMOUSLY ADOPTED

RES. NO. 12-20 Confirm Re-Appointments - Chautauqua County Ethics Board, by Administrative Services Committee – UNANIMOUSLY ADOPTED

RES. NO. 13-20 Confirm Re-Appointments – STOP DWI Advisory Board, by Public Safety Committee – UNANIMOUSLY ADOPTED

RES. NO. 14-20 Confirm Appointment and Re-Appointments - Chautauqua County Food Policy Council, by Planning & Economic Development Committee – UNANIMOUSLY ADOPTED

RES. NO. 15-20 Confirm Re-Appointments - Chautauqua County Youth Board, by Human Services Committee – UNANIMOUSLY ADOPTED

RES. NO. 16-20 Confirmation of County's Independent External Auditor, by Audit and Control Committee – UNANIMOUSLY ADOPTED

RES. NO. 17-20 Amend Resolution 164-19 – Close, Modify and Create Petty Cash Funds, by Human Services and Audit & Control Committees – UNANIMOUSLY ADOPTED

RES. NO. 18-20 Authorize Federal and State Aid Applications for the Chautauqua County Jamestown Airport Five-Year Capital Improvement Plan (ACIP) for FY 2020-2025, by Public Facilities and Audit & Control Committees – ADOPTED – w/ Legislator Scudder voting “no”

RES. NO. 19-20 Authorize Federal and State Aid Applications for the Chautauqua County Dunkirk Airport Five-Year Capital Improvement Plan (ACIP) for FY 2020-2025, by Public Facilities and Audit & Control Committees – ADOPTED – w/ Legislator Scudder voting “no”

RES. NO. 20-20 Authorize FBO and Hangar Lease Agreement at the Chautauqua County Jamestown Airport, by Public Facilities and Audit & Control Committees –

Legislator Nazzaro: Just a brief comment – I want to thank Ron Almeter, the airport manager, as well as Brad Bentley and Steve Abdella and others for their hard work on this. We’ve had a lot of discussion on the airports and we put this out for RFP and we had four proposals come back, which was very rewarding to see. We went through those very carefully and what we have before us is two resolutions. One for the Jamestown and one for the Dunkirk Airport. Hopefully these will be approved tonight and this is a very positive step in making the airports last for years to come and I wish them all the success. Thank you.

Chairman Chagnon: Thank you.

RES. NO. 20-20 – UNANIMOUSLY ADOPTED

RES. NO. 21-20 Authorize FBO and Hangar Lease Agreement at the Chautauqua County Dunkirk Airport, by Public Facilities and Audit & Control Committees – UNANIMOUSLY ADOPTED

RES. NO. 22-20 Authorize Agreement for Purchase and Removal of County Owned Timber from Property # 11 on North Hill Road in Town of Charlotte, by Public Facilities and Audit & Control Committees – UNANIMOUSLY ADOPTED

RES. NO. 23-20 Authorize Execution for New York State Office of Homeland Security Grant For Public Safety Answering Point (PSAP) FY19, by Public Safety and Audit & Control Committees – UNANIMOUSLY ADOPTED

RES. NO. 24-20 Amend 2020 Budget for Capital Project: Video System & Camera Upgrade, by Public Safety and Audit & Control Committees – UNANIMOUSLY ADOPTED

RES. NO. 25-20 Authorize Execution of New York State Governor’s Traffic Safety Committee Grant for the Child Passenger Safety Program FY20, by Public Safety and Audit & Control Committees – UNANIMOUSLY ADOPTED

RES. NO. 26-20 Authorize Execution of New York State Governor’s Traffic Safety Committee Grant for the Police Traffic Services Program FY20, by Public Safety and Audit & Control Committees – UNANIMOUSLY ADOPTED

RES. NO. 27-20 Authorize Execution of United States Department of Justice Grant –

Organized Crime Drug Enforcement Task Forces (OCDETF) FY20, by Public Safety and Audit & Control Committees – **UNANIMOUSLY ADOPTED**

RES. NO. 28-20 Authorize Use of Chautauqua County 3% Occupancy Tax Undesignated Off Cycle Project Funding for the Chadakoin River Business Plan, by Planning & Economic Development and Audit & Control Committees

Legislator Odell: Thank you very much. I just wanted to point out this is another great aspect of collaboration within the County. This project is going to be looking at taking- we've already taken a bathometric survey from McCrae Point back down to the Comedy Center area and oddly enough, everything looked clear- no train cars, no rails- we're in collaboration with the IDA, the BPU, the Gebbie Foundation, the Roger Tory Peterson Institute to put together a good business plan to utilize the waterway for tourism and travel for paddle craft, but also small to mid-sized motor boats. That will be part of the 2-4 year plan put into a case study and hopefully we will see that coming into the CFA in the upcoming year. Thank you.

Legislator Rankin: I just want to say that I really appreciate the efforts that have been put into this to add on to all the other wonderful things that are happening in the City of Jamestown and it's a great use of the occupancy tax for tourism and supporting that within the City of Jamestown and I thank everybody for all their hard work.

Chairman Chagnon: Thank you. Any other questions or comments?

RES. NO. 28-20 – UNANIMOUSLY ADOPTED

RES. NO. 29-20 Authorize Use of Occupancy Tax Monies for Chautauqua County to Retain Professional Services to Advocate for Federal Projects and Funding, by Planning & Economic Development and Audit & Control Committees

Legislator Odell: Just a little background on this. This was a continuation of an agreement that we've had with NEXUS. That's our lobbying firm out of Washington, D.C., that's really given our small county a very big voice in Washington. We love leveraging here in the county and to date, OUR \$10,000 investment has yielded just shy of \$1.9 million in return from federal funds coming into our great lakes over the last three years. Hopefully we'll be hearing some additional good news in the forthcoming weeks and I appreciate everyone support on continuing this endeavor. Thank you.

Chairman Chagnon: Thank you. Any other questions or comments on the proposed resolution?

RES. NO. 29-20 – UNANIMOUSLY ADOPTED

RES. NO. 30-20 Confirming 2019 County Sponsorship Contribution for JCC, Audit & Control Committee

Legislator Nazzaro: Thank you. As you know, as President DeMarte mentioned, we've met with him and his team several times and being a sponsor of the college I would just like to thank him for his dedication and the positive improvements he is making in the college. We have seen a slight up-tick in the enrollment, so what we're doing now is providing the college a floor which will assist them in future planning. Also, there's incentives in the new funding model as their FTE's grow, so will their funding with a cap on it. Again, we're partners with JCC just as Cattaraugus County is and the City of Jamestown and we want them to be successful, so we look forward to a lot of good things to come and again, this is a very positive direction. Thank you.

Chairman Chagnon: Thank you. Any other questions or comments on the resolution?

Legislator Rankin: I'm happy to support JCC as one of the pillars of strength within the City of Jamestown and everything they contribute, not only to the education of their students, but to the quality of life within the City of Jamestown. Thank you.

Chairman Chagnon: Thank you. Any other questions or comments on the resolution?

RES. NO. 30-20 – UNANIMOUSLY ADOPTED

RES. NO. 31-20 Confirm Appointment and Amend Salary Range - Chautauqua County Coroners, by Human Services and Audit & Control Committees – R/C Vote: 18 Yes; 1 Absent – **UNANIMOUSLY ADOPTED**

RES. NO. 32-20 Setting Salary for Wastewater Maintenance Mechanic III, by Public Facilities, Administrative Services and Audit & Control Committees – R/C Vote: 18 Yes; 1 Absent – **UNANIMOUSLY ADOPTED**

RES. NO. 33-20 Quit Claim Deed, by Administrative Services and Audit & Control Committees – R/C Vote: 18 Yes; 1 Absent – **UNANIMOUSLY ADOPTED**

RES. NO. 34-20 Authorize Transfer of Tax Foreclosure Property to Chautauqua County Land Bank Corporation, by Administrative Services Committee – R/C Vote: 18 Yes; 1 Absent – **UNANIMOUSLY ADOPTED**

MOTIONS:

A. Proclaiming February Black History Month – UNANIMOUSLY ADOPTED

B. Supporting a Permanent Funding Floor for Community College Base State Aid Formula – Fiscal Year 2020

Legislator Rankin: Knowing the difficulties of financial aid, given my background, anything that we can do to support funding that will help with projections for the future, budget planning- I'm totally in favor of this especially for our community college within the City of Jamestown. Thank you.

Chairman Chagnon: Other questions or comments on the motion?

UNANIMOUSLY ADOPTED

ANNOUNCEMENTS

Legislator Starks: I'd like to thank everyone in this room and outside this room for their support of Fredonia within the Small Business Revolution competition. We had a – we have no idea what the end point is, but we had a great series of events, we had a lot of collaboration and we have found that we all have a lot of friends in a lot of places. So, regardless of how the competition turns out all of the support has been tremendously appreciated by myself, everyone on that team, and I'm sure everyone in the community. Thank you.

Chairman Chagnon: We are expecting the good results when?

Legislator Starks: Tuesday night at 8 o'clock at the Opera House in Fredonia. Nobody will know anything until that night.

Chairman Chagnon: Other announcements?

Legislator Ward: A lot of stuff coming up in the life of District 18. In Findley Lake there is a community connections event called Food for Thought on January 27th. You may just go to the community connections Facebook page. There is a Valentine's Dance in Sherman on February 14th. Also, backing up a little bit, Peek'n Peak has their winter fest on February 1st and then the Mayville winter festival is happening the 14th through the 16th with some new stuff this year. There's going to be a Valentine dance and a 5k, which is part of the Striders winter series which is going to take kind of the old Drake run course. So, it's exciting stuff.

Chairman Chagnon: Great. Thank you. Other announcements?

Legislator Nazzaro: I'm not sure if this is an announcement, but I just wanted to briefly go over what you call the paper carryout bag reduction fee. Recently there's been a lot of discussion that counties and other municipalities have to decide whether they want to opt in by March 1st for the 5 cents per paper bag fee. We had a discussion in Audit and Control, but as you know discussions are not summarized in the minutes, so I just wanted to give the highlights of that.

The end result is we feel it is a regulatory nightmare to administer this and the benefits do not outweigh those regulations. Basically, what the state of New York is going to do is going do- the cause is good- plastic bags will no longer be allowed after March 1st except for produce, raw meats, bulk foods and things like that. All other plastic bags, unless they're specifically exempt will be banned March 1st. The municipalities have the option to charge 5 cents per paper bag, however, we would have to collect that, quarterly we would have to remit that to the state of New York. The state keeps 3 cents per bag, the County would receive 2 cents back per bag and then that 2 cents that we would receive would have to be used to provide reusable bags to the

low and moderate income individuals. So, with all that being said the intent is good, but to administer it would be very difficult. After much discussion in Audit & Control we don't have to take any action here tonight, but we have decided at this time not to opt in and not collect the 5 cents per bag fee.

We have heard that one of the local supermarkets will begin charging at the end of January 5 cents per paper bag. That is totally separate from this. That is not a tax or a fee. A private business could charge whatever they want, but that particular retailer is going to take that 5 cents per bag and give it to charity, which I think is a very good cause. There's no action needed Mr. Chairman, but again, we are opting not to opt in at this time.

Chairman Chagnon: Thank you for that explanation. Other announcements?

Legislator Odell: Cassadaga's Winter Fest will be taking place on February 8th and 9th with its first annual Ice Scream Dip on the 8th at 9 a.m. at Cassadaga Beach.

Chairman Chagnon: Thank you. Any other announcements?

2nd Privilege of the Floor

Ms. Reynolds: I'm Emily Reynolds with Cornell Cooperative Extension and I just want to remind each of you that our 4-H Green Tie Affair is coming up. It will be February 23rd. Tables are on sale right now for \$200 to sponsor a whole table - \$20 per seat. It will be a 1980's theme this year. So, come and enjoy the evening with us. We have a basket raffle, we have a fantastic dinner with the Chautauqua Suites in Mayville and we have a pie auction following dinner. So, we look forward to seeing everyone and I wanted to remind you that if you'd like to get your tickets you can contact us or catch me here, or whatever works. Thank you.

Chairman Chagnon: Thank you. Anyone else to address the second privilege of the floor?

MOVED by Legislator Bankoski, SECONDED by Legislator Starks and duly carried the meeting was adjourned. (7:08 p.m.)

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