

Minutes

Audit & Control Committee

January 16, 2020, 8:35 a.m., Room 331

Gerace Office Building, Mayville, NY

Members Present: Nazzaro, Niebel, Odell, Harmon

Member Absent: Gould

Others: Tampio, Ames, Crow, Dennison, Bentley, Almeter, Martello, Swan, Chagnon, Walsh, Carrow, Abdella, Quattrone, Wendel, Geise, Caflisch, Schuyler, Centric Air, Wisniewski

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

I'd like to welcome the new members of this committee and thank our esteemed Chairman sitting in the back, Legislator Chagnon, for appointing me as Audit & Control Chairman. I have big shoes to fill. I've sort of come full circle, I chaired this Committee 12 years ago so it's great to be back and thank you Mr. Chairman and I'll do my best to uphold your expectations and continue the great work that this committee has done.

Approval of Minutes (12/12/19)

MOVED by Legislator Odell , SECONDED by Legislator Harmon

Unanimously Carried

Privilege of the Floor

No one chose to speak at this time

Proposed Resolution – Confirmation of County's Independent External Auditor

Ms. Crow: As you may recall, well, some of you that were part of the Audit & Control Committee last year but, the current requirements are that any auditor cannot be the County auditor for more than six consecutive years and Drescher and Maleski who had been working with us, their six year term expired last year so we conducted an RFP. We met with the Audit & Control Committee late last year to review the responses and we had selected Bonadio Group to be the new auditors. So, this now needs to go to the full Legislature for full approval. All the responses were fairly close. They did provide the best value and overall we thought their experience was what we needed. You were there at that meeting too.

Chairman Nazzaro: To Kitty's point too, myself, Chairman Chagnon, and Legislator Gould met with Kitty. We had very good proposals, we went through a point system and recommended these auditors. Again, it's every six years.

Ms. Crow: Well, each contract is for a three year term so we had awarded to Drescher and Maleski for 2 three year terms so the total of six consecutive years had expired.

Legislator Odell: How many responses to the RFP did we have?

Ms. Crow: We had four responses. One was significantly higher than the other three. The other three were within a few thousand dollars of each other. One we did not feel had the best experience to meet the County needs and the other was a partnership between a local firm and Drescher and Maleski so we were, whole Drescher and Maleski was not the lead on that proposal, we thought that it would not meet our requirements necessarily because they had been our former auditor.

Chairman Nazzaro: Thank you. Any other questions?

Legislator Niebel: Kitty, so you guys are happy with this?

Ms. Crow: Yes, they are a very reputable group. They've done other consulting work with the County so we've had experience with them as a company.

Chairman Nazzaro: Anything else?

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

Chairman Nazzaro: This was amended in Public Facilities. We do have an amendment on your desk that was handed out.

Mr. Bentley: Yes, and I'm going to have another change to that but if I could first, take a moment, a little public safety message. I just remind everybody if you are behind a plow, don't pass six cars to get around the plow. It's not that important to get to this meeting. Even though there is a line of 20 cars behind – I was behind a State plow and my jaw dropped when you see somebody just trying to do something like that. It's not that important people, give the guys in the plow a chance. I know the guy couldn't see over the hill and he took such a big risk, just please be safe out there. The road conditions are going to change today, probably over the weekend, be safe.

Chairman Nazzaro: Good message.

Mr. Bentley: With regards to this resolution, I'm going to say that I did it right the first time and that when I went to go - by the time you submit it and then you come back to it again

and then you go, of yea, I did it right the first time, so, I would like to unamend the changes if I can and here is the reason why. The full amount of the gross revenue from the sale of the timber should go into the capital reserve because we actually pay Forecon out of that capital reserve. So all the money does have to go into that account and then we pay Forecon's commission out of that capital reserve.

Mrs. Dennison: So Brad and I messed it up together at Public Facilities.

Mr. Bentley: So we would like to go back to the original resolution. I know you are probably going to have to re-amend back to the original.

Chairman Nazzaro: I believe that is what we'll have to do.

Mr. Bentley: I apologize for that.

Chairman Nazzaro: Again for everyone on the committee, it was an 8% commission. The original resolution, one; it was amended in Public Facilities. Originally it was \$31,610 which included the 8% and then we amended it to take the 8% out so now we're going back to the original. First, any questions on why we need to amend? So I need a motion to amend the resolution back to the \$31,610 and also you need to change the net back to total in the 4th WHEREAS.

Legislator Harmon: I will make a motion to do that.

Legislator Niebel: I will second that.

Chairman Nazzaro: Any questions on the amendment?

Unanimously Carried – amendment

Chairman Nazzaro: Now we need to vote on the amended resolution? Is there anything you want to add? You covered it very well in Public Facilities.

Mr. Bentley: We received two or three quotes on this so it was a competitive solicitation and we did take the highest bid to purchase the timber. The company is well known with Forecon so they are a quality individual company and we expect them to do the right job.

Legislator Odell: If I could just add, the ability that we're able to go to contract faster, especially with fluctuations in the market, I think it's going to help us get more bids coming down the pike. We were able to go to contract faster and get that secured so I'm glad it's that streamlined.

Mr. Bentley: So am I, thank you.

Chairman Nazzaro: Any further questions?

Unanimously Carried as amended

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

Chairman Nazzaro: This has a typo. The typo is in the 3rd WHEREAS, and Mr. Bentley pointed this out in that instead of matching funds provided at 90%, that should be changed to 95%. With that, I'll let Ron and Brad explain what this is.

Mr. Bentley: This was discussed at length at Public Facilities and we go through the five year capital plan for the airport and this one is for Jamestown. This does get reviewed at the Airport Commission which convened yesterday and they did review it and they did approve this capital plan as was discussed at Public Facilities. I don't want to get into a lot of the details unless there are questions. That discussion is probably in the minutes of Public Facilities if you haven't read them but we'd be able to take questions on any of the projects. If there are any questions on what those are or anything further on that. Kind of open it up for questions first.

Chairman Nazzaro: We'll open it up to the committee. Like Brad said, we did have detailed discussions but for those here, if you have any questions, feel free.

Legislator Odell: Just to add Mr. Chairman that yes, our Airport Commission did meet yesterday, we had a quorum at the 11th hour and we were able to do the review of the ACIP and the Commission is in agreement for both of these resolutions.

Chairman Nazzaro: Any additional questions or comments?

Mr. Almeter: I would like to add one note. All the projects listed are on our Federal FAA airport capital improvement program with the exception of the second listed project, the fiscal year 2020 purchase of deicing equipment. For that project, we intend to submit a grant application under the New York State Transportation Aviation Division program. That's the only exception. The others are all Federal grant applications.

Chairman Nazzaro: Thank you for pointing that out. Anything else?

Unanimously Carried

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

Chairman Nazzaro: This also was amended and you have it on your desk. Ron, maybe you could go over what the changes were.

Mr. Almeter: Beginning in 2020, we had the first project, the runway 1533, lighting improvements. It was originally submitted as a or proposed as a design build project to be

executed in fiscal year 2020, contracted in fiscal year 2020. In discussion with the FAA and with our consulting engineers, we would like to revise that and execute that project in two phases. First phase as a design phase under a grant in 2020 and the second phase, the construction phase in 2021. The total cost of the project is estimated at \$800,000. That won't change but it will be applied for and contracted under two separate contract, two separate grants. About \$120,000 in 2020 and \$680,000 in 2021. The other edit that we proposed was for the acquisition of the aviation easement –

Mr. Bentley: That is the addition where we added –

Mr. Almeter: Oh, I'm sorry. It's the addition in 2020 of a new project for the displacement of runway 24 in the Dunkirk airport. This relates to the aviation easements but we have obstructions on approaches to all four of the runways, all four approaches at the Dunkirk airport. In discussion with the FAA and with our consulting engineers and in acknowledgement of the growth in jet traffic and business aviation traffic in Dunkirk, we want to take a more expedient course of action to obviate these obstructions or to mitigate these obstructions. We want to displace the threshold of the runway by 500 feet so that the approach surface, the virtual surface that the airplanes are guided on for instrument approaches, is moved forward 500 feet on the runway and thereby avoids all of the existing obstructions. Now we still have an obligation under our grant assurances and our permit to operate the airport, to mitigate and remove these obstructions but the most expedient way to do that is to displace the threshold. So, we've talked to the FAA about this, they've agreed and they've agreed to fund a project in 2020 if we submit a grant application for it. The estimated cost, the engineers haven't really come up with that yet. My (*cross talk*) is it's in the \$200-250,000 range. It involves moving some lights and restriping a portion of the runway.

Chairman Nazzaro: And our cost will be 5%?

Mr. Almeter: Five percent of that, right.

Chairman Nazzaro: So roughly about \$10,000 to the County. We did get a little drawing of what it is and I don't know if anybody would like to see that but it showed exactly what Ron was referring to. Being part of the Airport Commission, you are also familiar with it.

Legislator Odell: Yes.

Mr. Bentley: We discussed it at the Airport Commission too, all the changes that Ron just covered as well so that the Airport Commission had a chance to review and approve those changes as well.

Legislator Odell: For the ACIP and it's just a beautiful solution to overcome a problem, mitigate a problem and give us some leveraging ability down the road.

Chairman Nazzaro: It definitely has benefits.

Mr. Almeter: Yes, both and you'll see that there still is a project in 2021 to acquire easements. We still need to pursue that but this is an expedient that has very tangible short term benefit and I believe will put us in a much better position to eventually obtain the easements.

Mr. Bentley: So again, a lot of these projects we had questions and conversations at Public Facilities on Monday so I'll kind of open it up just to questions on the projects listed that we haven't talked about.

Chairman Nazzaro: Any other questions?

Unanimously Carried

Chairman Nazzaro: These next two resolutions have to do with the FBO Hangar leases and I know that we have representatives here from Centric Aviation. The rest of the resolutions are fairly quick and brief and I believe in efficient government and getting everyone back to their jobs so, it's up to the committee if we could take #5 and #6 out of order, move them to the end before discussion and lets zip through the other ones so everyone here can get back to work and we don't want you to feel rushed because this is very important. Is that o.k., with the committee?

Committee agreed. (Next two resolutions pushed to the end of the resolution list)

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

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

Proposed Resolution – Setting Salary for Wastewater Maintenance Mechanic III

Mrs. Wisniewski: Mr. Walsh called the Human Resources office a couple of months ago looking to add a title of Wastewater Maintenance Mechanic III. So currently he has a Wastewater Maintenance Mechanic, Grade 9, a II at a Grade 14, and also Wastewater Maintenance Mechanic Supervisor at 18. So this would add a level layer into to currently move someone into a 16 rather than a 14 in the belief of keeping that employee for retention. This current employee actually has been with the County for quite some time, since 2005 and is looking to increase his responsibilities. He currently does not have a III and we're looking to ask that of the committee today.

Mr. Walsh: This fits very well in our job matrix. This is a higher level mechanic, very skilled position with responsibility as a supervisor. It just fits very well in what we're trying to achieve.

Chairman Nazzaro: And just for clarity too, we're not adding a person.

Mr. Walsh: It's a position upgrade. A position within the department.

Chairman Nazzaro: Just for clarity, we're not adding a body.

Legislator Harmon: Does this position require a license at all?

Mr. Walsh: It does not. It is not a licensed position.

Legislator Niebel: Just so – the Grade II that you currently have or the level II is a Grade 9?

Mrs. Wisnieski: There's a mechanic Grade 9 and there is a II that's a Grade 14. This III that we're proposing would be 16 and the Supervisor is an 18.

Legislator Niebel: This kind of falls in the middle?

Mr. Walsh: Yes. It's kind of the (*inaudible*) responsibility matrix that would work. This gentleman has more responsibility and hopefully a smoother change when he goes to an 18 possibly (*inaudible*).

Chairman Nazzaro: Any other questions?

Unanimously Carried

Proposed Resolution – Quit Claim Deed

Mr. Caflisch: We have an offer on a property that we've had in our inventory for a couple of years. It was a demolition, I think. It's just a vacant lot and the proposed purchaser will merge that lot into the house he had next door.

Chairman Nazzaro: It seems pretty straightforward. Any questions from the Committee?

Legislator Odell: It's like a Land Bank side lot project, right?

Mr. Caflisch: More or less yes.

Chairman Nazzaro: Any questions?

Unanimously Carried

Proposed Resolution – Authorize Execution for New York State Office of Homeland Security Grant for Public Safety Answering Point (PSAP) FY 19

Sheriff Quattrone: This resolution is a reduction of revenue that is coming in from a grant from Homeland Security for the PSAP. The reduction is due to a deduction in the number of CAD calls that was entered. So in years 2018, we had a set number of CAD calls that was reported to Homeland Security and that number was wrong. So in 2019, when we gave the numbers, it was a 17% reduction and the amount of the grant is based on the number of CAD

calls. We're trying to make the adjustment earlier in the year rather than waiting until the end of the year in trying to explain what is going on with that.

Chairman Nazzaro: Mr. Chair, do you want to add to that? I do have one question? My question is, obviously you are increasing the use of fund balance and reducing the revenue column so when I was going through the resolutions, you can probably guess what my question is. Is there any way that we can reduce appropriations for this?

Mrs. Swan: What makes this grant particularly difficult is that this is not an expense supported grant. This is strictly based on statistics so our budget in that department doesn't change regardless of the funding that we do or don't get and that is the only revenue source in that particular department. So given those factors, there really isn't any reduction that we can realize on the appropriation side right off the top. There may be over the course of the year and that's something that we're going to work on but right up front, there really isn't.

Chairman Nazzaro: So possibly you will look for ways to reduce expenses.

Mrs. Swan: Absolutely.

Chairman Nazzaro: So just early in the year, we have a lot of challenges before us but thank you for that. Any questions from the committee?

Unanimously Carried

Proposed Resolution - Amend 2020 Budget for Capital Project: Video System & Camera Upgrade

Sheriff Quattrone: This resolution is to complete this project. Initially when this was put forth, the plan was to use Buildings and Grounds staff to help run those cables and wires and it's just been a difficult task to be able to get all their staff the time and the hours and the expertise so it's been put on hold several times and we're currently getting a little bit of pressure from the Office of Court Administration to get this project done. So, the increase would be to hire someone to come in and do that. The money is coming from the roofing project, the replacement of the roof. We're asking that to be moved into the camera project.

Chairman Nazzaro: So it's budget neutral obviously because we're moving from one project to the other. Any questions or comments?

Legislator Niebel: At the same time we're talking about a surplus in the roofing account. We actually increased the capital project, the roofing capital project by \$60,000. This came up last night at Public Safety or after Public Safety. Could you address that?

Mrs. Swan: In May of last year we did request the funding for that roofing project be increased.

Legislator Niebel: The capital project roof?

Mrs. Swan: Correct. Because the anticipated or quoted amount from the vendor that was selected to do the roofing was going to be higher than the original capital project budget. As it turns out, it wasn't quite as much higher, it was little bit higher but the \$60,000 was in excess still of what the total turned out to be. So that give us a little bit of wiggle room and the ability to transfer those funds to the other project.

Legislator Niebel: Should we take a look at adjusting the capital project then, the amount that you have there?

Mrs. Swan: Yes, that is something that we can do for the roofing.

Sheriff Quattrone: The project is done.

Mrs. Swan: It is done and we have the invoice.

Chairman Nazzaro: Could we close it out?

Mrs. Swan: Yes and it will be reflected in our correspondence this year.

Mrs. Dennison: Just a general comment on the capital projects. As part of the yearend procedures, I just this week sent out a message to all of the department heads to ask them for a status update on all of the open capital projects. They have already started responding so they will let us know whether the project is completed and can be closed. So in February you'll have a resolution to close all the capital projects that are completely finished. The second status for capital projects often is that the work is done but not all the invoices are closed and paid. So, we might not in February be able to close those projects even though they are completed. But the short point is that all of the department heads are in the process of advising us the status of all the projects and we will close the ones that can be closed.

Chairman Nazzaro: Perfect and if you remember, we made great strides over the last couple of years in closing a lot of capital projects that were still on the books. So we'll be looking forward to that.

Mrs. Dennison: Any balance that is left in any of the projects that are closed will be returned to the capital reserve.

Legislator Niebel: Chuck, this is a question that was raised by Mr. Chagnon last night who spends more of his free time going over capital projects. Thank you Pierre.

Chairman Nazzaro: That's one of his passions. Any other comments? Great input and thank you Kathleen.

Legislator Harmon: Just one question about the system itself on the upgrade of the cameras. (*rest of statement inaudible*)....

Sheriff Quattrone: Still hardware. I think the majority of them, there could be somewhere else but I think that is the problem, running the wire.

Mrs. Swan: Because old wire needs to be removed and new wire needs to be installed because of the upgrade in it.

Chairman Nazzaro: Anything else?

Unanimously Carried

Proposed Resolution - Authorize Execution of New York State Governor's Traffic Safety Committee Grant for the Child Passenger Safety Program FY20

Sheriff Quattrone: This is through the Governor's Traffic Safety for our car seat technicians. Covering the cost of some car seats and time for putting on car seat events. It's for a \$1,050 and has been included in the 2020 budget so there is no amendment that's needed.

Chairman Nazzaro: Any questions?

Unanimously Carried

Proposed Resolution - Authorize Execution of New York State Governor's Traffic Safety Committee Grant for the Police Traffic Services Program FY20

Sheriff Quattrone: What we are doing here is, it's a grant for \$16,875 and it runs through October 1, 2019 through September 30, 2020. It's a breakdown of some of the funds that we used in 2019 and then the remainder will be used in 2020, mainly in the summer time.

Mrs. Swan: This applies to the Buckle Up New York initiative. Where we run traffic details specifically for ticketing associated with people not using their seat belts.

Sheriff Quattrone: Enforcing.

Mrs. Swan: Yes, enforcing.

Sheriff Quattrone: We hope that we don't have to write tickets.

Chairman Nazzaro: Again as noted, it affects two years. Small amount of 2019 and a larger portion for 2020. Any questions?

Unanimously Carried

Proposed Resolution – Authorize Execution of United States Department of Justice Grant – Organized Crime Drug Enforcement Task Forces (OCDETF) FY20

Sheriff Quattrone: This grant is to offset the overtime costs on a detail that we have been working on with the Federal Bureau of Investigation as well as other police departments in the County. It has extended a little further along than we expected. This is the case in many of these investigations and it's to cover the overtime costs in 2020. With anticipation that it should be done soon but they have been telling me soon since September so each month it's the next month but that's because the investigation is progressing. I'd be happy to tell you what it is, when it's done.

Chairman Nazzaro: We look forward to it.

Sheriff Quattrone: You'll hear about it.

Chairman Nazzaro: Any questions?

Unanimously Carried

Proposed Resolution - Amend Resolution – 164-19 - Close, Modify and Create Petty Cash Funds

Mrs. Dennison: This is a lot of work for \$50.00. Last year resolution 164-19 closed and modified some petty cash accounts. The proposal was to create a new petty cash account for \$50.00 for the jail medical facility. But, during committee it was decided not to create that account so the creation of that account was stricken from the resolution. However we found in December as we were reconciling all of the petty cash accounts we found that there was no stipulation for that \$50.00. So the \$50.00 new account was stricken from the resolution but we never said what we're going to do with this \$50.00 so now we have to amend that resolution to say we're returning that to the general fund.

Chairman Nazzaro: I just want to be clear and I don't want to be petty, part of our, when we did our, when we did focus audits by Freed Maxick(?), part of the initiative was, you have petty cash funds and you have change funds. Change funds make change, petty cash is for expenditures and the goal is not to have any, quote, petty cash funds because there is some inherit risk because you're maintaining cash. So are we under this resolution, I know we're addressing the \$50.00, are we actually creating any new additional petty cash funds?

Mrs. Dennison: No.

Chairman Nazzaro: We are not.

Mrs. Dennison: The resolution, when it was passed, it was proposed, it was amended, the amendment took out the creation of a new petty cash account and this new resolution to amend that resolution does not create the account, just allows us to take that money and return it to the general fund.

Chairman Nazzaro: So in the first RESOLVED, it says, deletions showing in strikethrough and addition underlined. I saw the addition in the last WHEREAS, returning the \$50.00 to the general fund. Are there any strikethroughs?

Mrs. Dennison: Just the “and”.

Chairman Nazzaro: Oh, alright.

Mrs. Dennison: Because in the previous resolution, we already took that – that resolution already took out the clause that created the petty cash account. Just to give you a preview of coming attractions, in February we will have a resolution to get rid of another petty cash account.

Chairman Nazzaro: Again, it’s not about, I know this seems minor, but it’s all for providing better control and not having cash available for purchases.

Mrs. Dennison: And as we’ve discussed before, it’s more practical now to get rid of the petty cash accounts because most departments have purchasing credit cards.

Legislator Niebel: And the auditors have raised that question too.

Chairman Nazzaro: Yes and the goal was not to use purchasing cards when needed as opposed to making petty cash.

Ms. Crow: I was going to say from the title of the resolution to strike the word create but that was the original title of the resolution.

Chairman Nazzaro: That is why I had asked that question to make sure we weren’t creating another one. That was the original resolution title. So with all that –

Mrs. Dennison: I guess we should have amended the title of 164-19, proposed to create that account and we didn’t create it so I suppose the title should have been amended.

Chairman Nazzaro: We can’t go back and change what’s in the books. Any other questions or comments:

Unanimously Carried

Proposed Resolution - Authorize Use of Chautauqua County 3% Occupancy Tax Undesignated Off-Cycle Project Funding for the Chadakoin River Business Plan

Chairman Nazzaro: I believe there is a typo?

Ms. Ames: On the second page, the second to the last whereas clause – the last few words should read “appropriation is currently available.”

Chairman Nazzaro: Did everyone get that? Who is going to speak to us about this? Mr. Geise?

Mr., Abdella: I just looked in the hallway and I don't see him. Maybe Mr. Odell could speak to it?

Legislator Odell: I would be happy to. This was discussed last night at our PED committee and had been in the process for quite a while. Last night former County Executive Greg Edwards was here representing the Gebbie Foundation, Mr. Geise was here- it was just started on a suggestion of going from McCrae Point basically down to the comedy center. A bathometric study was conducted and it came back positive. Bathometric study is basically doing sonar of what's going on under the water and anyone would have thought there would have been train cars, rails, or debris and all kinds of obstacles down there, but it was pretty much clean as a whistle. So, the thought process is we continue to bolster our economic development side and bring small boat traffic from McCrae Point into National Comedy Center area. We do have great leveraging from the foundations, Roger Tory Peterson Institute, and a little from the county, so multiple stakeholders coming together- and the City of Jamestown, the BPU will all be coming together to further bolster travel and tourism right down town. When this is done- we have a timeline out there. It could be 2-4 years as this projects out, which is pretty accelerated. We're excited about this and look forward to hopefully carrying this forward and looking for 3% of our off-cycle occupancy tax fund, which currently the balance is \$38,000 at the beginning of the year, so this is \$10,000 of that towards this.

Chairman Nazzaro: Yes, good point. Thank you for that explanation. When I read this it was sort of intriguing just to think about what that would bring to Jamestown and that whole area.

Legislator Odell: (*Inaudible*) Lawson Marina right there on Fluvanna is (*inaudible*) so if someone takes small craft from there and get down to the Comedy Center or down to the area of the boardwalk-

Chairman Nazzaro: What's the distance of that?

Legislator Odell: The meandering mile.

Chairman Chagnon: Thank you. Just to add additional information this business plan will enable the submittal of a CFA grant request this year to progress this project forward. This will give us the information to submit the grant request

Mr. Geise: I'm so sorry.

Chairman Nazzaro: Mr. Odell did excellent and Legislator Chagnon added some comments and this has already gone through committee, so is there anything you would like to add?

Mr. Geise: I apologize. I thought it was much further down the line here. We met last night. Greg Edwards joined us from the Gebbie Foundation. This is all about activating the Chadakoin riverfront in Jamestown and making it navigable for boats and we've been talking about this for a while and last spring Greg and I got talking and we thought what would we need to know right off the bat to determine if this was even feasible or not, so we contracted with Roger Tory Peterson Institute- (*inaudible*) we paid for him to do a bathometric survey from McCrae Point all the way down to the basin down to Warner Dam and determined- they did a survey of the bottom and determined that there was no impediments along there. There's really no reason why we couldn't have boats navigating down the Chadakoin to behind the National Comedy Center. So, that was good news. From there we've moved to- we've got a committee of the City of Jamestown, the BPU, the Gebbie, the IDA, Roger Tory Peterson Institute- we've met on a number of occasions, we've put together a request for proposals to find a firm that will conceptualize what needs to be done in order for that to happen. Obviously buoys need to be put in to mark the channel, there would need to be boat docks put in, there would need to be a warning system of some sort so that it could warn boats when the currents too great, some kind of barrier before the Warner Dam and a whole bunch of other things that would need to be done in order to make this a reality. So, we want to contract with a firm that will conceptualize all those things and determine what they would cost and do a timeline of what it would take to do that over three to five years so that this can become a reality. So, we're asking- we already have thirty-five committed, but we think we'll have another ten or fifteen as well and we're asking for some occupancy tax from the reserve, which has a balance of about \$38,000 to be used towards this strategic business plan, which is consistent with the occupancy tax law.

Chairman Nazzaro: O.K., so we had two great explanations. Thank you. This is exciting stuff. Kathleen?

Mrs. Dennison: I just wanted to clarify that the request is not to take this from the occupancy tax reserve, it's to take it from the undesignated off-cycle-

(*Cross-talk*)

Mrs. Dennison: That \$38,000 is already appropriated in the 2020 budget.

Chairman Nazzaro: Yes.

Legislator Odell: Could I just add- this will go to a study, which we've seen great success with these studies and they seem to be in the \$50,000-\$70,000 mark for a properly done study that we can carry forward with the proper data metrics to attach with the CFA. We can't quantify what's not measured, so there's some measuring upfront, attach it to that.

Chairman Nazzaro: Yes. This is a multi-step process. Any other questions? All in favor? Opposed?

Unanimously Carried

Proposed Resolution – Authorize Use of Occupancy Tax Monies for Chautauqua County to

Retain Professional Services to Advocate for Federal Projects and Funding

Chairman Chagnon: Mr. McCoy last night spoke to the Planning and Economic Development Committee and explained the history of our relationship with this firm. So, the firm has been acting on our behalf in Washington and if you will, the function that they perform is a lobbyist for the County and they have been very successful in helping the County identify sources of federal funding, which is something that's very difficult for a small county like Chautauqua County to avail itself of. To date they've been able to deliver nearly \$1.9 million dollars of federal funding to the County through their services. I've been personally involved with their efforts because for the last three years George Borrello and myself have accompanied them each year to a visit to Washington and I can tell you from my personal experience that the gentleman that represents Nexus is extremely well connected in Washington and has an incredible ability to open doors and get meetings and as Mark pointed out last night, the reactions that we get when we go to Washington and meet with these people is basically- you came all the way from Chautauqua County to Washington to meet with us? They don't really see real people, they see lobbyists. They're so impressed that we come and make the effort because we have a lobbyist who can open the doors, set up the meetings, get the traction for us and then when we go back a second time and a third time we now have relationships established with influential people in Washington and the \$1.875 million that they've secured for us is just the beginning. There are other funds and other projects already in the works. Hopefully we'll be hearing some very good news in the next few weeks about one in particular that's about to hit, so I highly recommend that this small amount of money for the return is money well spent.

Chairman Nazzaro: Thank you for that. The ROI on this is tremendous and it's coming out of the reserve, which is a great use. Did you want to add anything else on this?

Legislator Odell: No, that was perfect and this is what we discussed last night. Steve Dye(?) is the gentleman's name and does a great job for us and I believe it's four years with us.

Chairman Nazzaro: Pierre, thank you for your great work on this as well. I know you're very involved in this. Any further questions? All in favor? Opposed?

Unanimously Carried

Proposed Resolution – Confirming 2019 County Sponsorship Contribution for JCC

Mr. Martello: I'm Mike Martello. I'm the Vice President of Administration at JCC. Chuck and Pierre and I have worked together with Daniel, our President, quite a bit this last year in terms of creating a model for county sponsorship that would kind of mirror the model that SUNY is looking to propose to the state and actually was implemented by the state last year, but just not put into the resolution. You'll see our next resolution will be asking for your support for them to continue this model. So, in this past year we had been working on that and we had agreed to a model for 2019, which amounted to about \$4 million. So, what we are looking to continue to do is to continue to have conversations in terms of how we might refine this model going forward for 2020 and for future years. What the purpose of this is is we've had declining

enrollment going for about the last eight or nine years and we had fixed costs and other costs that are associated with it and as our enrollment declines it becomes more and more difficult to cover those fixed costs as well as covering the variable costs that are necessary to run the college. So, the purpose of the model is to try to mitigate the loss in funding associated with what looks to be a continuing decline in enrollment. On the positive side of things, through Daniels leadership we have done quite a bit recently to be able to hopefully stem the tide of the decline. Right now our fall of 2019 was at an FTE level that was consistent with the fall of 2018, so that might suggest to us that we're starting to flatten out a little bit and some of the initiatives that we're doing are starting to take hold. So, with your approval we'd like you to approve this resolution.

Chairman Nazzaro: Thank you, Mike. So, the first one is a resolution and the second one is a motion. Again, as Mike said, Pierre and myself and others met numerous times and I'm not going to go over it here, but we did bring it to leadership and if anyone has any questions we developed a funding model for JCC and basically it's pointing the declining enrollment. We want to provide an incentive for when the FTE's did go up. We didn't want to make it punitive. So, in this resolution- and we went back and forth a couple times- I sent an email to Kathleen- in here we have the 2019 sponsorship in the amount of \$4,061,781 from the existing 2019 budget. Again, this does not include out of county payments. This is just for in-county and it's based on the model that we've approved. This is the actual resolution approving that amount and it's been validated. Any questions from the committee? All in favor of the resolution? Opposed?

Unanimously Carried

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

Mr. Martello: So, the state provides us state aid based on FTE's and again, because of the declining enrollment then last year the state had proposed a floor model. When it hit the state's desk what they did end up approving is a model that was 98% of the state aid they provided the year before or \$100 additional amount to the state aid per FTE rate and based on the FTE's in the formula then the community college would receive the greater of that 98% of the previous year's state aid or the \$100 increase for the FTE's that you're incurring in that particular year. This year, what they're looking to do is to not have it be 98% but to be 100% and they're looking to make it permanent, so what they've asked everybody is to look to get the support of their sponsored counties and that is what this resolution is. Again, what it does for us is that it kind of mitigates or stems the loss of state aid associated with declining enrollment and just about every community college throughout the state over the last 6 or 7 years has incurred a decrease in enrollment. So this is SUNY's way of presenting it to the state to get something permanent into their legislation, into their budget that would assist in getting through this decline.

Chairman Nazzaro: It almost gives you like a, I don't want to say safety net, but it sort of does give you a safety net.

Mr. Martello: It does. I mean, there is a recognition that there are fixed costs that are associated with running the business so as your units that you are getting funding on continue to decline, then there is just not that relationship with every cost that you have in the college. So,

SUNY has recognized it, the State last year recognized it, and so we're asking to get that into permanent legislation. As a result, they are asking that we go to our sponsored counties and ask for you to give your support to that legislation.

Chairman Nazzaro: Has this been brought to Cattaraugus County Legislature?

Mr. Martello: Yes.

Chairman Nazzaro: So it is a positive, like a say, a safety net, and I don't think that anyone in this room will disagree the value of JCC is to this County. They are making a lot of progress in their programs and branding, looking at (*cross talk*) and programs, buildings, and use of buildings.

Mr. Martello: We've been busy.

Chairman Nazzaro: I'm fully in support of this. Normally motions don't come here but, do we take action on this?

Deputy Clerk Ames: No.

Chairman Nazzaro: It's just a discussion but since you were here, I didn't want to hold you up.

Mr. Martello: I appreciate it and I appreciate your support in this also.

Chairman Nazzaro: The way that this works, when we have our full Legislature meeting next week, Legislators will have the ability to sign off on this and if there is a majority then it comes to the floor for discussion.

Legislator Niebel: So you are just asking to have the funding for raised from 98% to 100%?

Mr. Martello: Yes, essentially that is what it is and to make it permanent into the legislation so that it doesn't become one of those volleyballs when the State budget is not so good or the political winds are blowing one way or the other.

Legislator Niebel: It gets you some sort of consistency.

Mr. Martello: Yes, predictability and that's important to us at this point.

Legislator Harmon: Just have a question. On enrollment, what is the enrollment (*inaudible*)...

Mr. Martello: FTE's are full time equivalents so and our full time equivalents are around 2,700 across the board. So full time equivalent is equal to 30 credit hours. So we may have a head count that would be maybe 4,000 or so but they generate around 2,700 FTE's.

Legislator Odell: Plus, if I am reading this right, it's an incentive for better performance. It could go higher if they the lower numbers trend the other way (*cross talk*)....

Mr. Martello: Right and it gives us net but it does allow for incentives so as we're hopefully turning things around and moving upwards there is a little incentive for that, yes.

Legislator Odell: I mean, I see the rebranding and the right sizing intimately from the planning and economic development side with (*inaudible*) work with MTI and everything up and down stream. So I think we're trending the right way.

Mr. Martello: Yes. We've put a lot of effort into it over the last year and a lot of that is attributable to Daniel's energy and vision quite honestly.

Chairman Nazzaro: Any other questions? Thank you and this will go to the floor providing we have the signatures which I'm optimistic as well.

I haven't forgotten about Centric Aviation. I know they are sitting very patiently but we have one late resolution that was sent to us and then we'll get into the airport discussion. That one should have been laid on your desk.

Proposed Resolution – Confirming Appointment and Amend Salary Range for Chautauqua County Coroner

Mrs. Schuyler: Thank you for accepting this resolution under "other". The urgency in this is that New York State only offers the Coroner 101 training that is required of all coroners in February so we're hoping if this gets through we're able to get someone to the training. We currently are able to appoint six coroners per the Charter. We have four we call full time. One of those coroners has requested to cut down his hours on call and we do have someone else. Mr. Haley that's here who we had interviewed previously who is interested in basically sharing that position. The salary range under the RESOLVED is here because the salary range as it was set was between \$5,000 and \$15,000 so it didn't give me the ability to pay someone less. We obviously didn't want to keep someone who is going to work less at the same amount as everyone else and bring someone on like that so, this will enable us to basically have two coroners sharing one position. They both opted out of insurance so there is a significant extra cost there and we got the computers and equipment. We had already received six of them from the State because we asked for six. So, we would like you to hopefully approve the appointment of Kenneth Haley. He lives in Ashville, he is a registered nurse with many, many years of experience, mainly emergency room nursing. Then also to change the salary range so that we can account for having someone be on call less. I guess I could have told the other coroner no, all or nothing, but he's already trained. He does a good job, it's not real easy to find people that want to do this so I would rather keep someone engaged and involved in the program and available to cover the County and bring somebody else on who's willing to do the same thing.

Chairman Nazzaro: Again, the main reason because it was brought late is because of the training in February so they can go to the training?

Mrs. Schuyler: Yes. It's basic training but it's what the State requires and I would hate for it to have to go a whole another year. They can work as a coroner without that training, I just prefer they have that, instead of a whole another year.

Chairman Nazzaro: Any questions or comments from the Committee?

Legislator Niebel: This is another coroner, he's qualified.

Chairman Nazzaro: Anything further?

Unanimously Carried

Chairman Nazzaro: I appreciate everyone agreeing to go out of order a little bit. We do have, just as a reminder, a discussion at the end of the meeting on the paper carry out bag reduction fee by New York State but we'll wait on that. So we're going back to resolution number 5.

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

Chairman Nazzaro: I believe we're going to need to go into executive session. Do we do that now Mr. Abdella?

County Attorney Abdella: I would say a little bit later.

Chairman Nazzaro: Please come to the table and introduce yourselves. We're actually a fairly friendly group up here.

Legislator Niebel: Sometimes.

Mr. Bentley: If I may, they are not petty at all.

Chairman Nazzaro: O.k., please introduce yourselves. This is the Audit & Control Committee and I know you were going to come before the Public Facilities but we're able because of scheduling or whatever so we're glad that you are here today. I'm Chuck Nazzaro the Chair and you are?

I'm Andrew Harpnon, managing member of Centric Aviation.

I'm Tara (*inaudible*)...

Chairman Nazzaro: O.k., who wants to take the lead?

Mr. Bentley: I can start off. This resolution is to kind of process that changes that are going on at the airport with regards to the fixed base operators at both Jamestown and Dunkirk. We had initiated a RFP process as has been discussed numerous times before and with the

acknowledgement that Jamestown Aviation was leaving the fixed base operator business upon notice of January of last year. With the expiration of that being January 31st of this year, that he's going to be exiting the business and as well acknowledgement of CREDC continued help, maybe a little bit with us pulling them along of continuing the fixed base operation at Dunkirk with their hopes of us getting a fixed base operator at Dunkirk as well. So the RFP was issued last year, we received four proposals and all four proposals were, in our opinion, was very well done. We were very pleased with the response that we did get. After evaluation, we narrowed the field down to Centric to really further negotiations and the resolutions are the very high level aspects of that. Obviously as we need to go into the details we'll go into executive session as necessary. But, we brought them here to introduce themselves, number one, and with the hopes of getting them familiar. We're very excited. They do have expertise. I guess I would ask you guys to kind of go through your history, kind of what you put in the proposal, your experience with the FBO's that you are currently running and even your relationship with Boutique as we are putting forth the effort to reestablish commercial air service at the Jamestown airport and you do have the relationship with Boutique as well. So there is a lot of positives here that go into this and give you the opportunity to just give you the background of what you guys do.

Mrs.?: We would like to thank you all for your time and consideration today. We're really excited to get started at the Jamestown and Dunkirk airport and to become part of your community. We really feel that the airports FBO, the gateway to the community, and it's really important and we understand our role in that so we're very community conscious company for sure. We currently operate 2 other FBO's. One in the panhandle of Florida and one out in Alamosa, Colorado so we are very familiar with our Alamosa location. We do have central air service, EAS service that goes in there and the company that currently does that is Boutique so we work in a daily basis to provide services for them. We have about 20 years of aviation experience bearing from flight instruction to managing airports, Director of Charter and Sales and that type things. Various aspects in the industry.

Chairman Nazzaro: O.k., I'm going to open up because myself and Pierre and others we, and actually I have it in this book which I won't obviously go over here, we had four proposals and with Ron, Brad, and George, we went through the proposals and like I said, later we'll go into executive session because we have some contractual questions that we have to ask. But this is the time now, did you fly in from where?

Mrs. ?: New Jersey. We both live in New Jersey.

Chairman Nazzaro: O.k., so you have one operation in Colorado and then one in Florida and the EAS is at one of those?

Mrs. ?: In Colorado.

Chairman Nazzaro: I'm somewhat familiar with them but I'm going to open this up to this group here because this is your time to ask questions so don't be shy.

Legislator Odell: Not a question but I'll just do a quick introduction. We've passed like airplanes in the night. I'm Mark Odell, Chairman of the Airport Commission. Our commission

members were pleased when we just heard of Centric and of course our commission members do background checks and stuff and they are flying all over. But, we're very pleased on two fronts. One, you came well recommended through Shawn Simpson and to Boutique. We've developed a great relationship over the last year and also to your experience and operation, operating out of Part 139 airports too so two criteria's that met the initial muster. (*Inaudible*) details and the contractual to the right people but the high altitude front, we're very pleased that you came in.

Legislator Niebel: So you run two airports for and this is the third one. Are there any others that you are looking at besides?

Mr. Harpnon: At the time, no, but in the future, yes.

Legislator Niebel: This is the one that you are concentrating on right now?

Mr. Harpnon: That's correct, yes.

Mrs. ?: We take (*inaudible*) one at a time incrementally.

County Attorney Abdella: I was curious to ask, as compared to the Florida and Colorado locations, as you are coming into Chautauqua County and its two airports, what is your vision, what are your thoughts as far as operations here and how it compares to what you are doing in other locations? Just wanted to pick your brain on that.

Mr. Harpnon: Jamestown and Dunkirk are probably similar currently to our Florida operation from a traffic and sales volume level. Jamestown being more similar to Alamosa because of the 139 however, we don't EAS here at Jamestown. We do have five scheduled flights a day per EAS in Colorado so that airport is a little more active. There is a higher volume level. But we see Jamestown, if we can get the EAS being very, very similar to our Colorado operation.

Mr. Almeter: Although they don't have quite so much snow in Florida as we have here.

Mr. Harpnon: Yea, no snow in Florida but we get a fair amount of snow in Colorado. It's southern Colorado so it's a little bit of an arid climate. But, it gets real cold there. Sometimes it's the coldest place in the country, minus 30. I think it was minus 28 there yesterday.

Mr. Bentley: We're not that bad yet.

Mr. Harpnon: But they get a lot of little snow storms out there. We're familiar with snow removal, what our obligations are and what we need to do here.

Chairman Nazzaro: So you're based in New Jersey then?

Mr. Harpnon: That's correct.

Chairman Nazzaro: So what are your plans for having a manager here? Obviously you are in New Jersey, you're not going to be here except when you visit and things like that so what is your plan – what are you looking for at the airport, somebody to run your operation here. Do you have somebody in mind?

Mrs. ?: We do have someone in mind. We have already met with them. Some people (*inaudible*) area and we've already put out offers.

Mr. Harpnon: We like to hire locally. We don't bring in our own team. We like to promote from within because we're going to train them the way we want them to be trained and bring them up through the ranks, local.

Mrs. ?: We do use a nationally recognized training program that's called, (*inaudible*) safety first. So all of our employees go through that. It's something that we invest in our employees from day one. We start that right off the bat but then we do implement basically location specific training. When we take over a new site, we're typically there about 10 to 14 days because we're there working hand in hand and then we come back every month.

Mr. Harpnon: We're very hands on. We take a lot of pride in what we do in the airports that we take over. We want to be successful, we want the airport to be successful and whatever time it requires of us physically being there, we give it.

Chairman Nazzaro: That have been a lot of discussions over the years on the airports here and I'm sure Brad and Ron and others have filled you in because we do have a County subsidy for the airports and the two airports are very different as far as EAS we hope to have down here in Jamestown. Dunkirk is more commercial and has longer runways. So what do you see as, besides the EAS, because we're all working on that with Boutique Air, which is very important. We had struggles on that. I mean, way back, dating myself in the 90's, we had 70,000 people a year flying out of here, it was unbelievable. Flights to Buffalo and Pittsburg so what do you see as the biggest opportunity here and what do you possible see as the biggest challenge here, besides the weather?

Mr. Harpnon: (*Cross talk*).. the weather.

Mrs. ?: Which is something that you can't control, you just work through it.

Chairman Nazzaro: Weather you can't control, you have to deal with it for safety but I'm just saying, the biggest opportunity, maybe the biggest challenge or obstacle that you potentially see.

Mrs. ?: A lot of times when we take over, (*inaudible*) provide in our locations so we invest back into them. So you will see this changeover period happen. It normally takes a couple of months. We do make an effort to go out to different conferences so our name is out there and we are recognized in the industry but you'll start to see a changeover where people will notice they are offering the service and we're very consistent with our customer service across the

board. We have procedures in place. So there is definitely opportunity here. At every location we have taken over, has grown and prospered very noticeably.

Mr. Harpnon: I think what we bring to the table is and where we see the growth is just making operators that may not have been comfortable operating into the airport given maybe the level of FBO services, we have a little bit more of a nationally recognized name. Tara's on the National Air Transportation Aviation Business Committee, which they kind of go over things challenging our industry as a whole which -

Mrs. ?: And one of the big things for operators is feeling comfortable with the FBO operators if they send their aircraft in there, if it's business or whatever it may be, do they know that operator, do they know that FBO and when they do, they know that we have certain safety standards. That is what it really comes down to is, our safety standards professionalism and services we provide.

Mr. Harpnon: We have converted a lot out in Colorado for instance. We get a lot of billionaire type of clients out there and they would all reposition to another airport. The passengers would come in there but they did not want to leave the aircraft there or get any services from the FBO so they would drop and they would go to Denver or something like that. But we've recently just converted an operator of a gulf stream 650 which is like a \$70 million dollar jet to now they feel comfortable enough, they leave it on our ramp. From day one when they came in the very first time, they noticed the differences and now they stay there and they buy a lot of fuel from the FBO which then gets reemitted back to the County in the form of a (*inaudible*). So just building that trust and confidence with the operators in trying to draw from Erie or maybe Buffalo is where we see the growth opportunities with both airports.

Chairman Nazzaro: So you see good growth opportunities at both airports?

Mr. Harpnon: And for different reasons. The EAS is a growth opportunity at Jamestown and working with some business I guess that are in the Dunkirk area operating jets, Blue Bonnie(?), is one of them but more for the corporate side, the commercial, the business side of things at Dunkirk.

Mr. Bentley: I would just add, we talked a lot about the EAS but the reality of the situation is the fixed base operator is the heart and soul of the airports. Whether or not you have commercial air services or not, we need a fixed based operator to run the airports, to do the fuels, to do the hangar leases, to manage just the daily operation of the airports. This is a critical function regardless of whether or not you have EAS. The thing that probably struck me with your proposal the most, I haven't had a chance to talk to them actually so welcome. Was the fact of the acknowledgement of the investment into the community. The proposal talked at length of their experience of how they've done that in the past and the fact that they are willing to put that out there and have it in writing so I'm going to hold you to it by the way. But it was really the commitment to the area, long term, and wanting to reinvest into the airports and really make it a success and having that experience, having the connections to really bring that home. The other proposals talked about those aspects but I think they have the experience and the background and

have already shown that they can do it. So, I think that is one of the things that really drove it home for me in their proposal in addition to some other things in there.

Chairman Nazzaro: For one, like I said, thank you Brad, we've had a lot of discussions on the airports and I for one am excited. We want you to be successful and we want to partner with you and hopefully grow the air service here we want you to be profitable and over time have our subsidy from the County go down and it's a needed service. So, I for one appreciate you coming out here. As I look at my committee members, any questions or comments? Again, this is your time.

Mr. Bentley: And they are showing the commitment being here.

Chairman Nazzaro: Pierre, you are welcome to join in. I know you are sitting very quietly back there but you are welcome to join us at any time.

Chairman Chagnon: It's hard but I'm doing it.

Legislator Odell: Mr. Chairman, in addition to my earlier statements, what's really exciting especially at Dunkirk is, we're seeing great growth there, actually running in the black new fuel farm and everything else there, displaced threshold, we get through and the plans are there in the ACIP. It's good working synergy with a good FBO and I only see a pose for growth on a number of methods. I think we're going to be the best fuel stop on this flight path. Why go to Buffalo, why go to Erie, stop in here. A lot of things like that are just going to be great growth potential because we've been running it so much like a band-aid, my CREDC Board, and CREDC, Chautauqua Regional Economic Development Corporation, just kind of taking the lead and holding it together, it's not poising it for growth. Just a short term fix. They went a little longer than expected so we're really thrilled that you are here. So thank you.

Chairman Nazzaro: Was Boutique already at the Colorado airport before you took over as FBO?

Mrs. ?: Yes.

Chairman Nazzaro: How long have you been the FBO in Colorado?

Mr. Harpnon: Coming up on a year.

Chairman Nazzaro: And how long in Florida?

Mr. Harpnon: Two and a half years.

Chairman Nazzaro: You've had a good relationship with Boutique?

Mr. Harpnon: Yes.

Mrs. ?: Actually before we took it over from Boutique, we kind of shied away from the FBO services but now they routinely know that we've been (*inaudible*) for all their aviation services (*inaudible*)...

Mr. Bentley: I would just add, you talk about being there just a short time but you also talked about how you've seen an increase in just overall use and revenue. Can you talk a little bit more just in that short window, kind of what you are seeing, just in that very short time period?

Mr. Harpnon: So our jet fuel sales are up 60% over the best year that the previous operator had and then it was run shortly by the County in between, they kind of came in as a band-aid and our (*inaudible*) sales are 72% higher than when the County was running it. So we've seen a tremendous increase just volume of fuel sold and a lot of that is just comfort. Some of the larger operators like NetJets(?), they don't put price at the forefront of their buying decision. Number one is safety services. They want to make sure the fuel that they are buying and the services they are receiving are safe first, price is actually like 5th on their list.

Mr. Bentley: If you put the wrong fuel in the jet, they don't come back.

Legislator Niebel: It's not a good thing.

Chairman Nazzaro: Great, I don't have any further questions.

Legislator Niebel: I was just going to comment, sounds like they have had success with these other two airports, good luck with Jamestown and Dunkirk.

Mr. Harpnon: Than you.

Chairman Nazzaro: Like we said at Public Facilities, we said before this, when we put this out for RFP, I mean, I was pleasantly surprised that we got four proposals back which was very (*cross talk*)... but I think it's great. This already went through Public Facilities now we are most likely – is this the time to go into executive session?

County Attorney Abdella: I already know that you had discussion, I mean, you could have the executive discussion at the very end of the meeting potentially.

Chairman Nazzaro: But before I act on the resolutions?

County Attorney Abdella: It's up to the committee whether – it has passed Public Facilities and it will be on the full Legislature agenda.

Chairman Nazzaro: And that is what I was going to conclude that yes, this did go through Public Facilities and will be on the agenda for next Wednesday night to vote on. So we're going to have a discussion here now on the resolutions and if we need to go into executive session, we will. Till we go into executive session, you are welcome to stay, thank you very much for coming up. Nice meeting you both and wish you a lot of success.

County Attorney Abdella: I would just say for the committee that, aspects of the agreement are still being finalized in negotiations so depending on what level of discussion you wish to have today in open session, we could have in executive session to talk about those details either while you deliberate on the resolution or at the end of the meeting.

Chairman Nazzaro: O.k., so we have the two resolutions, one is number 5, Authorize FBO and Hangar Lease Agreement at the Chautauqua County Jamestown Airport. You have the resolution in front of you. As Steve pointed out they are still in some discussions, it's not finalized. We brought some questions and items in executive sessions so what is the pleasure of the committee before we vote? Do you want to go into executive session or do you wish to act on this?

Legislator Odell: Mr. Chairman, my opinion, the basic(*inaudible*) are laid out, details can be worked out between legal and the County Executive.

Legislator Niebel: Vote on these.

Chairman Nazzaro: O.k., so I'm going to ask is there any questions that you have that are appropriate for open session on resolution #5, the Jamestown airport? All in favor?

Unanimously Carried

Chairman Nazzaro: We have a companion resolution for the terms listed out in the resolution.

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

Chairman Nazzaro: Are there any questions or comments on that lease agreement?
Seeing none.

Unanimously Carried

Chairman Nazzaro: Again, is there any desire to go into executive session to discuss appointing a particular corporation or something like that, what you said.

County Attorney Abdella: Which I'm happy to do, either now or after you discuss the bag fee, whichever is your pleasure.

Chairman Nazzaro: O.k, we'll hold off going on going into executive session. It's up to the committee because my questions were – I think the committee probably should hear the points so I think it would be a good idea at the end.

Mr. Bentley: One administrative note that there is a public hearing at the Legislature meeting that is noted in each of the resolutions you just passed so that will take place the Legislature and so these would be (*inaudible*) upon the notice of public hearing.

Chairman Nazzaro: I believe we've covered all the resolutions? Would you check please Olivia?

Deputy Clerk Ames: We have.

Chairman Nazzaro: O.k., we have a discussion.

Discussion – Paper Carryout Bag Reduction Fee

Discussion - Bond Rate Report – Finance Director Crow

Other

Chairman Nazzaro: I think the committee members should hear the points in executive session and I need a motion for the reason?

County Attorney Abdella: The proper motion would be to move into executive session to discuss matters leading to the appointment of a particular corporation.

Legislator Niebel: So moved.

Legislator Odell: Second.

Unanimously Carried (10:20 a.m.)

Legislator Harmon: Move to come out of executive session.

Legislator Odell: Second.

Unanimously Carried (10:57 p.m.)

Legislator Niebel: Move to adjourn.

Legislator Harmon: Second.

Unanimously Carried (10:58 p.m.)

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