

Regular Meeting  
Chautauqua County Legislature  
**Meeting was Held Virtually due to Social Distancing Guidelines  
And Live Streamed on Social Media**  
Wednesday, March 25, 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.

Chairman Chagnon delivered the prayer and pledge of allegiance followed by a moment of silence for Warren Riles, Chautauqua County Coroner for 41 years.

MOVED by Legislator Bankoski, SECONDED by Legislator Hemmer and duly carried the minutes were approved. (2/26/20)

1<sup>st</sup> Privilege of the Floor

Clerk Tampio (*Reading comments on behalf of Jim Kurtz*): Chautauqua County Legislature Resolution 102-20 Educational Kiosks for Chautauqua Hometown Heroes Veterans Memorial.

*The mottos of Chautauqua Hometown Heroes Veterans Memorial are “Honor – Remember – Educate” and “You are not forgotten”. CHHVM is for all Chautauqua County Veterans, Peace time and war time.*

*Thank you for your interest in and support of CHHVM and the educational kiosks. It has been noted and wish to thank the several members of the Legislature that have already made donation and/or purchased bricks in memory of family and friends. Resolution 102-20 will provide 98.2% of the goal of \$75,000 building fund budget.*

*The major conflicts include: Revolutionary War (1775-1783), War of 1812 (1812-1815), Civil War (1861-1865), WWI (1914-1918), WWII (1939-1945).*

*U.S. Veterans- 20,000,000 and in Chautauqua County – 20,000. 130,000 POW and 72 in Chautauqua County. 450,000 Killed in Action in the U.S. and 460 in Chautauqua County. 83,000 MIA in the U.S. and 90 in Chautauqua County. 200,000 Buried in Foreign Fields in the U.S. and in 115 in Chautauqua County.*

*The Korean War (1950-1953), Vietnam War (1955-1975). The Vietnam Veterans of America Chapter #865 sponsored memorial bricks for all 50 Chautauqua County Veterans KIA and 2 MIA/KIA.*

*War on Terrorism (2001-date).*

*The kiosks will give the CHHVM a place to list information regarding the Veterans in each war – POW/MIA/BFC, until we find sponsors for a memorial brick.*

*Goal of phase 2 fundraising will be \$75,000 for 1,000 bricks at \$75.00 for POW/MIA/BFC.*

*List of names can be sent on request for 622 memorial bricks.” That ends the communication from Mr. Kurtz.*

Chairman Chagnon: Thank you. That was the only communication that you received for the first privilege of the floor?

Clerk Tampio: That is correct.

Chairman Chagnon: O.K., then please carry on with the rest of the agenda.

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**VETO MESSAGES FROM COUNTY EXECUTIVE WENDEL  
NO VETOES FROM 02/26/2020**

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**COMMUNICATIONS:**

- 1. Declaration – County Executive Wendel – State of Emergency**
  - 2. Letter – Legislator Muldowney – Resignation from Chautauqua County Legislature**
  - 3. Certificate to Fill Vacancy on Chautauqua County Legislature – District 1**
  - 4. Certificate of Acceptance to Fill Vacancy – District 1 –Kevin Muldowney**
  - 5. Certificate – Republican Committee – Re: Election Commissioner Brian Abram**
  - 6. Letters (2) – County Executive – Appointment to Various Boards**
  - 7. Notice of Public Hearing – Town of Chautauqua Zoning Board**
  - 8. Letter – Local Aviators at KJHW - Re: Proposed Hangar Lease with Luscombe Aircraft Corporation**
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**TABLED RES. NO. 59-20 – Amend 2019 Budget Appropriations and Revenues – Consolidated Local Street and Highway Improvement Program (CHIPS)**

Chairman Chagnon: Under the advisement of the Budget Director Kathleen Dennison, there is no reason for this tabled resolution to come off the table. If anyone has a desire to bring this off the table please speak up or raise your hand now, otherwise we will leave the tabled resolution on the table and it will die.

**RES. NO. 59-20 – *Left on the table to die***

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**RESOLUTIONS:**

Clerk Tampio: Mr. Chairman, I have Mr. Gould on the phone and I’m going to attempt to help him join the meeting one more time, so if you could pause the meeting for a few minutes.

Chairman Chagnon: O.K.

Clerk Tampio: Thank you. I have given him the new pin number for this meeting, so he should be calling in and joining the meeting soon.

**RES. NO. 95-20 Appointment of Kevin Muldowney as Legislator from District 1, West Town of Dunkirk, and Part of City of Dunkirk, NY, by Chairman Chagnon -**

Legislator Rankin: I think we're lucky to have Legislator Muldowney continue to be part of (*inaudible.*)

Chairman Chagnon: Thank you. Anyone else? All those in favor please say aye. Opposed?

**RES. NO. 95-20 – ADOPTED – w/ Legislator Scudder voting “no”**

Legislator Muldowney: Thank you very much.

Chairman Chagnon: Mr. Muldowney, you're now eligible to vote and participate in the meeting.

**RES. NO. 96-20 Confirm Appointment – Brian C. Abram (R) Commissioner of Elections, by Chairman Chagnon**

Chairman Chagnon: Is there any discussion or comments on the resolution?

Legislator Rankin: I don't have a hand to raise online, so I'm raising my hand virtually over here. I would like to again say that I'm very grateful for everything that Brian Abram does. He's a wonderful resource. His experience and expertise are helpful to a good number of us and I'm happy to vote in favor of this resolution.

Chairman Chagnon: Thank you. Anyone else?

**RES. NO. 96-20 – R/C Vote: 19 Yes; – UNANIMOUSLY ADOPTED**

**RES. NO. 97-20 Confirm Re-Appointments - Chautauqua County Aging Advisory Council, by Chairman Chagnon – UNANIMOUSLY ADOPTED**

**RES. NO. 98-20 Confirm Appointments - Chautauqua County Land Bank Board of Directors, by Planning & Economic Development Committee – UNANIMOUSLY ADOPTED**

**RES. NO. 99-20 Rules and Regulations re Disposition of Surplus, Obsolete or Unused Property, by Chairman Chagnon – UNANIMOUSLY ADOPTED**

**RES. NO. 100-20 Authorize Extension of Voter Education/Poll Worker Training and the New York State Poll Site Access Improvement Grant, by Audit & Control Committee – UNANIMOUSLY ADOPTED**

**RES. NO. 101-20 Authorize Lease Agreement with the Sea Lion Project, Ltd. for Ferry Docking and Landing Facilities, by Audit & Control Committee – UNANIMOUSLY ADOPTED**

**RES. NO. 102-20 Authorize Funding to Construct Educational Kiosks at the Chautauqua Hometown Heroes Veterans Memorial, by Planning & Economic Development and Audit & Control Committees**

Legislator Niebel: Mr. Chairman, this is similar to a resolution that had been tabled last July. It was suggested that the Hometown Heroes Organization reapply through the normal application process, which they did, but they did not receive funding in 2020. This resolution provides \$6,500 and comes out

of the unassigned fund balance. We recently passed a \$293 million budget, so I'm hopeful we can find \$6,500 for our Veteran's. At the risk of no longer be thought of as a fiscal conservative, I'm in support of this resolution and ask for Legislature consideration.

Chairman Chagnon: Thank you. Other questions?

Legislator Odell: (*Inaudible*) we first heard about this last July under the 3% Occupancy Tax. At that time we tabled and put forth (*inaudible*) cycle, which did not occur, so I was very glad to see Legislator Niebel help support me on this one and for all of us to look for ways to help fund this project. They have worked very hard and have found a way to get it done. (*Inaudible*) Thank you.

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

Legislator Rankin: This is Elizabeth Rankin. I can't imagine not supporting them. As much as I would like to say we should be careful with our money or being fiscally conservative as Mr. Niebel said, for everything they've done this seems like a small way and another way that we could honor and thank them. That's all, thank you.

Chairman Chagnon: Thank you. Anyone else?

Legislator Ward: I would just like to thank Mr. Kurtz and all the folks that have worked very, very hard on this project. Their efforts are certainly worth what we're proposing to give them tonight.

Chairman Chagnon: Any other questions or comments?

**RES. NO. 102-20 – UNANIMOUSLY ADOPTED**

**RES. NO. 103-20 Establish Capital Projects for Trail Development and Lake Erie Management Commission**, by Planning & Economic Development and Audit & Control Committees – **UNANIMOUSLY ADOPTED**

**RES. NO. 104-20 Utilize Soil and Water Appropriation from the 2% Occupancy Tax to Conduct Geographic Information System (GIS) Analysis of Chautauqua Lake Watershed**, by Planning & Economic Development Committee – **UNANIMOUSLY ADOPTED**

**RES. NO. 105-20 Amend 2020 Budget Appropriations—South & Center Chautauqua Lake Sewer Districts (S&CCLSD)**, by Public Facilities and Audit & Control Committees – **UNANIMOUSLY ADOPTED**

**RES. NO. 106-20 Amend 2020 Budget Appropriations for Customer Billing Software—North Chautauqua Lake Sewer District (NCLSD) and Portland, Pomfret, Dunkirk Sewer District (PPDSD)**, by Public Facilities and Audit & Control Committees – **UNANIMOUSLY ADOPTED**

**RES. NO. 107-20 North Chautauqua Lake Sewer District and Portland, Pomfret, and Dunkirk Sewer District Inflow and Infiltration (I & I) Study SEQR Determination**, by Public Facilities Committee – **UNANIMOUSLY ADOPTED**

**RES. NO. 108-20 North Chautauqua Lake Sewer District Authorization and Appropriation of Local Match for Inflow and Infiltration (I & I) Study**, by Public Facilities and Audit & Control Committees – **UNANIMOUSLY ADOPTED**

**RES. NO. 109-20 Authorize Public Hearing on Hangar A Lease Agreement at the Chautauqua County Jamestown Airport**, by Public Facilities Committee – **UNANIMOUSLY ADOPTED**

**RES. NO. 110-20 Authorizing Public Hearing Regarding a Potential Application for 2020 Community Development Block Grant Funding through the New York State Office of Community Renewal and the Uses of Said Funding**, by Planning & Economic Development Committee – **UNANIMOUSLY ADOPTED**

**RES. NO. 111-20 Requesting Continuation of State Legislation Authorizing 1.0% Additional Sales Tax**, by Audit & Control Committee – **UNANIMOUSLY ADOPTED**

**RES. NO. 112-20 Requesting Amendment of State Legislation Regarding Imposition of Occupancy Tax**, by Audit & Control Committee – **UNANIMOUSLY ADOPTED**

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**MOTIONS:**

**A. In Opposition of the Energy Siting Amendment to the NYS Budget**

Chairman Chagnon: Is there any opposition to bringing this motion to the floor at this time? Questions, comments, discussion on the motion?

Legislator Odell: Thank you very much, Mr. Chairman. I would like to thank my colleague Elizabeth Rankin and my other colleagues that signed on early to this very important motion. This motion before us opposes the Governor’s plan of really fast tracking (*inaudible*) energy projects due to the exclusion of local zoning laws and public input. It’s very inappropriate that an amendment like this would be pushed (*inaudible*) considering the impact it will have. The passage of this egregious state amendment could clear the way and greatly simplify the process for large companies to install more wind farms in Chautauqua County, including offshore projects in Lake Erie and pose a clear and imminent threat to our fresh drinking water among other environmental concerns. This Legislative body (*inaudible*) over the past several years from the public and our State elected officials who share these concerns over this proposal. This will send a message to the state that environmental projects must be closely reviewed and that local municipalities need to be part of this important decision making process. Thank you.

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

Legislator Harmon: I just want to thank all the legislators for wanting to put up a fight for this one. We really have to make sure that he’s not allowed to do this. I just want to thank all the legislators involved.

Chairman Chagnon: Thank you.

Legislator Rankin: My esteemed colleague said most of what I want to say, but I want to add that I could never support this with it taking away the opportunity for local control. Someone who doesn't live here and doesn't know our local life shouldn't be deciding this for us. Local input is valuable not only for a better quality outcome, but for (*inaudible*) to any project that proceeds, but even if they're not happy about it at least people would say they had the opportunity to be heard. I've heard from so many constituents about this and I feel very strongly about this motion. Thank you.

Chairman Chagnon: Thank you. Any other comments?

Legislator Vanstrom: I disagree with the governor's overreach into our local government, trying to curtail us from having the opportunity to decide what we want in our own towns, villages, and our county. Thank you.

Chairman Chagnon: Thank you. Anyone else? Any other comments on the motion? All those in favor please say aye. Opposed?

## **UNANIMOUSLY ADOPTED**

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## **ANNOUNCEMENTS**

Chairman Chagnon: We've had a kind offer from the Chautauqua County Public Health Director, Christine Schuyler, to give us a briefing on the COVID-19 situation in Chautauqua County. Christine, thank you for joining us.

Mrs. Schuyler: Thank you. Good evening everyone and thank you for giving me the opportunity to address you directly. I am assuming that everyone has been following our daily updates and media reports so you're probably pretty up to date on what we've been doing and what's been going on here. I can assure you that my public health staff has been working diligently, very long hours to do our public health work as far as disease surveillance and doing all that we can to prevent the spread of COVID-19 throughout our community. Having said that, I firmly believe that COVID-19 is at the level of community spread, meaning that regardless of our ability to have (*inaudible*) or even to have a large number of positive tests, the virus is here and without the extensive community mitigation strategies that are being deployed, it will spread at a rampant rate. I'm hopeful that everything we are doing will help to decrease that spread. I applaud the Legislature for having this meeting remotely.

Today's report shows that we have 11 persons in mandatory quarantine. That means they were a confirmed positive COVID case, which we have three of, or have had contact with those confirmed positive cases. We have 21 individuals in precautionary quarantine. That means they had a travel history to CDC level 3 country or they are a proximal contact of one of the confirmed cases of COVID-19. We have 52 persons now in mandatory isolation. That means they are symptomatic of COVID-19 and we are awaiting test results from various labs.

It's our responsibility as the local health department to isolate and quarantine those who are persons under investigation or who have been identified positive for COVID-19 or in direct or proximal contact with a person who tested positive for COVID-19. My public health nurses

are doing intensive epidemiological investigations, so that entails a lot of contact tracing to determine who has been in contact with anyone with a positive case.

I know there have been a lot of questions out there about testing capabilities within the county. We are not alone in our shortage of supplies for testing. This is a nationwide shortage. We are prioritizing those who need testing based on their risk factors and mainly those who are moderately to severely ill with symptoms. The testing supplies themselves consist of a swab, which has to be a certain kind of swab because it goes into a viral media right now to be transported to the various commercial labs in our area that are doing COVID-19 testing. I am very hopeful that very soon a new test will be available in our area that will have a 45 minute turn around and because of that it completely changes the type of swab that can be used because the viral media will no longer be needed and that's been very short supply everywhere. We hope to hear by next week if that could be a viable option for us in our county. We're doing the best that we can to assist our healthcare providers with advisement of prioritization of testing. It is the healthcare provider's decision on who does get tested. Currently, our three hospital emergency rooms do have the capability to swab patients who require testing as does the Chautauqua Center, which is our federally qualified health center with locations in Dunkirk and Jamestown. They are retrieving specimens from patients referred from outside healthcare providers as a satellite testing site for New York State's Department of Health approval. Those tests are then sent off to Quest or ACL labs for analysis. We are not notified of every test that's being done by every provider in the county. We have directly requested that we be notified, but that is just a (*inaudible.*) We are notified of every positive test in the County. We are getting several negative results back as well. I'm not fully confident that we're getting all of the negative results. I do know we will get every positive test result back and that is because of the New York State electronic reporting system. The caveat on that is some people don't realize the results for the person goes to their county of residence. So, let's say somebody came to Brooks Hospital and they ended up testing them there for COVID-19 or any other of the 70 some reportable diseases and they are an Erie County resident, those results would be sent to the Erie County Health Department even though the test happened in Chautauqua County.

We have pulled staff in from other areas, especially clerical support to help man our phones. We have a phone bank of 5 people right now, two of which are Spanish speaking, going in to our toll-free line with a phone tree to quickly triage healthcare providers who are calling and then answer general questions from the public and anyone else who's calling us at this time. A lot of people are calling us at this time.

As far as our County operations, we have scaled back to everything that is not considered essential. The public health staff is pretty much working solely on COVID-19 response and any other business such as early intervention or other (*inaudible*) child health program and the nurse family partnership. Everything is being done remotely just to keep contact with our patients. Environmental health are just doing what is really necessary to be done. That includes some sewage work, providing guidance to restaurants that are still open and providing take out or delivery services. We are fielding a lot of calls and providing as much support as we can. Our water lab is open as well for water testing. That has to happen.

On the social services side the state really has loosened a lot of the regulations for face to face visits and interviews that normally have to take place. They've also extended the time frame for many people with open cases so they don't have to worry about coming in to recertify for their public assistance or Medicaid cases. We do have some people that still have to work and still have to be here on site and that includes (*inaudible*) the people who need emergency

assistance. We are well below 50% in our physical site. CPS still has to respond to any reports that come in for potential child abuse and neglect. We have issued guidance for them and our medical directors, Dr. Burke, Dr. Faulk, and Dr. Walters have been wonderful. They've really been working hard and Dr.'s Faulk and Walters have put together actual guidance for our county staff and not just medical staff, but also our non-medical staff who are making at home visits and put themselves at risk and that includes proper personal protective equipment, staying 6 feet away and other precautions to take there.

The county mental hygiene offices- I just got an update today from Director Pat Brinkman. The (*inaudible*) have changed. Their hours have decreased to 8:30 to 4:30 as of March 23<sup>rd</sup>. They are doing most of their services via tele mental health and that's being offered 8 a.m. to 8 p.m. Monday-Thursday and 8 a.m. to 5 p.m. on Friday. They have very limited staff working on site, which is exactly what we want to see and (*inaudible*) what other providers throughout the area are doing.

The Buildings and Grounds staff are working very hard at keeping at our offices clean and cleaning frequently touched surfaces multiple times a day. It really has been a huge (*inaudible*) for them and I'm very appreciative of the extra attention that has been given there.

Dr. Maryann Spanos has also been a great liaison for our senior population, working hard to ensure that nutritional needs are met and helping to ensure that the elderly are not feeling that they are alone and isolated.

If you look at our update today, we just got notice from the State office of Mental Health that they have a NYS COVID-19 emotional support line that's staffed by specially trained volunteers who can help, so for anyone who's feeling anxious or stressed or having trouble managing in this difficult time they do have a website and also a toll-free number, so it's nice to have that come out.

We are working very closely with all of our partners including healthcare providers, both Hospitals, our federally qualified health center, our nursing homes, diagnostic and treatment centers, and dentists trying to be supportive between our public health emergency response team, emergency services at the direction of John Griffith and trying to ensure that we can help them to get the necessary personal protective equipment that they need for their staff and for their patients. There is also a nationwide shortage of personal protective equipment. We are submitting orders through New York Response (*inaudible*.) Per John, his office has processed requests from 91 different agencies for supplies to deal with COVID-19. This includes fire departments, police departments, towns, villages, hospitals, nursing homes, assisted living facilities, doctors' offices, dental offices, our own county and others. Supplies are coming in a sporadic fashion. The item that is most in demand is gowns and that is the case all over New York State. Our inventory of masks is not strong, but we have been able to get masks to the requesting agencies. We also have received hand sanitizer from the state that (*inaudible*) made in New York State. If any of you have seen it yet, it is very, very watery. We are trying to get our hands on some spray bottles because it will help it to go further and be used more efficiently. Emergency Services staff is trying to fill parts of requests for items that are in short supply and as inventory arrives more deliveries are scheduled. County Executive Wendel, John Griffith and Dr. Burke went to one of our local companies and they are able to locally produce face shields and they feel that they will be able to support Cattaraugus and Alleghany needs as well. So, we will hopefully have a large supply of face shields in the very near future.

Our main message, and I hope that you will help us to continue (*inaudible*) we really need to flatten the curve. That means decreasing the spread of illness. The best ways to do that



are the personal protective measures that we've put out and in general, stay home, abide by the social distancing recommendations that have been put out there especially that 6 feet of personal space, wash your hands frequently for 20 seconds with soap and warm water, if soap and warm water aren't available use hand sanitizer with at least 60% alcohol can be utilized, cough and sneeze into your elbow if you have to, wash your hands frequently, try not to touch your face and stay home. Today a policy went out that many of us had a part in writing for County employees or personnel (*inaudible*) COVID-19 personnel screening and return to work policy and that was written in conjunction mainly by Dr. Faulk and Dr. Walters. We are screening all County employees whether they are working remotely or working within our county office buildings for signs of illness and we have an algorithm then to follow based on what's going on there. The County Jail is (*inaudible*) everyone is being screened at the beginning of their shift. So, every staff member in the jail is being screened including the health clinic staff as well and that includes an actual taking of temperatures. I'm also having all of my nursing staff do the same as far as having to physically taking their temperature when they're here. For the rest of the staff its really self-reporting and trusting that they are- if anyone develops symptoms at work they are sent home.

I'm trying to think if there is anything else. I know that is a lot to throw at you as an update. We've been very busy. I can try to answer any questions if you would like.

Chairman Chagnon: Christine, thank you for that update and thank you for that offer. I will pass that along as well. Does everyone have any questions?

Legislator Starks: I am sure I'm speaking on behalf of all of us, Christine, words are not enough to thank you and everyone else who has taken the leadership on this. Thank you for sharing the message to stay home. I hope we are all cooperating with you. Thank you.

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

Legislator Ward: Thank you. I would like to echo that thanks. It seems like you never sleep. I just have a question on- there is a question about folks moving around from other places and your statement about the test results if someone does not have an address here, we're not going to know if there is a positive here? There's a potential for not knowing if there are positive's here if they live somewhere else?

Mrs. Schuyler: If someone lives in a Westchester county and they are tested in Westchester County, they would be ordered quarantine by the public health official in Westchester County. They would not be able to come to their second home while they are in quarantine.

Legislator Ward: My question was if they were at their second home and they were tested here.

Mrs. Schuyler: If they are at their second home then they should be using the address that they're at.

Legislator Ward: Thank you. That answers my question.

Legislator Niebel: Christine, the Governor is calling for 30,000 ventilators. He's soliciting these ventilators from across the state. How many do we have in Chautauqua County and have we had to send any to the state?

Mrs. Schuyler: I'm honestly not sure how many we have in the County- not very many. I actually have a call set up again tomorrow with our hospital CEO's, their infection control person and their emergency preparedness person and that is one of the things that we are going to be discussing and keeping track of.

Legislator Niebel: O.K., but as far as you know we haven't sent any ventilators to the state?

Mrs. Schuyler: As far as I know, we haven't. I haven't seen that directive so I don't know (*inaudible.*)

Legislator Niebel: O.K.

Mrs. Schuyler: We're trying to coordinate everything through emergency services and having that be kind of the collector of items and the coordinator of supplies and equipment and disseminating that as well.

Chairman Chagnon: O.K., anyone else?

Legislator Davis: I would like to echo Legislator Stark's comments and just reach out to Christine Schuyler and just express my gratitude. The work that you and your team have been doing- obviously you've been putting in long hours and this is not an easy process. In addition, we have first responders out there, so many individuals who are considered essential employees who have been going above and beyond the call of duty during these times and for all of you, I just want to say thank you and please keep up the good work you're doing.

Chairman Chagnon: Well said. Anyone else? Christine, thank you very much for taking the time to brief us on this and thank you for everything that you do.

Mrs. Schuyler: Thank you. I appreciate that. If any of other questions do surface please don't be afraid to send them my way via email or phone or whatever works. We'll do our best to get back to you as soon as we can.

Chairman Chagnon: Alright. Legislator Nazzaro has kindly offered to review the County's 2019 financial results for us.

Legislator Nazzaro: Thank you, Mr. Chairman. I hope everyone can hear me. Before I give the report I want to echo everyone's comments to Christine. Thank you for all you and your staff have done. All the staff in the county is very fortunate to have you in the position that you are leading. Thank you so much.

I would like to thank Kathleen Dennison, our Budget Director, who put this together and went over it at the Audit & Control Committee. I'm going to review the highlights of the 2019 financial results unaudited. The audit is currently taking place and we won't have those results until later this year.

I had Kathy send out my one page attachment. If you do, you can follow along. If not, just do your best. O.K., the 2019 results- the budget we approved after amendment used \$5.5 million of fund balance in 2019 with the actual general fund local share amount (*inaudible*) \$1.5 million and I'm rounding here. That is a positive variance of budget of just over \$4 million. So, we're using \$4 million less of fund balance than we had originally planned. What makes up this difference? There's things going both ways. A deficit with the property taxes- we had delinquent taxes that we had to reclassify as unfavorable. (*Inaudible*) for uncollectable taxes and that was \$1,452,000 of which \$100,000 was set in the reserve for future uncollected taxes.

On the positive side, with sales tax it exceeded the amended budget by \$984,000. Interest and penalty incomes- (*inaudible*) we actually had a positive. This is kind of a catch-22. We picked up \$385,000 in additional interest and penalties but then we lost \$53,000 at the auction, so the actual net surplus is \$334,971. If you look over at the 2020 column it's keeping track of what's happening for 2020. That is a \$400,000 positive as well. Again, it's a catch-22 because that means people aren't paying their taxes on time.

The tribal compact- we just have it there. We had already taken that out of our 2019 and 2020 budgets, but then you have the energy plant profits and this transfer did not occur. That is a deficit of \$750,000 in 2019 and if you look to the far right, the new operating agreement is in jeopardy and that is a potential \$1 million deficit for 2020.

Community College tuition is a slight deficit of \$44,861. DHHS actually has a positive adjustment of \$997,541. That is mostly in Social Services and the Admin account. Safety net- we also have a positive net local share of \$155,209.

On the deficit side- court ordered psychiatric exams. This is mostly competency to stand trial. We have a deficit of \$96,698. Jail inmate revenues- very small deficit of \$7,000. If you look over to the far right you're looking at a positive surplus for 2020 of about \$400,000 because we're having more (*inaudible*) inmates than we had budgeted for.

The fly car program is currently not self-sustaining for 2019. That deficit is \$466,194. We expect that deficit to continue. There are a lot of moving parts to this, but for 2020 that deficit is projected at \$500,000.

CARTS- we got a \$500,000 state grant for mileage reimbursement and that will be positive \$514,000.

Assigned Counsel is better than it has been, but we have a deficit of \$265,000.

Interest earnings excluding those that are transferred to capital- we have a surplus of \$45,223 and other variances from the various departments by themselves are under \$100,000 (*inaudible*.)

So, for the general fund- general operations we have a surplus of \$3,796,000 and a deficit of \$3,083,000, so the net surplus for the general operations is \$712,825. Remember when we went to the top we had a variance of budget of just over \$4 million (*inaudible*.) Interest and earnings- we had a very good year on our investments. Again, this is a moving target. So, \$1.3 million of that \$4 million will go to be transferred to the capital reserve, which is much needed.

Proceeds from the sale of the helicopter- this is a onetime situation. UPMC bought the helicopter because Star-Flight went away, so that \$1,721,000 is a positive, but we have to- we're designating that to pay off the debt. We still owe for the helicopter and (*inaudible*) we're

bonding and they're not callable at this time, so the \$1.7 million is a surplus from the sale, but we're setting that aside to pay off the debt on the helicopter.

Then you have the occupancy tax and 911 surplus, which will be transferred to reserve- \$259,000. So, over \$4,015,000 (*inaudible*) \$3,302,000 is designated for a specific purpose and the \$712,000 will go to the general fund.

When you look to the far right we've identified for 2020 \$700,000 so far in a potential deficit that was not budgeted. You have to remember when we did the 2020 budget we used a very small portion of the general fund of \$100,060 to balance the budget. So, for 2020 if these things hold true, we're using about \$800,000 out of the general fund in 2020- \$700,000 that we did not plan on.

(*Inaudible*) you'll notice again the net favorable change to the general fund balance \$712,000 in 2019, which will roll over into 2020 and will offset the \$700,000 deficit that we're projecting for 2020. Keep in mind we all know we're in very, very challenging times here and there's so many unknowns in the economy right now and one of the big concerns we're going to have is the sales tax. Obviously people are being laid off, they're not working to capacity, so spending will be down from what it has been. We've had some very good years recently, so we've got to keep a close eye on sales tax. Occupancy tax will be another one even though that's in a reserve- a special fund.

Right now we can celebrate that we had a surplus of- we used less of the fund balance than we anticipated and we can celebrate that, but we need to be very cautious as we move into 2020. I know that was a lot to consume and I want to thank the Chairman for allowing me to go over the 2019 preliminary results.

Chairman Chagnon: Thank you for that Chuck. Are there any questions or comments for Legislator Nazzaro?

Legislator Starks: Again, a note of thanks to Chuck for making all of those numbers come to life and understandable. That makes a difference. Thank you.

Chairman Chagnon: Anyone else?

Legislator Whitford: I just wondered- Chuck, do you see any opportunity through the current crisis that we may get some type of reimbursement through the state or federal government to offset some of the issues that we're going to incur during this crisis? I would be hopeful that it may happen.

Legislator Nazzaro: I would be hopeful too. Obviously the County declared a state of emergency and as we maneuver through all these changes and we're using County resources I certainly hope (*inaudible*) I know in Washington they passed the stimulus. I don't know the specifics of it all because (*inaudible*) and I know the leadership we have in the County will keep on top of that and I'm sure through the state government and the federal government, the counties will be notified of the opportunity because this is going to have a huge negative impact on the County and everyone.

Legislator Whitford: I understand that.

Legislator Nazzaro: We just don't know the specifics at this time.

Chairman Chagnon: I think Kitty is trying to contribute.

Ms. Crow: Hello, this is Kitty. Kathleen and I have been working and she has already set up some special project accounting accounts so that we are able to track any incremental expenses. This has been communicated to the department heads so they can be aware that we want to track incremental expenses because we believe at some point there will be reimbursement available. Again, that will be for incremental expenses.

Legislator Whitford: O.K., thank you.

Mrs. Dennison: This is Kathleen. Can you hear me?

Chairman Chagnon: Yes, go ahead.

Mrs. Dennison: I just wanted to add to what Kitty was saying that we did get some advice from the New York State Association of Counties that due to this declaration that we may be able to submit claims for reimbursement. All the departments have been advised how to track and record incremental expenses should we be allowed to submit those for reimbursement from the schedule (*inaudible.*)

Chairman Chagnon: Thank you, Kathleen. Any other questions or comments? Are there any announcements to be made? I've got one brief announcement that I appreciate the cooperation that all the legislators have given in working through the challenges to our meeting schedules and meeting today and the technological hurdles that we've had to clear. I also appreciate the assistance of Jon DeAngelo and Kathy Tampio and all the staff that has made this possible for us. Thank you all.

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## 2<sup>nd</sup> Privilege of the Floor

Clerk Tampio: We have received no communications for the second privildge of the floor.

Chairman Chagnon: Thank you.

County Executive Wendel: Mr. Chairman, could I have just a couple minutes to address the Legislature? I apologize for being late; I just got off a conference call. Thank you to everybody for all the work you're doing and I have a phenomenal team that has been working with me- my COVID-19 response team. We're doing a great job. As you know, we have three confirmed cases. We are in constant contact with all of our counterparts throughout state and federal government. I just wanted to let you know that we are doing everything to help mitigate this. We meet daily and this is a nonstop effort. My message is that we need to stay CHQ strong along with that, if you have any questions or concerns please get those to me and we will address those in our meetings. (*Inaudible*) the information I'm going to be putting out- I have a daily

video that goes out along with my daily news brief. Stay home and stay safe. We have a lot of people that are still out there. The best thing you can tell to your constituents is tell them to stay home and stay safe. My daughter just got back from the Czech Republic and she is staying in Charlotte for two weeks to quarantine, so I haven't seen her since August and she is following the protocols and staying in the apartment while my brother goes elsewhere. She's not even in Chautauqua County and quarantining just like everyone else. Encourage everyone to do their best to stay safe and at the end we're going to come through this a better county and I appreciate everything you guys are doing. Thank you for your time.

Chairman Chagnon: Thank you. Please continue to represent us in the fine fashion that you have been.

MOVED by Legislator Gould, SECONDED by Legislator Bankoski and duly carried the meeting was adjourned. (7:51 p.m.)

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