

Regular Meeting  
Chautauqua County Legislature  
**Meeting was Held Virtually due to Social Distancing Guidelines  
And Live Streamed on Social Media**  
Wednesday, May 27, 2020 6:30 p.m.  
Mayville, N.Y. 14757

Chairman Chagnon called the meeting to order at 6:32 p.m.

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

Legislator Muldowney delivered the prayer and pledge of allegiance.

MOVED by Legislator Bankoski, SECONDED by Legislator Rankin and duly carried the minutes were approved. (4/22/20)

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

Chairman Chagnon: Are there any submitted comments for the first privilege of the floor?

Clerk Tampio: Yes there are. I have a communication by email from Beth Starks that she would like to have read and this was a communication that was sent to several of our Legislators. I will read it at this time.

*Attached please find the letter that childcare providers in Chautauqua County sent to the Governor. As you can see below, this letter was sent to Governor Cuomo, Senator Borrello and Assemblyman Goodell over a month ago. I am very disheartened that we have not received a response (from the Governor); that the Governor still has not mentioned the importance of childcare; and most importantly, that families and providers are still suffering.*

*Although NYS received \$163.4 million in CARES funding specific to childcare (CCDBG), the Governor did no major announcement. He did a soft roll out of the "CARES childcare scholarship program". The idea is good (I helped develop it), except it wasn't rolled out as we initially hoped it would be. Also, it is only \$30 million of the \$163.4 million. Why? That is the answer we should all be seeking. If we do not use those funds (they are specifically CCDBG funds so they cannot be used for anything else), we will not be able to get more in future CARES funding.*

*The biggest issue with the CARES scholarship in the way it was rolled out is that it only pays for childcare for up to 300% of poverty level. OCFS had already allowed for a waiver for local DSS to assist more families with childcare subsidies. In Chautauqua County, our DHHS applied for and received a waiver to assist families up to 85% of median NYS income (which is higher than 300% of PL for any family with a family size less than 7). Therefore, this scholarship actually did not help families in Chautauqua County.*

*We have to get the CCDBG CARES funding in the hands of families and providers immediately. I have tried everything I can think of and I desperately need your help!*

*My second attachment is the letter we (state-wide advocates) drafted to the Governor after his "announcement" with further information.*

*My request for you is:*

- 1) that I have the floor to speak during public comment next Wednesday*
- 2) that the legislators send a letter (or something more official) to the Governor from our County before it is too late.*

*\*My third attachmenst are copies of the most recent letter Senator Borrello and Assemblyman Goodell sent to the Governor for your reference.*

*We have to get the CCDBG CARES funding in the hands of families and providers immediately. I have tried everything I can think of and I desperately need your help!*

*In addition, I am disappointed by the lack of the inclusion of Early Childhood expertise in any of the State's reopening groups. When we want medical advice, we seek out medical professionals. I am not seeing the same in Early Childhood. New York State, a leader in many other respects, is rapidly falling behind in its COVID-19 response in regards to Education, especially Early Childhood Education. I do not want this to be the same in Chautauqua County.*

*How can we consider re-opening with schools closed, many summer camps & rec programs canceled, and grandparents unavailable? Who will families turn to in order to ensure the safety and well-being (& education) of their children as they go back to work? The answer is childcare. However, over half of the programs are closed in WNY, where we already had a childcare desert. How will we re-open in the absence of childcare? It's simple, they won't. Parents simply will not return to work. I don't think any of us want that. I have solutions. Solutions that are working in Chautauqua County and could be part of the solution, but we need support. This article explains this concept further: <https://www.google.com/amp/s/www.nytimes.com/2020/05/20/opinion/child-day-care-coronavirus.amp.html>.*

*Finally, is there anyone representing childcare in the room in any of the Chautauqua County re-open groups? Especially in Chautauqua County, childcare is such a critical component of the re-open / re-build / re-imagine efforts. An Early Childhood Expert needs to be at the table.*

*Please feel free to forward this to your fellow legislators and let me know what I need to do to make sure that this is brought up appropriately on Wednesday.*

*Thank you for your time, support and consideration of this matter! Please feel free to contact me with any questions.*

*Beth Starks*

*Executive Director  
Chautauqua Lake Childcare Center*

Chairman Chagnon: O.K., thank you Kathy. Is that the only communication we received for the first privilege of the floor?

Clerk Tampio: That is correct.

Chairman Chagnon: Thank you.

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**VETO MESSAGES FROM COUNTY EXECUTIVE WENDEL  
NO VETOES FROM 04/22/20**

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**COMMUNICATIONS:**

- 1. Letter – NYS Department of State – Ack. of State of Emergency Proclamation**
  - 2. Letter – Town of Chautauqua – Zoning Board of Appeals Hearing**
  - 3. Report – Fn. Director Crow – Investment Reports – March 2020**
  - 4. Report – NYS Small Business Development Center – Quarterly Report**
  - 5. Email – Ryan DeBrino – Sales Tax and Hotel/Motel Tax Extenders**
  - 6. Proof of Publication (2) - The OBSERVER – Re: Public Hearings on the 04/22/2020 Agenda**
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**RESOLUTIONS:**

**RES. NO. 123-20 Confirm Appointment – Chautauqua County Planning Board, by Planning & Economic Development Committee – UNANIMOUSLY ADOPTED**

**RES. NO. 124-20 Confirm Re-Appointment – South & Center Chautauqua Lake Sewer Districts Board, by Public Facilities Committee – UNANIMOUSLY ADOPTED**

**RES. NO. 125-20 Amend 2020 Budget Appropriations for Capital Project to Rehabilitate Gravity Sewer Lines in the South & Center Chautauqua Lake Sewer Districts (S&CCLSD), by Public Facilities and Audit & Control Committees – UNANIMOUSLY ADOPTED**

**RES. NO. 126-20 Amend 2019 Budget Appropriations and Revenues—North Chautauqua County Water District, by Public Facilities and Audit & Control Committees – UNANIMOUSLY ADOPTED**

**RES. NO. 127-20 Adjust D.5112 Capital Improvement Accounts-Funded Roads, by Public Facilities and Audit & Control Committees – UNANIMOUSLY ADOPTED**

**RES. NO. 128-20 Amend 2020 Budget Appropriations for Landfill due to Bond Issue for Phase IV Construction, by Public Facilities and Audit & Control Committees - UNANIMOUSLY ADOPTED**

**RES. NO. 129-20 Authorize HAVA CARES ACT Grant Award from the New York State Board of Elections, by Administrative Services and Audit & Control Committees - UNANIMOUSLY ADOPTED**

**RES. NO. 130-20 Authorize Standardization of Taser Brand Products at the Chautauqua County Office of the Sheriff, by Public Safety Committee – UNANIMOUSLY ADOPTED**

**RES. NO. 131-20 Authorize Agreement with NYS Division of Criminal Justice Services Grant - Southern Tier Regional Drug Task Force FY19, by Public Safety and Audit & Control Committees – UNANIMOUSLY ADOPTED**

**RES. NO. 132-20 Authorize Execution of United States Department of Justice Grant Organized Crime Drug Enforcement Task Forces (OCDEF) FY20 “Winter Thaw”, by Public Safety and Audit & Control Committees – UNANIMOUSLY ADOPTED**

**RES. NO. 133-20 Amend 2020 Adopted Budget for Office of the Sheriff, by Public Safety And Audit & Control Committees – UNANIMOUSLY ADOPTED**

**RES. NO. 134-20 Change Name of Capital Project Number H.4070.655, by Human Services and Audit & Control Committees – UNANIMOUSLY ADOPTED**

**RES. NO. 135-20 Mental Hygiene Certified Community Behavioral Health Clinic (CCBHC), by Human Services and Audit & Control Committees – UNANIMOUSLY ADOPTED**

**RES. NO. 136-20 Amend 2020 Adopted Budget for COVID-19 Revenue from Federal Government – Office for Aging Services, by Human Services and Audit & Control Committees – UNANIMOUSLY ADOPTED**

**RES. NO. 137-20 Amend 2020 Budget Appropriations and Revenues Due to COVID-19 Pandemic and Other Year-to-Date Financial Impacts, by Public Facilities, Administrative Services, Public Safety, Human Services, Planning & Economic Development and Audit & Control Committees**

Legislator Nazzaro: As we all know, this resolution went through every committee but I think it warrants a couple minutes to review what this resolution means because it is significant. The County Executive, in response to the COVID-19 pandemic, formed a special COVID-19 finance committee to review the effects and to help determine the financial implications of COVID-19. That committee not only included the County Executive, but the Finance Director, the Budget Director, the HR Director, our County Attorney as well as Legislators Chagnon, Gould and myself. The purpose of this- we met at least twice a week via Zoom and we viewed every department's budget to see what effects it would be. The County Executive put out a memo to his department heads asking for their cooperation's and again, I would like to thank all the department managers and all their staff for coming forward in a very difficult time. As a result of all these actions you have a very lengthy resolution before you that's outlining many reductions in expenses not only in operating costs but in capital expenditures realizing that we have many challenges ahead of us. One of the biggest challenges that we are seeing, which is not a surprise to anybody, is the reduction in sales tax revenue and occupancy tax. The resolution before you is just phase one of probably several other resolutions to come before this body. This resolution is accounting for a reduction of approximately 10% in sales tax from what was budgeted, which equates to about a \$4.1 million reduction in sales tax. We are still trying to get a handle on what the sales tax will be. 10% is a very low estimate and it will likely be twice that, so we will have other resolutions coming before us. Also, the committee with the leadership of

the County Executive and HR Director and everyone else on the committee offered a voluntary furlough program. I emphasize the word voluntary. I want to thank all the organized bargaining units that worked with the MOA to develop this and I am pleased to announce that effective May 21<sup>st</sup>, we had approximately 139 county employees take a voluntary furlough. This I see as a win-win for everyone involved. The employee will be able to receive the \$600 federal unemployment benefit and also the NYS unemployment benefit, but they do maintain their health insurance during this time. The benefit to the County in the voluntary furloughs is still being calculated, but I expect it will be a fairly large number. The voluntary furlough was effective May 21<sup>st</sup> and goes through July 31<sup>st</sup> when the federal unemployment \$600 expires. Again, as we go through and begin the 2021 process we'll be looking at all the various committees and working with the COVID-19 finance group to help us identify what are the essential services that this county should provide to the tax payers and what services should be reduced or eliminated. Again, I encourage everyone to support this and I want to thank everyone for working so diligently and hard on this. Thank you very much.

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

**RES. NO. 137-20 – UNANIMOUSLY ADOPTED**

**RES. NO. 138-20 Distribution of Mortgage Taxes**, by Administrative Services and Audit & Control Committees

Legislator Odell: Just a point of interest- this does represent about a 15% increase from the same period last year. Although we may not see this going forward, there are some bright spots to talk about today.

Chairman Chagnon: Thank you. A little good news is always helpful. Any other questions or comments on the resolution?

**RES. NO. 138-20 – UNANIMOUSLY ADOPTED**

**RES. NO. 139-20 Quit Claim Deeds**, by Administrative Services and Audit & Control Committees – R/C Vote: 18 Yes; 1 Absent – **UNANIMOUSLY ADOPTED**

**EMERGENCY RES. NO. 140-20 Authorize Acceptance of Coronavirus Aid, Relief, and Economic Security Act (CARES Act) Grant to Partially Offset Operating Costs for Chautauqua County Dunkirk Airport**, by County Executive Wendel

Chairman Chagnon: And now we have one emergency resolution that has come forward. I am looking for a motion to bring this emergency resolution to the floor.

MOVED by Legislator Bankoski, SECONDED by Legislator Vanstrom to bring to the floor

*Unanimously Carried to Bring Emergency Resolution 140-20 to the Floor*

Chairman Chagnon: Discussion on the proposed emergency resolution? We all had that sent to us earlier via email and we discussed this at the caucus. Are there any questions or comments on the proposed resolution?

Legislator Scudder: I would just like- in case someone is keeping score on my airport votes I would just like to make the statement that I will be voting in favor of this resolution because it is federal grant money for the airport with no commitment of time for the County to stay in the airport business, so I will be voting in favor of this money. Thank you.

Chairman Chagnon: Thank you.

Legislator Odell: The Airport Commission did discuss this knowing that this was coming down the pike and the reason this is coming before the Legislature in an emergency fashion is that the grant offer from the feds had not come in during the prefile period. So, when we did get the grant offer officially we put it through. This is for \$30,000 for the Dunkirk Airport that will offset some (*inaudible*) to help further our budget performance as well. We will be expecting this as well for the Jamestown Airport, so stay tuned. Thank you.

Chairman Chagnon: Thank you. Other questions or comments on the emergency resolution?

**EMERGENCY RES. NO. 140-20 – UNANIMOUSLY ADOPTED**

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**MOTIONS:**

**A. Request for New York Forward Re-Opening Advisory Board Reporting**

Legislator Gould: I would like to make a motion to bring that to the floor as long as there aren't signatures on this motion.

Chairman Chagnon: Thank you.

Legislator Nazzaro: Second.

Chairman Chagnon: Thank you very much. Is there any question on the motion to bring this motion to the floor? All those in favor please say aye? Opposed?

*Unanimously Carried to Bring Motion A to the Floor*

Chairman Chagnon: Are there any questions or comments on the motion? All those in favor please say aye? Opposed?

*Unanimously Carried*

**B. Calling on Congress to Provide Direct Aid to Local Governments**

Chairman Chagnon: I'm looking for a motion to bring this to the floor.

Legislator Bankoski: I'll make the motion.

Legislator Rankin: I'll second.

Chairman Chagnon: Is there any discussion on the motion to bring this motion to the floor? All those in favor please say aye.

*Unanimously Carried to Bring Motion B to the Floor*

Chairman Chagnon: Are there any questions or comments on the motion?

Legislator Nazzaro: I just want to add that this will be significant because as we outlined in one of the resolutions we have many budget challenges before us and obviously one thing we have not factored in at this point is any type of federal or state aid. So, it is imperative that this motion be carried and also acted on at the federal and state levels because in order to balance our budget to have a minimum effect on tax citizens this is critical. Thank you.

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

*Unanimously Carried*

**C. Calling for Increased Childcare Funding**

Clerk Tampio: There is a late motion and it is at the request of Legislators Ward, Starks, Pavlock, Odell, Vanstrom, Harmon, and Rankin.

Chairman Chagnon: O.K., I'm looking for a motion to bring this to the floor. I see Legislator Ward's hand up, so I will take that as a motion and I see Legislator Starks hand up and I will take that as a second. Is there any discussion on the motion to bring this to the floor?

*Unanimously Carried to Bring Motion C to the Floor*

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

Legislator Ward: Thank you very much. As we all know and we have seen from the hard work that Ms. Starks has done and she's pretty much said it all at the privilege of the floor, but this is to direct- this is for Chautauqua County Legislature to urge New York State to direct and

use federal funds to cover expenses for all local department of social services across the state to pay providers participating in the childcare subsidy program. I don't think that I can add a whole lot to the work and the words that Ms. Starks brought to the beginning of this meeting, but I want to thank her for her hard work on behalf of all the childcare workers and advocates and also to Ms. Tampio who received our request for a late motion on Sunday and had it ready for review by Monday night, without error I might add. I would reiterate that this plea comes from folks on the frontlines of the reopening effort on behalf of the ones who teach, protect, care for and who are perhaps our most vulnerable. There will be no re-opening without adequate childcare. We've realized \$30 million of the \$163.4 million in federal CARES funding specifically childcare. There is an eloquent letter (*inaudible*) which explain what you all have in your hands. I would like to thank Ms. Starks, Mr. Borrello, Mr. Goodell, Mr. Wendel, Mr. Chairman and Mr. Odell and all the folks at the bottom of this letter that the childcare workers sent to the governor who are working tirelessly to help these kids and their parents to get these funds released. So, thanks to this body for recognizing this motion's importance and urgency.

Chairman Chagnon: Thank you. Are there other questions or comments on the motion?

Legislator Odell: Thank you. I would just like to say I'm proud of my team members that worked on this (*inaudible*.) In Chautauqua County childcare is one of the many (*inaudible*) that are building success platforms. Thank you for all the work that everyone put in.

Chairman Chagnon: Thank you. Other questions or comments on the motion?

*Unanimously Carried*

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## ANNOUNCEMENTS

Chairman Chagnon: We will move on to the portion of the agenda titled announcements. Are there any announcements to be shared? Hearing none and seeing none let's move on.

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## PRIVILEGE OF THE FLOOR

No one chose to speak at this time.

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MOVED by Legislator Gould, SECONDED by Legislator Bankoski and duly carried the meeting was adjourned. (7:11 p.m.)

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