

Agenda

Public Facilities Committee

November 9, 2020, 4:00 p.m., Virtual Meeting via Zoom

Gerace Office Building, Mayville, NY

- A. Call to Order
- B. Approval of Minutes (10/19/20)
- C. Privilege of the Floor
 - 1. Proposed Resolution – Amend Resolution 148-20 –Authorizing Landfill Renewable Natural Gas (RNG) Agreements with Chautauqua Green Energy LLC (CGE)
 - 2. Proposed Resolution - Amend Capital Project Accounts due to Fleet Management Services (Chautauqua County Airport at Dunkirk)
 - 3. Proposed Resolution - Amend Capital Project Accounts due to Fleet Management Services (DPF Large Equipment)
 - 4. Other

SMA 11-2-20
BPB 11-2-20
KMD 11/02/20
KLC 11/2/20
PMW 11/2/20

CHAUTAUQUA COUNTY
RESOLUTION NO. _____

TITLE: Amend Resolution 148-20 Authorizing Landfill Renewable Natural Gas (RNG) Agreements with Chautauqua Green Energy LLC (CGE)

BY: Public Facilities and Audit & Control Committees:

AT THE REQUEST OF: County Executive Paul M. Wendel, Jr.:

WHEREAS, pursuant to Resolution 148-20 the County Executive was authorized to enter into a lease agreement (Agreement) with Chautauqua Green Energy LLC (CGE) to enable the development of an RNG facility at the County Landfill, with specified Agreement terms and conditions; and

WHEREAS, one such term and condition was that the RNG plant be completed within twenty-four (24) months of execution of the lease agreement; and

WHEREAS, NY Green Bank (the Bank), a division of the New York State Energy Research and Development Authority (NYSERDA), is providing financing to CGE for the project, including an advance of funds prior to receipt of all necessary project permits, which will enable CGE to make initial lease payments to the County and which will also enable CGE to make other RNG plant-related expenditures that have a long lead time; and

WHEREAS, although obtaining the final project permits is expected to be routine, the Bank is required to secure its advances to CGE with sufficient collateral available to repay the Bank even in the unlikely event that the RNG plant, for lack of permits or otherwise, is delayed or not able to be constructed; and

WHEREAS, the Agreement provides that CGE has the right during the full term of the Agreement to operate both the County's existing gas-to-energy plant and the RNG facility to be constructed, and seven (7) years of potential revenue from the existing gas-to-energy plant alone is a sufficient collateral source of revenue to enable the Bank to make its initial advances to CGE described above; now, therefore, be it

RESOLVED, That the first paragraph of Resolution 148-20 is hereby amended as follows to enable CGE to provide the Bank sufficient collateral for the Bank's advance of funds to CGE prior to the receipt of all necessary project permits for the RNG plant project:

1. RNG Plant and Infrastructure. CGE, at its sole expense, shall design, construct, operate, and maintain an RNG plant and infrastructure at the County Landfill, to be completed within the earlier of twenty-four (24) months from the receipt of all necessary permits for the project, or within eighty-four (84) months of execution of the lease agreement. Unless the County elects to purchase the RNG plant and infrastructure upon the termination of the lease agreement, CGE, at its sole expense, shall also be responsible for the decommissioning and removal of the RNG plant and infrastructure except for buried facilities, such as pipelines, which may be abandoned in place.

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

BPB 11/3/20
KMD 11/02/20
KMW 11.03.20
SMA 11/03/20
KLC 11/3/20
PMW 11/3/20

TITLE: Amend Capital Project Accounts due to Fleet Management Services
(Chautauqua County Airport at Dunkirk)

BY: Public Facilities and Audit & Control Committees:

AT THE REQUEST OF: County Executive Paul M. Wendel, Jr.:

WHEREAS, Chautauqua County approved an appropriation of \$39,000 for Capital Project H.5610.25168 (Ford F250 4X4 w/Plow-DNK (2020)) in the 2020 Capital Budget; and

WHEREAS, the County entered into an agreement for fleet management services whereby it is financially advantageous to lease light duty vehicles and trucks instead of purchasing them; and

WHEREAS, lease expense is an operating expense instead of a capital expense; now therefore be it

RESOLVED, That the Reserve for Capital be adjusted as follows:

DECREASE THE USE OF FUND BALANCE:

A.-----878.	Reserved Fund Balance--Reserve for Capital	\$39,000
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; and be it further

RESOLVED, That the Director of Finance is authorized and directed to make the following amendments to the 2020 Adopted Budget:

DECREASE APPROPRIATION ACCOUNTS:

A.9950.----9	Interfund Transfers - Transfer to Capital	\$39,000
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DECREASE CAPITAL REVENUE ACCOUNT:

H.5610.25168.R503.1000	Interfund Transfers-Interfund Transfer	\$39,000
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DECREASE CAPITAL APPROPRIATION ACCOUNT:

H.5610.25168.4	Contractual - Chautauqua County Airport, Ford F250 4X4 w/ Plow-DNK (2020)	\$39,000
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; and be it further

RESOLVED, That in 2021 the A Fund Balance be adjusted as follows:

INCREASE THE USE OF FUND BALANCE:

A.----.----.917.0000	Unassigned Fund Balance--Unassigned Fund Balance	\$6,554
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; and be it further

RESOLVED, That the Director of Finance is authorized and directed to make the following amendments to the 2021 Adopted Budget:

INCREASE APPROPRIATION ACCOUNT:

A.5610.5612.4	Contractual - Chautauqua County Airport, Dunkirk Airport	\$6,554
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APPROVED
VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

BPB 11/3/20
KMD 11/02/20
KMW 11.3.20
KLC 11/3/20
PMW 11/3/20

TITLE: Amend Capital Project Accounts due to Fleet Management Services
(DPF Large Equipment)

BY: Public Facilities and Audit & Control Committees:

AT THE REQUEST OF: County Executive Paul M. Wendel, Jr.:

WHEREAS, Chautauqua County approved an appropriation of \$2.1 million for Capital Project H.5130.626 (DPF Large Equipment (Annual)) in the 2020 Capital Budget; and

WHEREAS, a portion of this appropriation was intended for the purchase of light duty vehicles and/or trucks; and

WHEREAS, the County entered into an agreement for fleet management services whereby it is financially advantageous to lease light duty vehicles and trucks instead of purchasing them; and

WHEREAS, lease expense is an operating expense instead of a capital expense; and

WHEREAS, a portion of the 2020 Capital Budget is available to finance leases that will not begin until 2021; now therefore be it

RESOLVED, That the Reserve for Capital be adjusted as follows:

DECREASE THE USE OF FUND BALANCE:

A.----.----.878.0000	Reserved Fund Balance – Reserve for Capital	\$142,000
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; and be it further

RESOLVED, That the Director of Finance is authorized and directed to make the following amendments to the 2020 Adopted Budget:

DECREASE APPROPRIATION ACCOUNT:

A.9950.----.9	Interfund Transfers – Transfer to Capital	\$142,000
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DECREASE CAPITAL REVENUE ACCOUNT:

H.5130.626.R503.1000	Interfund Transfers – Interfund Transfer	\$142,000
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DECREASE CAPITAL APPROPRIATION ACCOUNT:

H.5130.626.4	Contractual—Road Machinery, DPF Large Equipment (Annual)	\$142,000
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; and be it further

RESOLVED, That in 2021 the A Fund Balance be adjusted as follows:

INCREASE THE USE OF FUND BALANCE:

A.----.----.917.0000	Unassigned Fund Balance--Unassigned Fund Balance	\$29,583
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; and be it further

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

RESOLVED, That the Director of Finance is authorized and directed to make the following amendments to the 2021 Adopted Budget:

INCREASE APPROPRIATION ACCOUNTS:

A.9901.9100.9	Interfund Transfers - Transfer to Other Funds, Transfer (A-DM)	\$29,583
DM.5130.----.4	Contractual - Road Machinery	<u>\$29,583</u>
	Total	\$59,166

INCREASE REVENUE ACCOUNT:

DM.9901.9100.R503.1000	Interfund Transfers-Interfund Transfer	\$29,583
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APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date