

Minutes

Public Facilities Committee

January 19, 2021, 4:00 p.m.

Virtual Meeting via Zoom and Live-Streamed for public viewing

Gerace Office Building, Mayville, N.Y.

Members Present: Hemmer, Davis, Nazzaro, Gould

Member Absent: Scudder

Others: Tampio, Ames, Dennison, Bentley, Geise, Carrow, Abdella, R. Perry, McCoy, R. Dixon, Chagnon

Chairman Hemmer called the meeting to order at 4:01 p.m.

Approval of Minutes (12/7/20)

MOVED by Legislator Nazzaro, SECONDED by Legislator Davis to approve the minutes.

Unanimously Carried

Privilege of the Floor

Clerk Tampio: I heard from an individual by phone, Mr. Raymond Tylicki, he was intending to send in comments for the privilege of the floor by email but he is in the hospital and unable to do that. So he called me and spoke to me and wanted me to pass on his two concerns and it's relative to, well two things, one is CARTS and then there's some other, yea, CARTS busses for both of them. So the first point he wanted to make, number one was, he feels there should be some arrangement with DSS when working with homeless clients that they put up in temporary housing so between the first two weeks before they can receive some cash assistance, he feels that we should provide them with some passes to ride the CARTS busses so that they can make their appointments wherever they may be within the County. The second point relative to CARTS was, he feels that there should be some arrangements made to meet up with the Seneca Nation transportation facilities at, what he called the One Stop, near the Bingo Hall. I'm not familiar with that myself but, maybe you are, so that some of their clients can be transferred via our CARTS bus through our County and meet up with public transportation at the County line in order to make their appointments that they may have in Erie, Pa. So those were the two points that he wished to express.

Chairman Hemmer: Yes, he contacted me as well, Mr. Tylicki, and he was concerned with yes, the transfers to try and get from our CARTS system to a hospital out of the County. He felt as though there was difficulty in connecting up with the bus line at the County line or something like that so he could be transferred. I did try and give him some contacts at CARTS and Office for the Aging. He did tell me also that he is a Veteran so I'm going to try and see if I can get him a contact for the Veteran Services too. They do have a bus but, Brad, are we connected to that bus that Veterans Services has? Is CARTS connected to that or is that separate and go out of the County?

Mr. Bentley: That is separate, the Veterans Services. I think there is some agreements in place, I'd have to check with Michelle, as far as how the coordination works there. But, as a general public service announcement, any of the Medicaid rides that go out of County, those are arranged by Albany, the State. CARTS is only allowed to go within County, by Charter. So anybody that needs a Medicaid ride and needs to go to Buffalo or Seneca Nation, they can arrange that through the scheduling system in Albany. But getting any answers to those questions for anybody that is on the call and this is being recorded and if anybody ever listens to it, I'm going to throw out some numbers here that people can call. This is the CARTS dispatch number and you'll get a live person and they'll be able to get you in touch with the right people. It's 1-800-388-6534, too free and if it's local its, 716-665-6466. That will get you in touch with one of the CARTS dispatchers who arrange that. But please beware that there are certain limitations as far as where they go and how they're *(inaudible)* up. But there is a lot of options available to folks so it's a matter of calling and just *(inaudible)* So there is a lot of good resources out there and it's just a matter of calling and getting the information. As far as the bus rides go, I believe DSS or Office for the Aging has some bus passes so I'm hopeful that they would be able to connect with those folks and be able to arrange whatever they need as those interim solutions there. So, again, those phone numbers should work to maybe get those contacts in place as well.

Chairman Hemmer: Thank you very much Brad. I think he was going to try and listen to this meeting as well as the information that I gave him and that Kathy gave me. Is there anything else for the privilege of the floor from Kathy or was that it?

Clerk Tampio: That was it.

Chairman Hemmer: O.k, we'll move on.

Proposed Resolution – Confirm Appointment & Re-Appointments – New York Fish & Wildlife Management Board

Chairman Hemmer: The new appointment is Legislator Tom Harmon and then the reappointments for Zenon Olow and Andrew Joy. Any comments or questions about this one? I think they will be good committee members for Fish and Wildlife. All in favor?

Unanimously Carried

Proposed Resolution – Continuation of Interim Funding for North Chautauqua County
Water District

Clerk Tampio: If I could speak to that for you. As you may know the interim funding provided by the County expired at the end of 2020 and it was up to an amount of \$4 million dollars. What we're asking for now is to continue that for one more year, until the end of 2021 with no increase in the amount at this point in time. So there are several reasons for this. We have ongoing construction and capital project costs for our North Chautauqua County Water District and approximately a half a million dollars of the \$4 million dollars interim funding promised previously, so we have a half a million left that could be utilized to bridge us over to when our grant funding and other funding comes in. So, the reason there is a delay in our capital project is primarily due to a large delay from the New York State Department of Health in approving our design plans for the Phase II construction for the District. I think a large part of that may have been on the part of Albany is the COVID restrictions and staffing abilities to spend the time or be in the office to review the plans as necessary and the Department of Health, they've been concerned with the COVID much more than all the other projects that come before them. The other one is, we expected to also process our grant funding sooner than we have. One grant, the first ESD grant for a million dollars, that disbursement has been delayed. They are requiring an audit of the project costs which we've been working with Bonadio to perform that function for us and we've encountered some issues with being able to get the correct information that they need but we're working on that as we speak. The other one is, we were expecting an additional grant from the New York State Department of Corrections in the amount of about \$1.4 million. That is money that was contractually designated for the Village of Brocton water project which is part of the water district project. So that is also in final review in Albany so we're hoping to see that soon. But in the meantime, we don't have the cash flow to continue to pay our bills as they exist now. We expect once the Department of Health gets our plans approved so that we hope to bid the project this spring with construction in late summer/fall and finishing up in spring of 2022. So, that's kind of put us in a fix as far as making sure that we have the money to pay for the engineering and any possible construction that might come along prior to the larger project. So, I think I've covered the points unless Steve or Kathleen has anything additional to provide. O.k., are there any questions for me?

Legislator Nazzaro: You did a good job Kathy, explaining it, thank you.

Clerk Tampio: Thank you. I had a good conference with Steve with the resolution and also with Kathleen of course. So we feel comfortable doing this at this point. I'm hoping that we won't have to come back and ask for a little bit more interim funding in the next year but for the time being, I'm comfortable with extending it out a year.

Legislator Nazzaro: I have to ask one question of Kathleen. What does the interest rate calculate to, roughly? I know you do it so the County does not lose any investment earnings, I understand that. I'm just curious what that rate is approximately and is that figured at the end of the year?

Mrs. Dennison: It has not been figured so far and so after Kathy and I had our discussion about this, I asked the same question. I sent a note to Kitty and Todd Button and said, I noticed

that we have not booked any interest revenue so far (*cross talk*) to the capital project but Todd and Kitty responded that they will do that as part of the year end reconciliation this year.

Legislator Nazzaro: Yea because we should be accruing that I would think.

Mrs. Dennison: Unfortunately I don't know what the interest rate is and don't have any dollar figure to report at this time but we are working on it.

Legislator Nazzaro: Because this was in effect back in 2019 too, was it not?

Mrs. Dennison: At least in 2019. In my opinion, I'm surprised that we haven't booked any revenue yet because I think that there should be some. I'll touch base with Todd and Kitty and hopefully we can have some harder figures for Audit & Control.

Legislator Nazzaro: That would be great, thank you.

Chairman Hemmer: Sounds good. I am surprised, you would think at least annually that the interest would be added on or at least have an indication of what it's going to end up at. I'm sure that it will be figured on a different rate each year, won't it?

Mrs. Dennison: Yea, I believe so, yes.

Chairman Hemmer: Thank you very much for those questions and for the answers. Anyone else have any additional questions on this resolution for the extension of funding? All in favor?

Unanimously Carried

Proposed Resolution – NCLSD SEQR Determination for Chautauqua Shores and Orchard Terrace I & I Repair

Chairman Hemmer: I talked to Mr. Cummings yesterday and he has another meeting at this time and so he was not going to be able to attend the meeting but this project certainly seems like an important project. We have to keep up the infrastructure in those sewer lines. There's been a study done to help them determine what to do and what lines to take care of so I think that this project should go ahead. Is there anyone with any comments about this project?

Mr. Abdella: Just that normally we can – when it's a Type II action such as this which does not require any specific environmental review, normally we can just generate that internally but I think for purposes for some of the outside funding that they're receiving, it was asked that we have the Legislature make the determination or confirm our finding that it's a Type II action. That's why there is a resolution before you.

Chairman Hammer: Thank you Mr. Abdella: Any other questions or comments?

Legislator Gould: Is there any costs to this?

Chairman Hemmer: The study has already been done and I assume it's already been paid for. This is just for us to approve the finding that no further SEQRA action has to be taken. The cost for the study that is associated with this, I believe is already paid for. Kathleen, do you know about that?

Mrs. Dennison: The District has included these studies in their budgets in the past, yes.

Legislator Gould: O.k., thank you.

Chairman Hemmer: Thank you for the question Mr. Gould. Any other questions?

Unanimously Carried

Proposed Resolution - Amend Resolution 99-18 – Authorizing Sale and Option Agreements for Redevelopment of Roberts Road Properties in the City of Dunkirk

Mr. Geise: I'm just going to talk about this for a little bit and then I'm going to have Rich Dixon pipe in there but this is basically a resolution that would amend a 2018 resolution that approved the sale of parcels of land on Roberts Road to Roberts Road Freezer LLC and it was about 10 acres. They had chosen at that time not to exercise an option around 8 acres of land that ran along the railroad tracks. Not being sure whether they would put that into play. So as we all know, the Roberts Road Freezer was built, about 100,000 square feet of freezer space that supplied, at the time, was Fieldbrook, that's since been purchased by Wells who is doing a large internal expansion, if you will. So there is a great deal of interest in doing more in that area. I don't want to say too much and there is now interests in that brownfield parcel as well. Again, this is good for economic development and it also removes a liability that the County currently has on that property. So, do you want to add to that Rich?

Mr. Dixon: Yes, just to say that the 3 parcels at 320 Roberts Road LLC has the option on. Those parcels were bifurcated when the Millennium Parkway went through and they (*inaudible*) of the center line of Millennium Parkway a long narrow strip of property. It was really too small to build anything on but it was contaminated. They saw no need for it at the time. They then came back and said, well, if we do a project here, we might need that to put some fill there and to cap it and what that would do was, that would decrease the liability from the County which currently pays about \$5,500 a year, according to Brad on reporting in to the State on what is there. If this projects does go forward and they exercise this option, that cost will go away and that property will also be on the tax rolls so it's a win/win for everybody and it will help everybody out. So we're excited about the opportunity to move that project forward.

Legislator Nazzaro: So Rich, could you explain on the purchase price there it says \$1.00 provided however that during years 6 through 10 the purchases shall be required to match any other offers received by the County.

Mr. Dixon: When we originally negotiated Chuck that was with 320 Roberts Road LLC, Mark was – that was actually his first day, we were up in the incubator up in Dunkirk. George

Borrello was there, lawyers were there, I think Steve was there, I think you were there, weren't you Steve?

Mr. Abdella: Probably yes.

Mr. Dixon: When they negotiated to buy Edgewood property Chuck, again, they bought that and they assumed to take all the liability for it except for things never unknown and as part of buying that first parcel, they said, o.k., we'll buy this first parcel for a dollar or whatever, we'll develop on it but we also want an option on these other parcels in case some day we're going to expand and the County said o.k., we'll give you an option on those for a \$1.00 for 6 years exclusively and then for the next 4 years, if we (*inaudible*) County to offer, they would have to match the price to get it. They are already in their 2nd year in the 6 years so there is only 4 left on that. So that's how that all came about as part of the original project Chuck.

Legislator Nazzaro: So the odds of that happening, I mean, somebody coming in is not very probable, correct?

Mr. Dixon: The probability of somebody doing something on there now, is highly probable.

Legislator Nazzaro: I'm trying to understand the purchase price, what that clause means for this resolution.

Mr. Dixon: Basically what we're doing here Chuck is adding that strip that they didn't want to begin with, back into this, and it takes it off the County's hands and hopefully will be on the tax rolls.

Legislator Nazzaro: Alright, that clarifies it Rich. Thank you.

Mr. Dixon: You're welcome.

Mr. Bentley: I'm in support of this sale and Chuck, to help clarify, they are only two years into the first 6 years on that option. So they have exclusive rights to buy that for a \$1.00 for the next four years before we can entertain any other offer. If that helps you.

Legislator Nazzaro: O.k., yes.

Mr. Bentley: That's why it's just a \$1.00 and that is why Rich is saying it doesn't matter – but yea, right now I have to pay a contractor about \$5,500 to do a report on the monitoring wells out there. There is approximately a dozen or so wells out there between Alumax and (*inaudible*) properties. Again, they just monitor the well water out there. A lot of the wells are actually clean. We've actually seen a decrease due to the remediation. There are a couple that are just above so the (*inaudible*) has done well from a remediation standpoint, recovery and all of that. So, (*inaudible*) is favorable on it but there are long term reporting requirements that will continue monitor with the new owners so if we sell this, it will be a good win for the County to

get rid of the liability. But as I said, putting it back on the tax rolls is probably even more important.

Mr. Abdella: I will just mention that the purpose of the option in the first place was, it was probably to incentivize them to do the initial warehouse project but also, they were interested in room for expansion if the first project went well. We're hoping that that comes through that two years hence now, they are coming back to us and are interested in acquiring this property for additional investment.

Chairman Hemmer: Sounds pretty good to me. They've made some investments already and it would seem like if they are willing to make sure investments, they must be doing pretty good. I'm happy about that. Any other questions or concerns about this? Hearing none, all in favor?

Unanimously Carried

Other

Discussions:

Clerk Tampio – Updated Information on Grant Application Requests Implementation

Brad Bentley & Randall Perry – Dave McCoy - Veterans Bus run by CARTS – Mobility Manager Availability – Mayville Parking Lot/Stormwater Improvements – Airport Grants – Road Salt Update – Airport Hangar Door - CHIPS Funding

Chairman Hemmer: Anything else?

MOVED by Legislator Gould, SECONDED by Legislator Davis to adjourn.

Unanimously Carried (4:49 p.m.)

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